PHA Plans

Streamlined Annual Version

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB No. 2577-0226
(exp. 05/31/2006)

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937 that introduced 5-year and annual PHA Plans. The full PHA plan provides a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form allows eligible PHAs to make a streamlined annual Plan submission to HUD consistent with HUD's efforts to provide regulatory relief for certain types of PHAs. Public reporting burden for this information collection is estimated to average 11.7 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development, Federal Housing Administration, is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Information in PHA plans is publicly available.

Streamlined Annual PHA Plan for Fiscal Year: 2008 PHA Name: South Windsor Housing Authority (CTO33)

NOTE: This PHA Plan template (HUD-50075-SA) is to be completed in accordance with instructions contained in previous Notices PIH 99-33 (HA), 99-51 (HA), 2000-22 (HA), 2000-36 (HA), 2000-43 (HA), 2001-4 (HA), 2001-26 (HA), 2003-7 (HA), and any related notices HUD may subsequently issue.

Streamlined Annual PHA Plan
Agency Identification

PHA Name: South Windsor Housing Authority **PHA Number:** CT033

PHA Fiscal Year Beginning: (01/2008)

PHA Programs Administered:

☐ **Public Housing and Section 8** ☒ **Section 8 Only** ☐ **Public Housing Only**

Number of public housing units: Number of S8 units: 35 Number of public housing units:
Number of S8 units:

☐ PHA Consortia: (check box if submitting a joint PHA Plan and complete table)

Participating PHAs	PHA Code	Program(s) Included in the Consortium	Programs Not in the Consortium	# of Units Each Program
Participating PHA 1:				
Participating PHA 2:				
Participating PHA 3:				

PHA Plan Contact Information:

South Windsor Housing Authority
50 Elm Street
South Windsor CT 06074
(860) 644-3082

Public Access to Information

Information regarding any activities outlined in this plan can be obtained by contacting: (select all that apply)

☒ PHA's main administrative office ☐ PHA's development management offices

Display Locations For PHA Plans and Supporting Documents

The PHA Plan revised policies or program changes (including attachments) are available for public review and inspection. ☒ Yes ☐ No.
If yes, select all that apply:

☒ Main administrative office of the PHA
☐ PHA development management offices
☐ Main administrative office of the local, county or State government
☐ Public library ☐ PHA website ☒ Other (list below)

Imagineers
635 Farmington Avenue
Hartford, CT 06105
(860) 247-2318

PHA Plan Supporting Documents are available for inspection at: (select all that apply)
☒ Main business office of the PHA ☐ PHA development management offices
☒ Other (list below)
Imagineers
635 Farmington Avenue
Hartford, CT 06105
(860) 247-2318

Streamlined Annual PHA Plan
Fiscal Year 2008
[24 CFR Part 903.12(c)]

Table of Contents
[24 CFR 903.7(r)]

Provide a table of contents for the Plan, including applicable additional requirements, and a list of supporting documents available for public inspection.

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☒ 4. Project-Based Voucher Programs 7.
☒ 5. PHA Statement of Consistency with Consolidated Plan. Complete only if PHA has changed any policies, programs, or plan components from its last Annual Plan. 7.
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B. SEPARATE HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE

Form HUD-50076, *PHA Certifications of Compliance with the PHA Plans and Related Regulations*: *Board Resolution to Accompany the Streamlined Annual Plan* identifying policies or programs the PHA has revised since submission of its last Annual Plan, and including Civil Rights certifications and assurances the changed policies were presented to the Resident Advisory Board for review and comment, approved by the PHA governing board, and made available for review and inspection at the PHA's principal office;

For PHAs Applying for Formula Capital Fund Program (CFP) Grants:
Form HUD-50070, *Certification for a Drug-Free Workplace;*
Form HUD-50071, *Certification of Payments to Influence Federal Transactions*; and
Form SF-LLL &SF-LLLa, *Disclosure of Lobbying Activities*.

1. Site-Based Waiting Lists (Eligibility, Selection, Admissions Policies) (N/A)

[24 CFR Part 903.12(c), 903.7(b)(2)]
Exemptions: Section 8 only PHAs are not required to complete this component.

A. Site-Based Waiting Lists-Previous Year

1. Has the PHA operated one or more site-based waiting lists in the previous year? If yes, complete the following table; if not skip to B.

Site-Based Waiting Lists				
Development Information: (Name, number, location)	**Date Initiated**	**Initial mix of Racial, Ethnic or Disability Demographics**	**Current mix of Racial, Ethnic or Disability Demographics since Initiation of SBWL**	**Percent change between initial and current mix of Racial, Ethnic, or Disability demographics**

2. What is the number of site based waiting list developments to which families may apply at one time?

3. How many unit offers may an applicant turn down before being removed from the site-based waiting list?

4. ☐ Yes ☐ No: Is the PHA the subject of any pending fair housing complaint by HUD or any court order or settlement agreement? If yes, describe the order, agreement or complaint and describe how use of a site-based waiting list will not violate or be inconsistent with the order, agreement or complaint below:

B. Site-Based Waiting Lists – Coming Year

If the PHA plans to operate one or more site-based waiting lists in the coming year, answer each of the following questions; if not, skip to next component.

1. How many site-based waiting lists will the PHA operate in the coming year?

2. ☐ Yes ☐ No: Are any or all of the PHA's site-based waiting lists new for the upcoming year (that is, they are not part of a previously-HUD-approved site based waiting list plan)?
   If yes, how many lists?
3. ☐ Yes ☐ No: May families be on more than one list simultaneously
   If yes, how many lists?

4. Where can interested persons obtain more information about and sign up to be on the site-based waiting lists (select all that apply)?
   - ☐ PHA main administrative office
   - ☐ All PHA development management offices
   - ☐ Management offices at developments with site-based waiting lists
   - ☐ At the development to which they would like to apply
   - ☐ Other (list below)

2. Capital Improvement Needs (N/A)

[24 CFR Part 903.12 (c), 903.7 (g)]

Exemptions: Section 8 only PHAs are not required to complete this component.

A. Capital Fund Program

1. ☐ Yes ☐ No Does the PHA plan to participate in the Capital Fund Program in the upcoming year? If yes, complete items 7 and 8 of this template (Capital Fund Program tables). If no, skip to B.

2. ☐ Yes ☐ No: Does the PHA propose to use any portion of its CFP funds to repay debt incurred to finance capital improvements? If so, the PHA must identify in its annual and 5-year capital plans the development(s) where such improvements will be made and show both how the proceeds of the financing will be used and the amount of the annual payments required to service the debt. (Note that separate HUD approval is required for such financing activities.).

B. HOPE VI and Public Housing Development and Replacement Activities (Non-Capital Fund)

Applicability: All PHAs administering public housing. Identify any approved HOPE VI and/or public housing development or replacement activities not described in the Capital Fund Program Annual Statement.

1. ☐ Yes ☐ No: Has the PHA received a HOPE VI revitalization grant? (if no, skip to #3; if yes, provide responses to the items on the chart located on the next page, copying and completing as many times as necessary).

2. Status of HOPE VI revitalization grant(s):

HOPE VI Revitalization Grant Status
a. Development Name: b. Development Number:
c. Status of Grant: ☐ Revitalization Plan under development ☐ Revitalization Plan submitted, pending approval ☐ Revitalization Plan approved ☐ Activities pursuant to an approved Revitalization Plan underway

3. ☐ Yes ☐ No: Does the PHA expect to apply for a HOPE VI Revitalization grant in the Plan year?
If yes, list development name(s) below:

4. ☐ Yes ☐ No: Will the PHA be engaging in any mixed-finance development activities for public housing in the Plan year? If yes, list developments or activities below:

5. ☐ Yes ☐ No: Will the PHA be conducting any other public housing development or replacement activities not discussed in the Capital Fund Program Annual Statement? If yes, list developments or activities below:

3. Section 8 Tenant Based Assistance--Section 8(y) Homeownership Program

(if applicable) [24 CFR Part 903.12(c), 903.7(k)(1)(i)]

1. ☐ Yes ☒ No: Does the PHA plan to administer a Section 8 Homeownership program pursuant to Section 8(y) of the U.S.H.A. of 1937, as implemented by 24 CFR part 982 ? (If "No", skip to the next component; if "yes", complete each program description below (copy and complete questions for each program identified.)

2. Program Description:

a. Size of Program
☐ Yes ☐ No: Will the PHA limit the number of families participating in the Section 8 homeownership option?

If the answer to the question above was yes, what is the maximum number of participants this fiscal year?

b. PHA-established eligibility criteria

☐ Yes ☐ No: Will the PHA's program have eligibility criteria for participation in its Section 8 Homeownership Option program in addition to HUD criteria? If yes, list criteria:

c. What actions will the PHA undertake to implement the program this year (list)?

3. Capacity of the PHA to Administer a Section 8 Homeownership Program:

The PHA has demonstrated its capacity to administer the program by (select all that apply):

☐ Establishing a minimum homeowner downpayment requirement of at least 3 percent of purchase price and requiring that at least 1 percent of the purchase price comes from the family's resources.

☐ Requiring that financing for purchase of a home under its Section 8 homeownership will be provided, insured or guaranteed by the state or Federal government; comply with secondary mortgage market underwriting requirements; or comply with generally accepted private sector underwriting standards.

☐ Partnering with a qualified agency or agencies to administer the program (list name(s) and years of experience below):

☐ Demonstrating that it has other relevant experience (list experience below):

4. Use of the Project-Based Voucher Program

Intent to Use Project-Based Assistance

☐ Yes ☒ No: Does the PHA plan to "project-base" any tenant-based Section 8 vouchers in the coming year? If the answer is "no," go to the next component. If yes, answer the following questions.

1. ☐ Yes ☐ No: Are there circumstances indicating that the project basing of the units, rather than tenant-basing of the same amount of assistance is an appropriate option? If yes, check which circumstances apply:

   ☐ low utilization rate for vouchers due to lack of suitable rental units
   ☐ access to neighborhoods outside of high poverty areas
   ☐ other (describe below:)

2. Indicate the number of units and general location of units (e.g. eligible census tracts or smaller areas within eligible census tracts):

5. PHA Statement of Consistency with the Consolidated Plan

[24 CFR Part 903.15]

For each applicable Consolidated Plan, make the following statement (copy questions as many times as necessary) only if the PHA has provided a certification listing program or policy changes from its last Annual Plan submission.

1. Consolidated Plan jurisdiction: (provide name here)

State of Connecticut

2. The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the jurisdiction: (select all that apply)

☒ The PHA has based its statement of needs of families on its waiting lists on the needs expressed in the Consolidated Plan/s.
☒ The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
☒ The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
☒ Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)
☐ Other: (list below)

3. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)

6. Supporting Documents Available for Review for Streamlined Annual PHA Plans

PHAs are to indicate which documents are available for public review by placing a mark in the "Applicable & On Display" column in the appropriate rows. All listed documents must be on display if applicable to the program activities conducted by the PHA.

List of Supporting Documents Available for Review		
Applicable & On Display	**Supporting Document**	**Related Plan Component**
X	*PHA Certifications of Compliance with the PHA Plans and Related Regulations and Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans*;	5 Year and Annual Plans
X	*PHA Certifications of Compliance with the PHA Plans and Related Regulations and Board Resolution to Accompany the Streamlined Annual Plan*	Streamlined Annual Plans
X	*Certification by State or Local Official of PHA Plan Consistency with Consolidated Plan*.	5 Year and standard Annual Plans
X	Fair Housing Documentation Supporting Fair Housing Certifications: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions' initiatives to affirmatively further fair housing that require the PHA's involvement.	5 Year and Annual Plans
X	Housing Needs Statement of the Consolidated Plan for the jurisdiction(s) in which the PHA is located and any additional backup data to support statement of housing needs for families on the PHA's public housing and Section 8 tenant-based waiting lists.	Annual Plan: Housing Needs
	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources
	Public Housing Admissions and (Continued) Occupancy Policy (A&O/ACOP), which includes the Tenant Selection and Assignment Plan [TSAP] and the Site-Based Waiting List Procedure.	Annual Plan: Eligibility, Selection, and Admissions Policies
	Deconcentration Income Analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
	Any policy governing occupancy of Police Officers and Over-Income Tenants in Public Housing. ☐ Check here if included in the public housing A&O Policy.	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
	Public housing rent determination policies, including the method for setting public housing flat rents. ☐ Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
	Schedule of flat rents offered at each public housing development. ☐ Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
X	Section 8 rent determination (payment standard) policies (if included in plan, not necessary as a supporting document) and written analysis of Section 8 payment standard policies. ☐ Check here if included in Section 8 Administrative Plan.	Annual Plan: Rent Determination
	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach	Annual Plan: Operations and Maintenance

List of Supporting Documents Available for Review		
Applicable & On Display	**Supporting Document**	**Related Plan Component**
	infestation).	
	Results of latest Public Housing Assessment System (PHAS) Assessment (or other applicable assessment).	Annual Plan: Management and Operations
	Follow-up Plan to Results of the PHAS Resident Satisfaction Survey (if necessary)	Annual Plan: Operations and Maintenance and Community Service & Self-Sufficiency
X	Results of latest Section 8 Management Assessment System (SEMAP)	Annual Plan: Management and Operations
X	Any policies governing any Section 8 special housing types ☐ Check here if included in Section 8 Administrative Plan	Annual Plan: Operations and Maintenance
	Public housing grievance procedures ☐ Check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures. ☐ Check here if included in Section 8 Administrative Plan.	Annual Plan: Grievance Procedures
	The Capital Fund/Comprehensive Grant Program Annual Statement /Performance and Evaluation Report for any active grant year.	Annual Plan: Capital Needs
	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grants.	Annual Plan: Capital Needs
	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans, or any other approved proposal for development of public housing.	Annual Plan: Capital Needs
	Self-evaluation, Needs Assessment and Transition Plan required by regulations implementing Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. See PIH Notice 99-52 (HA).	Annual Plan: Capital Needs
	Approved or submitted applications for demolition and/or disposition of public housing.	Annual Plan: Demolition and Disposition
	Approved or submitted applications for designation of public housing (Designated Housing Plans).	Annual Plan: Designation of Public Housing
	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act, Section 22 of the US Housing Act of 1937, or Section 33 of the US Housing Act of 1937.	Annual Plan: Conversion of Public Housing
	Documentation for required Initial Assessment and any additional information required by HUD for Voluntary Conversion.	Annual Plan: Voluntary Conversion of Public Housing
	Approved or submitted public housing homeownership programs/plans.	Annual Plan: Homeownership
	Policies governing any Section 8 Homeownership program (Section _____of the Section 8 Administrative Plan)	Annual Plan: Homeownership
	Public Housing Community Service Policy/Programs ☐ Check here if included in Public Housing A & O Policy	Annual Plan: Community Service & Self-Sufficiency
	Cooperative agreement between the PHA and the TANF agency and between the PHA and local employment and training service agencies.	Annual Plan: Community Service & Self-Sufficiency
	FSS Action Plan(s) for public housing and/or Section 8.	Annual Plan: Community Service & Self-Sufficiency
	Section 3 documentation required by 24 CFR Part 135, Subpart E for public housing.	Annual Plan: Community Service & Self-Sufficiency
	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports for public housing.	Annual Plan: Community Service & Self-Sufficiency
	Policy on Ownership of Pets in Public Housing Family Developments (as required by regulation at 24 CFR Part 960, Subpart G). ☐ Check here if included in the public housing A & O Policy.	Annual Plan: Pet Policy
X	The results of the most recent fiscal year audit of the PHA conducted under the Single Audit Act as implemented by OMB Circular A-133, the results of that audit and the PHA's response to any findings.	Annual Plan: Annual Audit

List of Supporting Documents Available for Review		
Applicable & On Display	**Supporting Document**	**Related Plan Component**
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)
	Consortium agreement(s) and for Consortium Joint PHA Plans Only: Certification that consortium agreement is in compliance with 24 CFR Part 943 pursuant to an opinion of counsel on file and available for inspection.	Joint Annual PHA Plan for Consortia: Agency Identification and Annual Management and Operations

7. Capital Fund Program Annual Statement/Performance and Evaluation Report and Replacement Housing Factor

Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary

PHA Name:	**Grant Type and Number** Capital Fund Program Grant No: Replacement Housing Factor Grant No:	**Federal FY of Grant:**

☐**Original Annual Statement** ☐**Reserve for Disasters/ Emergencies** ☐**Revised Annual Statement (revision no:)**
☐**Performance and Evaluation Report for Period Ending:** ☐**Final Performance and Evaluation Report**

Line No.	**Summary by Development Account**	**Total Estimated Cost**		**Total Actual Cost**	
		Original	**Revised**	**Obligated**	**Expended**
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements				
4	1410 Administration				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1501 Collaterization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)				
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

7. Capital Fund Program Annual Statement/Performance and Evaluation Report and Replacement Housing Factor

Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name:		**Grant Type and Number** Capital Fund Program Grant No: Replacement Housing Factor Grant No:				**Federal FY of Grant:**		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	

7. Capital Fund Program Annual Statement/Performance and Evaluation Report and Replacement Housing Factor

Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part III: Implementation Schedule

PHA Name:	**Grant Type and Number** Capital Fund Program No: Replacement Housing Factor No:	**Federal FY of Grant:**

Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	

8. Capital Fund Program Five-Year Action Plan

Capital Fund Program Five-Year Action Plan **Part I: Summary**					
PHA Name				☐**Original 5-Year Plan** ☐**Revision No:**	
Development Number/Name/ HA-Wide	Year 1	Work Statement for Year 2 FFY Grant: PHA FY:	Work Statement for Year 3 FFY Grant: PHA FY:	Work Statement for Year 4 FFY Grant: PHA FY:	Work Statement for Year 5 FFY Grant: PHA FY:
	Annual Statement				
CFP Funds Listed for 5-year planning					
Replacement Housing Factor Funds					

8. Capital Fund Program Five-Year Action Plan

Capital Fund Program Five-Year Action Plan Part II: Supporting Pages—Work Activities						
Activities for Year 1	Activities for Year :____ FFY Grant: PHA FY:			Activities for Year: ___ FFY Grant: PHA FY:		
	Development Name/Number	**Major Work Categories**	**Estimated Cost**	**Development Name/Number**	**Major Work Categories**	**Estimated Cost**
See						
Annual						
Statement						
Total CFP Estimated Cost			$			$

8. Capital Fund Program Five-Year Action Plan

Capital Fund Program Five-Year Action Plan **Part II: Supporting Pages—Work Activities**					
Activities for Year :____ FFY Grant: PHA FY:			Activities for Year: ___ FFY Grant: PHA FY:		
Development Name/Number	**Major Work Categories**	**Estimated Cost**	**Development Name/Number**	**Major Work Categories**	**Estimated Cost**
Total CFP Estimated Cost		$			$

Attachment A

SOUTH WINDSOR HOUSING AUTHORITY

HOUSING CHOICE VOUCHER PROGRAM ADMINISTRATIVE PLAN

MAY 2007

HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN
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HOUSING CHOICE VOUCHER PROGRAM

1.0 APPLICABILITY AND SCOPE

1.1 MISSION STATEMENT

The primary objective of the South Windsor Housing Authority Section 8 Tenant Based Assistance, Housing Choice Voucher program is to assist eligible low-income families to obtain decent, safe and sanitary housing. The mission of the South Windsor Housing Authority through the its Section 8 program is to promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.

1.2 GENERAL

The South Windsor Housing Authority is the designated Housing Agency (HA) for the town of South Windsor. The HA has contracted for the preparation and submission of Section 8 Housing Assistance funding applications and for the administration and enforcement of these programs. The HA's HA is Imagineers, LLC.

The South Windsor Housing Authority recognizes the housing needs of its low and moderate income residents. The Section 8 Tenant Based Assistance, Housing Choice Voucher program is a responsive mechanism for providing immediate housing assistance for low and very-low income households. The rental subsidy enables tenants to afford standard units while providing rental income sufficient to meet the operating expenses of the landlords.

The Contractor prepares for HA review and approval all necessary annual budgets, revisions, increments, and quarterly requisitions required by HUD. The Contractor processes monthly Housing Assistance Payments requisitions through the HA. The Contractor submits financial audits and management reports as required by the HA or Housing and Urban Development (HUD) office. The Contractor makes available for review at any time all program financial records. The Contractor maintains a financial system designed to comply with HUD issuances HM75-32 and the applicable section of the "Low-Rent Housing Accounting Handbook" 7501.1 as well as other directives of HUD and the HA.

In addition to the reports required from the HA by HUD, the Contractor provides monthly program activity reports to the HA. More frequent and additional reports

can be provided as requested by the HA. Special reports required by HUD will be prepared and additional requests will be met as directed by the HA.

The policies and procedures contained herein are applicable to implementation of housing assistance payments on behalf of eligible families by leasing existing housing pursuant to the provisions of Section 8 of the U.S. Housing Act of 1937.

The overall administrative approach includes an accessible office suitable to accommodate client households and other interested parties, in the performance of all tasks required by the Section 8 regulations.

The HA through its Contractor provides the following program services as specified by HUD for proper administration of Section 8 Tenant Based Assistance, Housing Choice Voucher program. (Hereinafter the administrative plan will refer to the Contractor and the South Windsor Housing Authority as the HA)

1.3 FAIR HOUSINIG POLICY AND EQUAL OPPORTUNITY STATEMENT

The HA will comply with the Fair Housing Act, Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, Executive Order 11063, Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act and all related rules, regulations, and requirements.

The HA will not on account of race, color, creed, national origin, sex, handicap, or familial status deny to any family the opportunity to apply for admission nor deny an eligible applicant the opportunity to lease or rent a dwelling unit; if suitable to its needs. In the selection of families, there will be no discrimination against families otherwise eligible for admission because their income is derived in whole or in part from public assistance.

It is the policy of the HA to comply fully with all federal, state, and local nondiscrimination laws and with the rules and regulations governing fair housing and equal opportunity in housing and employment.

The HA shall not deny any family or individual the equal opportunity to apply for or receive assistance under the Section 8 program on the basis of race, color, sex, religion, creed, national or ethnic origin, age, familial or marital status, handicap or disability or sexual orientation. The HA will make every effort to provide training and material to its staff to enable them to inform owners and tenants of State Statute 46a-11F (discrimination based on sources of income) and 46a-7 (discrimination based on physical or mental disability).

To further its commitment to full compliance with applicable civil rights laws, the HA will provide federal/state/local information to voucher holders regarding

unlawful discrimination and any recourse available to families who believe they are victims of a discriminatory act. Such information will be made available during the family briefing session, and all applicable fair housing information and discrimination compliant forms will be made a part of the voucher holder's briefing packet and available upon request at the front desk.

All HA staff will be required to attend fair housing training and informed of the importance of affirmatively furthering fair housing and providing equal opportunity to all families, including providing reasonable accommodations to persons with disabilities, as a part of the overall commitment to quality customer service. Fair housing posters are posted throughout HA office's including in the lobby and interview rooms, and the equal opportunity logo will be used on all outreach materials. Staff will attend local fair housing update training sponsored by HUD and other local organizations to keep current with new developments.

Except as otherwise provided in 24 CFR 8.21(c)(1), 8.24(a), 8.25, and 8.31, no individual with disabilities shall be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination because the HA's facilities are inaccessible to or unusable by persons with disabilities. Posters and housing information are displayed in locations throughout the HA's offices in such a manner as to be easily readable from a wheelchair.

The HA's offices are accessible to persons with disabilities. Accessibility for the hearing impaired is provided by the TTD/TDY telephone service provider.

The HA will attempt to remedy discrimination complaints made against the HA.

The HA will provide a copy of a discrimination complaint form to the complainant and provide the family with information on how to complete and submit the form to HUD's Office of Fair Housing and Equal Opportunity (FHEO).

1.4 REASONABLE ACCOMMODATION POLICY

This policy is intended to afford persons with disabilities an equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as those who do not have disabilities and is applicable to all situations described in this administrative plan. A participant with a disability must first ask for a specific change to a policy or practice as an accommodation of their disability before the HA will treat a person differently than anyone else.

To be eligible to request a reasonable accommodation, the requester must first certify that they are a person with a disability in accordance with following ADA definition:

a. A physical or mental impairment that substantially limits one or more major life activities.
b. A record of such an impairment.
c. Being regarded as having such an impairment.

Once the person's status as a qualified person with a disability is confirmed, the HA will require that a professional third party competent to make the assessment, provides written verification that the person needs the specific accommodation due to their disability and the change is required for them to have equal access to the housing program.

If the HA finds that the requested accommodation creates an undue administrative or financial burden, the HA will either deny the request and/or present an alternate accommodation that will still meet the need of the person.

An undue administrative burden is one that requires a fundamental alteration of the essential functions of the HA (i.e. waiving a family obligation).

An undue financial burden is one that when considering the available resources of the agency as a whole, the requested accommodation would pose a severe financial hardship on the HA.

The HA will provide written decision to the person requesting the accommodation within a reasonable time. If a person is denied the accommodation or feels that the alternative suggestions are inadequate, they may request an informal hearing to review the HA's decision.

1.5 *SECURITY AND PRIVACY RIGHTS*

The HA will ensure that practices, controls and safeguards used by the HA will adequately protect the confidentially of the tenant wage data, third-party income, medical and other documents. The practices, controls and safeguards used by the HA will be in compliance with the Federal laws regarding the protection of this information.

Applicants and participants, including all adult in their households, are required to sign the HUD 9886 Authorization for Release of Information. This document incorporates the Federal Privacy Act Statement and describes the condition under which HUD will release and obtain family information and protect privacy rights.

The HA's policy regarding release of information is in accordance with state and local laws which may restrict the release of family information

The HA's practices and procedures are designed to safeguard the privacy of applicants and program participants. All applicants and participants files will be stored in a secure location, which is only accessible by authorized staff.

The use EIV information is only used for the limited purposes, which is the tenant recertification process and oversight of the tenant recertification process. All HA EIV users must adhere to the EIV Rules of Behavior that is signed as part of the access request form. EIV printed outputs and downloaded data that contain Privacy act information will be treated as sensitive. The printout and downloaded data copied onto other media will be stored in a secure place, which is only accessible by authorized staff. When this information is not needed it will be destroyed in a manner to prevent the reconstruction of the contents.

Regular security awareness training of program staff will be conducted to ensure the proper access and proper safeguard of sensitive information. The program administrator's Security Officer will ensure compliance with program administrator's security policies and procedures. Including the following:

- Maintaining and enforcing the security procedure;
- Keeping records and monitoring security issues;
- Communicating security information and requirements to appropriate staff, including coordinating and conducting security awareness training.
- Conducting a quarterly review of all User Ids issues to determine if the users still have a valid need to access the EIV data and taking the necessary steps to ensure that access rights are revoked or modified as appropriate; and
- Reporting any evidence of unauthorized access or known security breaches to the HA Executive Director and taking immediate action to address the impact breach including but not limited to prompt notification to appropriate authorities including HUD Field Office.

All tenant files will be treated as having EIV information or private information and handled in such a manner so that it does not become misplaced or available to unauthorized personnel. All authorized program staff handling tenant files will be trained to treat tenant files in this manner. Security of computer systems is covered in detail under the Quality Control Plan.

1.6 ***OUTREACH TO FAMILIES AND CONTACT WITH OWNERS***

The HA utilizes a variety of means to publicize and disseminate information regarding the Section 8 Tenant Based Assistance, Housing Choice Voucher program for income-eligible households. Aside from the conventional print and broadcast media, the HA meets with community organizations, owner and renter associations, block groups, neighborhood planning and development committees, housing advocates, governmental departments, advocacy agencies, and church groups. The

HA will use its management experience and capabilities to disseminate useful relevant information to the widest audience.

The HA also recognizes that special outreach may be necessary to assist the following: families suffering a language barrier, disabled or handicapped persons, and the very low income, or very large families. Notices will also be provided in Spanish and other languages spoken in communities when necessary. Please refer to the attached Limited English Proficiency (LEP) Policy for further information on steps taken to ensure meaningful access of our housing program and activities by LEP persons identified through a program assessment.

2.0 ELIGIBILITY FOR ADMISSION

2.1 ELIGIBILITY

Housing Assistance may be provided to citizens and to noncitizens who have immigration status.

The head of household must have legal capacity to enter into a lease under state or local law.

At least 75% of families admitted to a HA tenant-based voucher program during the HA's fiscal year must qualify as extremely low income (ELI), annual income does not exceed 30 percent of median income in area.

A family qualifying as Lower Income must have been continuously assisted under the U.S. Housing Act of 1937. An applicant is continuously assisted under the 1937 Act if the family is already receiving assistance under any 1937 Act program when the family is admitted to the certificate or voucher program.

Family is defined as: a.) A single person or a group of persons; b.) A family with a child or children; c.) A group consisting of persons of: i.) Two or more elderly persons, or; ii.) Disabled persons living together, or; iii.) One or more elderly or disabled persons living with one or more live-in aides; d.) A single person family may be: i.) elderly; ii.) displaced; iii.) any other single persons; e.) A child who is temporarily away from the home because of placement in foster care is considered a member of the family.

2.2 ADMISSION STANDARDS

In order to be eligible for admission to the Housing Choice Voucher program all applicants must meet the following admission standards:

1. An applicant's income cannot exceed the applicable Section 8 very-low income limits or an applicant must be income eligible according to the HUD Housing Choice Voucher program standards. For the purposes of determining whether a family is initially eligible according to the HUD published income limits, the size of the family may be determined by counting a family that consists of a pregnant women as a two person household in addition to any other family members. The HA may elect to require that a physician's statement support pregnancy in matters that impact the family size for the purpose of determining income-limit eligibility (Income limits apply only at admission and are not applicable for continued occupancy; however, as income increases the assistance will decrease).

2. An applicant must meet the HUD citizenship/eligible immigrant status criteria. For each household member to be eligible for assistance they must be a citizen, national, or a non-citizen who has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980 (see 42 U. S. C. 1436a(a)).

3. An applicant must provide social security number documentation for all family members 6 years of age or older or certify that they do not have one.

4. An applicant must have each member of the family who is 18 years of age or older and each family head of household and spouse regardless of age sign one or more of the following consent forms; HUD-9886 Authorization for the Release of Information/Privacy Act Notice, INS consent forms, Certification to HUD Admission and Continued Occupancy Standards, Consent to Obtain Criminal History Records and Contact Drug and Alcohol Treatment Facilities.

5. An applicant head of household and spouse must sign the Applicant Certification form to certify that the information given to the HA on household composition, income, net family assets and allowances and deductions is accurate and complete.

6. An applicant has not committed fraud or misrepresentation in connection with any Federally assisted housing program.

7. An applicant does not owe rent or other amounts to the HA or any public housing in connection with Section 8 or public housing assistance under the U.S. Housing Act of 1937.

8. An applicant must not be evicted from public housing or any Section 8 program for drug-related criminal activity within the last three years.

9. The head of household or oldest family member is at least 18 years old or have the demonstrated “legal capacity” to enter into a lease under State or local law.

10. All applicants will be screened using criminal history background checks. Applicants will be denied admission for the following offenses:

    - Persons currently engaged in drug related criminal activity or violent criminal activity.
    - Fugitives felons, parole violators and persons fleeing to avoid prosecution, or custody or confinement after convictions, for a crime, or attempt to commit a crime, that is a felony under the laws of the place from which the individuals flees.
    - Persons convicted for producing Methamphetamine on federal assisted housing property.

    - Sex offenders who are required by law to maintain permanent/lifetime registration with a State program. (The attempted background will be carried out with respect to the State of Connecticut and where members of the applicant household are known to have resided and/or information is obtainable.)
    - Persons whom a HA determines it has a reasonable cause to believe the household member’s illegal drug or alcohol abuse threatens the health, safety, or interferes with the peaceful enjoyment of the premises by other residents
    - Persons evicted from federally assisted housing for drug-related criminal activity less than 3 years ago, unless the tenant successfully completes a rehabilitation program approved by a HA or the circumstances for the eviction no longer exist.

2.3 HA SCREENING

All new applicants including each adult household member (18 years of age or older) must meet the HA admission standards in order to be eligible for admission to the covered programs. The HA will conduct the following screening in order to determine an applicant’s ability to meet the admission standards:

Criminal history background checks will be conducted on all adult applicants through the use of a criminal search provider. The HA will conduct background checks for violent criminal charges and convictions, illegal drug or alcohol abuse, or eviction from federally assisted housing for drug-related criminal activity. The applicant’s consent to the background check is mandatory prior to the background check. The applicant’s refusal to provide consent is grounds for denying admission to the program. The applicant is prohibited admission if the background checks determine that any household member is engaged in, or has engaged in drug related

criminal activity or violent criminal activity during the three (3) year time period before the admission decision:

If the background check reveals that the applicant does not meet the admission standards then the applicant member will be denied admission. When applicants are denied admission based on having a criminal record, the HA will provide the applicant with a copy of the criminal record and opportunity to dispute the accuracy and relevance of the record.

All applicants will be required to certify prior to admission that they do not have a pattern of illegal use of controlled substance or pattern of abuse of alcohol that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. If the HA background check provides a reason to dispute the applicants certification or the applicant elects not to sign Certification to HUD Admission and Continued Occupancy Standards for reasons of drug or alcohol abuse then the applicant must demonstrate to the HA's satisfaction that they are no longer engaging in illegal use of a controlled substance or abuse of alcohol through one of the following means: a.) Applicant that has successfully completed a supervised drug or alcohol rehabilitation program; b.) Applicant has otherwise been rehabilitated successfully; c.) Applicant is participating in a supervised drug or alcohol rehabilitation program.

2.4 HA CONSIDERATION OF CIRCUMSTANCES

If the HA receives unfavorable information about an applicant's behavior that could disqualify the household based on the admission standards, the HA will also consider the nature, time since occurrence, and extent of the applicant's conduct and may consider whether an applicant is likely to display favorable conduct in the future.

In determining whether to deny assistance because of action or failure to act by members of the family the HA may consider the following: a.) The HA may consider all relevant circumstances such as the seriousness of the case, the extent of participation or culpability of individual family members, mitigating circumstances related to the disability of a family member, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure. b.) The HA reserves the right to impose, as a condition of continued assistance for other family members, a requirement that other family members who participated in or were culpable for the action or failure will not reside in the unit. The HA may permit the other family members of a participant family to continue receiving assistance; c.) If the family includes a person with disabilities, the HA decision concerning such action is subject to consideration of reasonable accommodations.

2.5 HA RECORDS OF MANAGEMENT

The HA will have a system of records management that ensures that any criminal record received by the HA is: a.) Maintained confidentially; b.) Not misused or improperly disseminated; and c.) Destroyed, once the purpose(s) for which the record was requested has been accomplished, including expiration of the period for filing a challenge or final disposition of any such litigation. The HA shall designate one Manager with the responsibility of requesting, receiving, maintaining and destroying criminal background information access through the criminal search provider.

Any criminal history record information obtained may be provided to the subject of the record upon his/her request. In order to receive this information the subject must sign a receipt indicating the acceptance of this information.

2.6 OWNERS REQUESTING HA SCREENING

The HA may obtain and use criminal record information to screen applicants or residents for lease enforcement purposes on behalf of owners. In order to accomplish this the owner must submit a written request to the HA requesting that the HA obtain criminal records for adults who are applicants or current program participants. The letter must include the following: a.) A copy of a consent form signed by the household member in accordance with 24CFR Section 5.903; b.) Admission standards for drug criminal activity in accordance with 24CFR 5.854; c.) Admission standards for prohibiting admission for other criminal activity in accordance with 24CFR 5.857; d.) Standards for eviction for illegal drug activity in accordance with Section 5.858; and e.) Standards for evictions for other criminal activity in accordance24CFR 5.858. The HA may charge the owner a reasonable fee for providing this service.

When an owner properly submits this type of request the HA will notify the owner in writing whether the HA received any criminal conviction records that authorize a denial, eviction or termination. The HA will not release any criminal conviction records or the content of the records to the owner. The HA is permitted to release criminal records to owner only for use in connection with a judicial eviction proceeding and then only in accordance with CFR24 Section 5.903.

Definitions pertaining to this section:

> "Currently engaging in" – With respect to behavior such as illegal use of a drug, other drug related criminal activity, or other criminal activity, currently engaging in means that the individual has engaged in the behavior recently enough to justify a reasonable belief that the individual's behavior is current.

"Drug" – A controlled substance as defined in section 1012 of the Controlled Substances Act (21 U.S.C. 802).

"Drug related criminal activity" – the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug.

"Violent criminal activity" – means any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

"Covered Programs" – Housing Choice Voucher Program, Moderate Rehabilitation program, Project Based Program.

3.0 MANAGING THE WAITING LIST

3.1 OPENING AND CLOSING THE WAITING LIST

The decision to open or close the waiting list will be based on whether the existing waiting list contains an adequate pool of applicants for the use of available program funding.

Opening of the waiting list will be announced via public notice. The public notice will announce that applications for the Housing Choice Voucher program will again be accepted. The public notice will state where, when, and how to apply. The notice will be published in a local newspaper of general circulation, and also through available minority media. The public notice will state any limitations to who may apply. Closing the waiting list will be advertised through a public notice in a similar manner.

The notice will include the Fair Housing logo and slogan and otherwise be in compliance with Fair Housing requirements.

Public Notice will be provided (at minimum) to the following media:

Hartford Courant

Local Newspaper of general circulation and also by minority media.

3.2 TAKING APPLICATIONS

All applicants will be required to complete a pre-application form, which will contain information necessary for the HA to determine whether the applicant is eligible.

The method that the HA will use to take pre-applications will include advertising that applications will be accepted by telephone call-in during a defined time period. Applicants will be required to complete a standardized pre-application form and return by mail, instead of applying in person. This application acceptance process will accommodate an applicant who has difficulty traveling to the HA office, either because of a disability, hospitalization, childcare constraints or employment schedule. Reasonable accommodations will be afforded to those elderly or disabled applicants that need support to make application through this method.

The HA will use the pre-application as the basis for follow-up phone calls, correspondence or direct appointments to obtain additional information and to ascertain the accuracy of all entries on the application form.

Pre-applications accepted through the mail will not be established based on the date and time of application but instead by computer lottery random selection. All pre-applications that meet the minimum qualifications will be ranked randomly by a computer lottery. The rules that govern who qualifies to participate in the computer lottery selection are as follows:

1. Only pre-applications that are eligible for admission will be considered.
2. Only one pre-application will be allowed per family.
3. Only pre-applications that are received during the advertised commencement date and deadline date will be considered. (The postmark date on the envelope that contains the mailed pre-application will be the final determining factor on whether a pre-application has been received within the qualified time-period).
4. All pre-applications must be sent by mail to the mailing address designated by the HA.
5. The computer-generated lottery will randomly rank all of the qualified mail-in pre-applications.

The computer generated random lottery selection will be conducted in the following manner:

After the deadline for submitting pre-applications has expired, a control report will be generated listing all of the pre-applicants alphabetically by name and numerically by social security number (pre-lottery report). Multiple witnesses will observe the computer generated lottery selection (including person(s) that are outside the direct management of the waiting list).

After the lottery selection is conducted, a report will be generated that will list all of the pre-applicants alphabetically by name and numerically by social security number (post-lottery report). The pre-lottery report and the post-lottery report will be maintained for the active duration of waiting list for audit control purposes. The numerical position assigned by the computer will be added to the applicant's pre-application.

3.3 COMPLETION OF APPLICATION

The application process will involve two phases. The first phase is the initial application for housing assistance or the pre-application. The pre-applications requires the family to provide basic information including name, address, phone number, family composition, income category, and information establishing any preferences to which they may be entitled. This first phase result in the family's placement on the waiting list.

Upon receipt of the families initial application, the HA will make a preliminary determination of eligibility. If the HA determines the family to be ineligible, a letter will be sent to the applicant. The notice will state the reason(s) and offer the family the opportunity for an informal review of this determination within a set number of days.

An applicant may at any time report changes in their applicant status including changes in family composition, income, or preference factors. The HA will annotate the applicant's file and will update their place on the waiting list.

The HA will provide written notification confirming initial acceptance of pre-application. The notice will also inform applicants that it their responsibility to notify the HA immediately of any changes affecting (1) their eligibility status or (2) the PHA's ability to locate the applicant. The applicants failure to comply with these requirements is grounds for removal from the waiting list.

The second phase is the final determination of eligibility and verification of information presented. This takes place when the family nears the top of the waiting list. The HA will ensure that verification of all preferences, eligibility, and suitability selection factors are confirmed so as to determine the family's final eligibility for admission into the Housing Choice Voucher program.

Applicant data is maintained on the initial pre-application form. Waiting list reports will maintain data in two different manners first; in chronological order by lottery selection and level of priority and second; alphabetically by applicant's last name, and numerically by head of households social security number.

3.4 FAMILIES NEARING THE TOP OF THE WAITING LIST

When the family appears to be within two months of being offered assistance, the family will be invited to an interview and the final verification process will completed. It is at this point in time that the family's preference will be verified and the applicant must meet the HA admission standards.

Once the preference has been verified the pre-application process will be completed. All the remaining documents must be submitted at this time. All required signatures must be obtained.

Split Households Prior to Voucher Issuance - When a family on the waiting list splits into two otherwise eligible families due to divorce or legal separation, and the new families both claim the same placement on the waiting list, and there is no court determination, the HA will make the decision taking into consideration the following factors:

1. Which family member applied as head of household;
2. Which family unit retains the children or any disabled or elderly members;
3. Recommendations of social service agencies or qualified professionals such a children's protective services.

Documentation of these factors is the responsibility of the applicant families. If either or both of the families do not provide the documentation, they may be denied placement on the waiting list for failure to supply information requested by the HA.

3.5 MISSED APPOINTMENTS

All applicants who fail to keep a scheduled appointment in accordance with the paragraph below will be sent a notice of denial.

The HA will allow the family to reschedule appointments for good cause. Generally, no more than one opportunity will be given to reschedule without good cause and no more than two opportunities with good cause. When a good cause exists, the HA will work closely with the family to find a more suitable time. Applicants will be offered the right to an informal review before being removed from the waiting list.

3.6 PURGING THE WAITING LIST

Periodically the HA conducts mailings to purge inactive applicants from the waiting list. The purging of the waiting list enables the HA to update the information regarding address, family composition, income category and preferences. Applicants will be removed from the waiting list when they have not maintained a current

mailing address with the HA or when correspondence to them is unanswered or returned by the post office marked "undeliverable". An exception will be granted when an applicant has demonstrated that they have a disability that prevented them from responding to our correspondence.

3.7 REMOVAL OF APPLICANTS FROM THE WAITING LIST

All mailings to an applicant which requires a response will state that failure to respond within the time frame listed on the notice will result in the applicant's name being removed from the waiting list and that no further correspondence will be issued from our housing agency.

If correspondence is returned by the post office marked "undeliverable" without a forwarding address, the applicant will be removed without further notice, and the envelope and letter will be maintained in the file. If a letter is returned with a forwarding address, it will be re-mailed to the address indicated on the envelope.

If a family is removed from the waiting list for failure to respond, the housing director may reinstate the family if it is determined that the lack of response was due to an HA error, family medical disability or circumstances beyond the family's control. The HA will reinstate the applicant in the family's former position on the waiting list.

The HA will not remove an applicant's name from the waiting list unless:

1. The applicant requests that the name be removed.
2. The applicant fails to respond to a written request for information or a request to declare their continued interest in the program or the applicant misses scheduled appointments.
3. The applicant does not meet admission standards or screening criteria for the program.
4. The applicant has been offered a housing voucher.

3.8 GROUNDS FOR DENIAL

The following will constitute grounds for denying assistance to applicants on the waiting list:

1. Failure to supply information or documentation required by the application process.
2. Failure to respond to a written request for information or a request to declare continued interest in the program.
3. Failure to complete any aspect of the application process.

4. The applicant does not meet all of the eligibility for admission standards.
5. Violation of any of the family obligations under 24 CFR 982.551.
6. A participant or family member engaged in drug-related criminal activity or violent criminal activity.
7. A participant has committed fraud (bribery or any other corrupt or criminal act) at the time of application or during assisted tenancy.
8. Failure to make payments for monies owed the HA or another HA.
9. If any family members of the family has been evicted from public housing within the last three years.
10. If the family has engaged in or threatened abusive or violent behavior toward HA personnel.
11. If it is determined that a family member has a lifetime registration under a State sex offender registration program.
12. An applicant or participant that abuses alcohol or drugs in a way that may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents.
13. All applicants that fail to certify prior to admission that they do not have a pattern of illegal use of controlled substance or pattern of abuse of alcohol that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

3.9 NOTIFICATION OF NEGATIVE ACTIONS

Any applicant whose name is being removed from the waiting list will be notified by the HA, in writing, that they have ten (10) business days from the date of the written correspondence, to present mitigating circumstances or request an informal review. The letter will also indicate that their name will be removed from the waiting list if they fail to respond within the specified timeframe.

When applicants are denied admission based on criminal record, the HA will provide the applicant with a copy of the criminal record and opportunity to dispute the accuracy and relevance of the record.

The HA system of removing applicants' names from the waiting list will not violate the rights of persons with disabilities. If an applicant's failure to respond to a request for information or updates was caused by the applicant's disability, the HA will provide a reasonable accommodation. If the applicant indicates that they did not respond due to a disability, the HA will verify that there is in fact a disability and that a reasonable accommodation they are requesting is necessary based on the disability.

3.10 INFORMAL REVIEW FOR APPLICANT

The HA will provide an applicant an opportunity for an informal review of a decision denying an applicant:

1. A listing on the waiting list.
2. Participation in the program or assistance to the applicant.

The HA is not required to provide the applicant an opportunity for an informal review for any of the following:

1. Discretionary administrative determinations by the HA.
2. General policy issues or class grievances.
3. A determination of the family unit size under the HA subsidy standards.
4. An HA determination not to approve an extension or suspension of a voucher term.
5. A HA determination not to grant approval of the tenancy.
6. An HA determination that a unit selected by the applicant is not in compliance with HQS.
7. An HA determination that the unit is not in accordance with HQS because of the family size or composition.

The HA shall give the applicant written notice of a decision denying assistance to the applicant or a place on the waiting list. The notice shall:

1. contain a brief statement of the reasons for the HA decision;
2. be given personally to the applicant or member of the family or sent by first class mail to the last known address;
3. inform the applicant that ten (10) days of the date of the notice, the applicant may request, in writing, that an informal hearing be held to present objections and review the decision

3.11 CONDUCT OF INFORMAL REVIEW

If the applicant requests an informal review within the time frame required, the HA shall conduct an informal review in accordance with the following procedures:

1. The informal review will be conducted by a HA person designated by the HA. The designated HA person cannot be the same person who made or approved the decision under review or a subordinate of this person.
2. The applicant will be given an opportunity to present written or oral objections to the HA decision.
3. The HA will notify the applicant of the HA final decision after the informal review, including a brief statement of the reasons for the final decision.

4.0 SELECTING FAMILIES FROM THE WAITING LIST

4.1 MAINTENANCE OF THE WAITING LIST AND SELECTION OF FAMILIES

There is one waiting list for all applicants regardless of the bedroom size the applicant may need. Each applicant shall be assigned an appropriate place on the waiting list in sequence based upon lottery assigned number (lower digit numbers have priority over higher digit numbers), as well as the following identified preference factors.

The HA may admit an applicant for participation in the program either as a special admission or as a waiting list admission. If HUD awards special allocations funding that is targeted for families with specific characteristics or families living in specific units, the HA will use the assistance for those families with specific characteristics or living in those units. The HA will maintain records showing that the family was issued a HUD-targeted Voucher and is authorized for priority admission. This priority will not exceed the special allocation of housing vouchers made available by HUD for the HUD stated purposes.

4.2 IDENTIFICATION OF PREFERENCES

The following categories represent preferences on the waiting list:

Elderly family - A family whose head or spouse (or sole member) is 62 years or older and a family that includes a elderly person(s).

Disabled family - A family whose member(s) include a person(s) who is under a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423) or has a developmental disability as defined in section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7)).

Handicapped family - A family whose member(s) include a person(s) having a physical or mental impairment that (a) is expected to be of a long-continued and indefinite duration, (b) substantially impedes his or her ability to live independently, and (c) is of such nature that such ability could be improved by more suitable housing.

Involuntary displaced - includes the following documentation:

a. certification from a unit of government concerning displacement due to disaster,
b. certification from a unit of government concerning displacement due to code enforcement or public improvement/development,
c. certification from an owner concerning displacement due to owner action,

d. certification from local police, social service agency, court, clergyman, physician, or public/private shelter/counseling facility concerning displacement due to domestic violence.
e. certification by law enforcement agency concerning displacement to avoid reprisals for providing information on criminal activities.
f. certification by law enforcement agency concerning displacement due to hate crimes.
g. certification by owner, social service agency, or physician concerning displacement due to the inaccessibility of the apartment unit.
h. certification by HUD officials concerning displacement because of HUD disposition of multi-family project.

Further clarification of Involuntary Displacement: An applicant family who is evicted for reasons within their control is not considered displaced.

Substandard Housing - includes the following documentation:

Includes certification from a unit of government <u>or</u> from the applicant's current landlord that unit's condition meets the definition of substandard. For "homeless families", verification is certification from a public/private facility providing shelter to the family, or from local police or a social service agency.

Further clarification of Substandard Housing: The definition of "substandard housing" is not restricted to units that have been condemned.

Substandard housing is not housing that may have one or more Housing Quality Standard violations.

High Rent Burden - includes the following documentation:

a. Copies of a current lease agreement or suitable third-party verification through the landlord directly from the current leaseholder who is making application;
b. The last three rent receipts, cancelled checks or money orders,
c. Income will be verified in accordance with existing Contractor procedures used to verify income to determine eligibility and Total Tenant Payment.

4.3 RANKING OF THE PREFERENCES

Ranking preferences are identified below by the numeric value next to the preference category (example: a “1” in the space that represents the first priority, a “2” in the box representing the second priority, and so on.) If equal weight is given to one or more of these choices the same number will be next to both.

*Among applicants on the waiting list with equal preference status applicants are selected based on date and time of application.

Preferences

1	Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition, Victims of domestic violence)
1	Substandard housing
1	High rent burden
1	Elderly, Disabled or Handicapped family members (disabled or handicapped as defined in Section 223 of the Social Security Act).
2	No Preference

4.4 VERIFICATION REQUIREMENTS OF PREFERENCES CATEGORIES

In order to be eligible to apply and to qualify for the preference categories, sufficient documentation must be provided by the applicant prior to admission. Applicants may provide additional documentation while on the waiting list that may improve their ranking.

Elderly family member(s) – documentation must be provided of birth date or senior citizen/elderly status. A birth certificate, third-party verification or sworn affidavit will constitute sufficient documentation.

Disabled family member(s) – documentation must be provided that an applicant family member(s) is disabled. A social security disability award letter or a medical letter that supports that the applicants meet the definition will constitute sufficient documentation.

Handicapped family member(s) – documentation must be provided that an applicant family member is handicapped. A medical letter that supports that the applicant meets the definition will constitute sufficient documentation.

Involuntary displaced - includes the following documentation:

1. certification from a unit of government concerning displacement due to disaster,
2. certification from a unit of government concerning displacement due to code enforcement or public improvement/development,
3. certification from an owner concerning displacement due to owner action,
4. certification from local police, social service agency, court, clergyman, physician, or public/private shelter/counseling facility concerning displacement due to domestic violence.

5. certification by law enforcement agency concerning displacement to avoid reprisals for providing information on criminal activities.
6. certification by law enforcement agency concerning displacement due to hate crimes.
7. certification by owner, social service agency, or physician concerning displacement due to the inaccessibility of the apartment unit.
8. certification by HUD officials concerning displacement because of HUD disposition of multi-family project.

Substandard Housing - includes the following documentation:

Includes certification from a unit of government or from the applicant's current landlord that unit's condition meets the definition of substandard. For "homeless families", verification is certification from a public/private facility providing shelter to the family, or from local police or a social service agency.

Further clarification of Substandard Housing: The definition of "substandard housing" is not restricted to units that have been condemned.

Substandard housing is not housing that may have one or more Housing Quality Standard violations.

High Rent Burden - includes the following documentation:

1. Copies of a current lease agreement or suitable third-party verification through the landlord directly from the current leaseholder who is making application;
2. The last three rent receipts, cancelled checks or money orders,
3. Income will be verified in accordance with existing Contractor procedures used to verify income to determine eligibility and Total Tenant Payment.

4.5 SELECTION FROM THE WAITING LIST

Families will be selected from the waiting list based on the numerical position assigned by the lottery and above the stated preferences. If it is necessary to meet the statutory requirements that 75% of newly admitted families in any fiscal year be families who are extremely low-income, the HA retains the right to skip higher income families on the waiting list to reach extremely low-income families. This measure will only be taken if it appears the goal will not otherwise be met. To ensure that this goal is met, the HA will monitor incomes of newly admitted families and the income of the families on the waiting list. If there are not enough extremely low-income families on the waiting list we will conduct outreach on a non-discriminatory basis to attract extremely low-income families to reach the statutory requirement.

When it is determined that there are openings on the program, a letter is sent to the next eligible applicant from the waiting list regardless of the bedroom size that the applicant needs. The letter explains the papers needed in order to document eligibility, i.e., pay stubs, welfare budget sheets, social security award letters, savings account books, daycare receipts, etc. The family is assigned to a Program Supervisor who certifies the family's eligibility, conducts an orientation and issues the Housing Choice Voucher.

An applicant's income status may change while on the waiting list. Occasionally, a family who has been contacted for the purposes of enrollment may no longer meet the income eligibility requirements. When this happens, the reasons are fully explained by the HA at the time of the enrollment interview. Ineligible applicants may request an informal review.

Applicants may obtain their numerical position on the waiting list by requesting it in writing or in person. The request must include the applicant's name, current address and social security number. All requests will be responded to in writing promptly. This waiting list information will not be provided to applicants via the telephone or in person for security concerns. Once on the waiting list, it is the applicant's responsibility to maintain their current address. Failure to do so may result in removal from the waiting list. Update of applicant's address must be done in writing or in person.

Families may also be absorbed directly onto the program through portability if properly referred and authorized.

The HA may admit an applicant for participation in the program either as special admission or as a waiting list admission. If HUD awards special allocations funding that is targeted for families with specific characteristics or families living in specific units, the HA will use the assistance for those families with specific characteristics or living in those units. The HA will maintain records showing that the family was issued a HUD-targeted Voucher and is authorized for priority admission.

5.0 SUBSIDY STANDARDS AND BRIEFING

5.1 BEDROOM SIZE DETERMINATION (SUBSIDY STANDARDS)

The HA will issue a voucher for a particular bedroom size – the bedroom size is the factor in determining the family’s level of assistance. The following guidelines will determine each family’s level of assistance. To avoid overcrowding and prevent waste of space and program funds, units shall be leased in accordance with the subsidy standards set below.

Number of Bedrooms	Number of Persons	
	Minimum	Maximum
0	1	1
1	1	2
2	2	4
3	3	6
4	5	8
5	8	10

The family's unit size shall be determined using the following criteria:

1. The bedroom size assigned shall provide for the smallest number of bedrooms needed to house a family without overcrowding.

2. The bedroom size assigned shall not require more than two persons to occupy the same bedroom.

3. The bedroom size assigned shall not require persons of the opposite sex other than a adult couple to occupy the same bedroom with the exception of infants and very young children.

4. A family that consists of a pregnant woman only, and (no other persons), will be treated as a two-person family.

5. Foster adults and children will not be required to share a bedroom with family members.

6. Live-in aides will get a separate bedroom.

7. The family has the option to select a smaller-sized unit provided there is at least one bedroom of appropriate size for each two persons in the household. (For example, a two-bedroom voucher holder with a mother with an infant may select a one-bedroom unit.) For the Voucher Program, the payment standard that is used for the family will be the lower of the subsidy standard that the family qualifies for or the payment standard for the unit rented by the family.

8. Provided there is adequate documentation, a child who is temporarily away from the house because of placement in foster care will be considered a member of the family for purposes of determining the family unit size.

9. The bedroom size assigned may be increased to a larger size than the family would ordinarily need if there were a documented medical or health reason that adequately supports the need for a larger size unit or to provide a reasonable accommodation to a family member with a disability.

5.2 BRIEFING OF FAMILIES AND ISSUANCE OF HOUSING CHOICE VOUCHER

If a person is determined to be eligible by the HA and is selected for participation, the applicant will be notified of an orientation meeting.

When a family initially receives its Housing Choice Voucher, a full explanation of the following shall be provided to assist the family in finding a suitable unit and to apprise the family of its responsibilities and the responsibilities of the owner.

Full opportunity shall be provided to the families to ask questions and receive answers.

5.3 ORIENTATION PACKET

The Housing Choice Voucher Holder's packet shall include the following:

1. Explanation on where a family may lease a unit and how mobility and portability works.
2. The HUD-required "Lease Addendum".
3. The "Request for Tenancy Approval" form.
4. The policy on providing information about a family to prospective owners.
5. The subsidy standards.
6. The HUD lead-based paint (LBP) form.
7. Housing discrimination complaint form HUD-903 (2/89) and HUD 928.1 (3-89) form.
8. A listing of available apartment units. (Including handicap accessible units if applicable.)
9. A list of the obligations of being a participant of the Section 8 Tenant Based Assistance Housing Choice Voucher program and grounds for termination of assistance.
10. Protect Your Family From Lead In Your Home Booklet
11. Copy of Form Letter for Property Owners “Disclosure of Information on Lead-Based Paint Hazards.
12. Move-In Move-Out Checklist
13. Owner Certification of Rent Reasonableness

14. The publication, “Applying for HUD Housing Assistance” (replaced Things You Should Know {HUD-1140-OOIG}) that explains type of action a family must avoid and penalties for program abuse.
15. “A Good Place to Live” HUD publication.
16. The Utility Allowance Schedule and information on the Fair Market and Payment Standard.
17. A guide booklet to the Section 8 Tenant Based Assistance Housing Voucher program (Appendix II) which includes information pertaining to the following:
    a) Term of the voucher and policy regarding extensions or suspensions.
    b) How the housing assistance payment is calculated.
    c) What the family should consider in deciding whether to lease a unit.
    d) Informal hearing procedures.
    e) Information on how to select unit.

5.4 INFORMATION TO BE PROVIDED PROSPECTIVE OWNERS

Information is provided to prospective owners regarding participating families in the following manner; upon written request the HA will give prospective owners the family's current address and if known, the name and address of the owner at the family's current and prior address. If the HA has this information, it will also provide the name and address of the landlord at the family’s current and prior address.

The HA will inform the owner that it is the landlord’s responsibility to screen prospective tenants for suitability as tenants as evidenced by the family’s previous rental history. When the HA has information related to a family’s previous tenancies, the HA will inform the landlord that the information is available and provide it upon a written request from the landlord. Information will be provided when it is a part of the PHA tenant file from a previous housing choice voucher, certificate, moderate rehabilitation, or public housing tenancy. Only the HA designated person may provide information about the previous tenancies other than landlord names and addresses. The information may be provided in writing or during an in-person meeting with the prospective landlord.

5.5 ASSISTANCE TO APPLICANTS AND PARTICIPANTS CLAIMING ILLEGAL DISCRIMINATION

If families believe that they have been discriminated against on the basis of race, color, national origin, sex, disability, or familial status, the HA will offer to assist them in filling out HUD form 903 (Housing Discrimination Compliant form). This form is included in their briefing packet or available upon request. If the family request we will also will forward the completed Housing Discrimination Compliant form to the Department of Housing and Urban Development Regional Office in Boston. The family will be informed of other available option in which to pursue a

discrimination compliant including an appropriate referral to the State Commission on Human Rights and Opportunities, the Connecticut Fair Housing Center and Statewide Legal Services of CT.

The HA may approve an request for extension or suspension on the term of the family's Housing Voucher if deemed necessary due to the compliant.

5.6 TERM OF THE HOUSING VOUCHER

The Housing Choice Voucher shall expire at the end of sixty (60) days unless within that time the family locates an apartment unit. The inspection of the apartment need not occur prior to Housing Voucher expiration but must occur within a reasonable time period.

If the Housing Voucher expires or is about to expire, a family may submit the Housing Voucher to the HA with a request for an extension. If the applicant has demonstrated a good faith effort to secure an apartment unit, the HA may grant one or more extensions, provided the HA determines that the family's failure to find a suitable unit is not due to the fault or lack of diligence of the family.

The initial term of the Housing Voucher may also be extended at the discretion of the HA due to the voucher holders difficulty securing available and affordable apartment units due to rental market difficulties and/or as reasonable accommodations to make the program accessible to a family member who is a person with disabilities.

The HA may require that any extension that is granted on the term of the Housing Voucher be supported by progress reports made by the family during the initial term of the voucher and the HA's review of overall rental market conditions.

The Housing Voucher holder may request that the expiration period of their Housing Voucher be suspended. To be eligible for consideration the request must be for a documented medical reason or for a family emergency nature to justify the inability of the participant to make use of the Housing Voucher during that time period. Request will be reviewed on a case by case basis. The suspension request can not exceed 120 days.

The HA does not provide for *suspension of term.* Suspension of term is defined as stopping the clock on the term of the a family's voucher, from the time when the family submits a request for HA approval to lease a unit, until the time when the HA approves or denies the request.

5.7 ASSISTANCE PROVIDED TO FAMILIES THAT INCLUDE PERSONS WITH DISABILITIES

The HA will provide additional assistance on behalf families that include persons with disabilities by attempting to collect a listing of available apartment units that are handicap accessible units and providing this information to the family. Additional time may be granted as outlined in the "term of the voucher" section and a higher payment standard may be granted (if possible) as a reasonable accommodation due to a disability.

5.8 EXPANDING HOUSING OPPORTUNITIES

The HA will encourage participation by owners of units outside areas of poverty or minority concentration. Outreach will be conducted on an ongoing basis by the HA. The prepared booklet "An Owners Guide to the Housing Choice Voucher Program" will be distributed to all interested parties to answer questions and encourage owner participation in the program.

Voucher holders will be counseled regarding the benefits of choosing housing opportunities outside areas of poverty and minority concentration. The HA will make available information about job opportunities, schools, services and maps and related information when briefing voucher holders.

The HA briefing packet includes an explanation of how mobility and portability works and explains how the HA will assist in identifying a portability contact person in other jurisdictions.

The HA will collect and distribute known available apartment units to Voucher-holders including subscribing to local newspapers to identify apartment rentals. When available the HA will refer clients to agencies that will help support finding units outside areas of poverty or minority concentration.

5.9 DISAPPROVAL OF OWNER

The HA reserves the right to deny approval to lease a unit from an owner for any of the following reasons:

1. The owner has violated obligations under a housing assistance payment contract under Section 8 of the 1937 Act.

2. The owner has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing programs.

3. The owner has engaged in drug-trafficking.

4. The owner has a history or practice of noncompliance with the HQS for units leased under the tenant-based programs or with applicable housing standards for units leased with project-based Section 8 assistance or leased under any other federal housing programs.

5. The owner has a history or practice of failing to terminate tenancy of tenants of units assisted under Section 8 or any other federally assisted housing program for activity by the tenant, any member of the household, a guest or another person under the control of any member of the household that: (i)Threatens the right to peaceful enjoyment of the premises by other residents; (ii)Threatens the health or safety of other residents, of employees of the PHA, or of owner employees of the PHA or of owner employees or other persons engaged in management of the housing; (iii)Threatens the health or safety of, or of owner employees or other persons engages in management of the housing; (iv)Is drug-related criminal activity or violent criminal activity.

6. The owner has a history or practice of renting units that fail to meet State or local housing codes.

7. The owner has not paid State or local real estate taxes, fines or assessments.

5.10 SECURITY DEPOSIT

The owner may collect a security deposit from the tenant in an amount not in excess of amounts charged in the private market practice and not in excess of amounts charged by the owner to unassisted tenants. The limit on the amount of security deposit that owners can collect Housing Choice Voucher tenants is based on Connecticut State law (i.e. two month's rent unless the tenant is 55 years of age or older than the amount is one month's rent).

When the tenant moves out of the dwelling unit, the owner may use the security deposit, including interest on the deposit, as reimbursement for any unpaid rent payable by the tenant for damages to the unit or for other amounts the tenant owes under the lease.

The owner must give the tenant a written list of all items charged against the security deposit and the amount of each item. After deducting the amount, if any, used to reimburse the owner, the owner must promptly refund the full amount of the unused balance to the tenant.

If the security deposit is not sufficient to cover amounts the tenant owes under the lease, the owner may seek to collect the balance from the tenant.

6.0 RECERTIFICATION

6.1 VERIFICATION OF INCOME AND DETERMINATION OF TOTAL TENANT PAYMENT

Verification of income will be obtained by either third-party verification or using documentation provided directly by clients.

Accuracy of calculations of Total Tenant Payments is ensured through the following methods; computer software is programmed to make correct calculations of entered data. The HA has Program Supervisors who review calculations of all executed HAP contracts, as well as a random sampling of case files is audited to ascertain among other things that the Total Tenant Payment is calculated accurately.

Verification of income and determination of Total Tenant Payment will follow program regulations as identified in 24 CFR 813 with the exception of the issues identified below:

For the purposes of determining whether income is considered annual income or temporary and/or sporadic income; Temporary or sporadic income is defined as follows: Income amounts that are considered sporadic and neither reliable nor periodic. This type of income is excluded form annual income.

6.2 RECERTIFICATION NOTICE TO THE FAMILY AND COMPLETION OF ANNUAL RECERTIFICATION

The HA will maintain a re-examination tracking system and the household will be notified by mail of the date and time of their interview at least 60-90 days in advance of the anniversary date. If requested as a reasonable accommodation by a person with a disability, the HA will provide the notice in an accessible format. The HA will also mail to a third party, if requested as a reasonable accommodation for a person with disabilities. These accommodations will be granted upon verification that they meet the need presented by the disability.

The HA will have all re-examination for families completed before the anniversary date. This includes notifying the family of any changes in rent at least 30 days before the scheduled date of the change in family rent.

6.3 TENANT RENT INCREASE AND DECREASE

If the tenant rent increases, a thirty (30) day notice is mailed to the family prior to the annual re-examination date.

If less than thirty days are remaining before the scheduled effective date of the annual re-examination, the tenant rent increase will be effective on the first of the month following the thirty (30) day notice.

If there has been a misrepresentation or a material omission by the family, or if the family causes a delay in the re-examination processing, there will be a retroactive increase in rent to the anniversary date.

If the tenant rent decreases as a result of an annual re-examination, it will be effective on the anniversary date or on the first day of the month following completion of the re-examination process, whichever is sooner.

If the family causes a delay so that the processing of the re-examination is not complete by the anniversary date, the rent change will be effective on the first day of the month following completion of the re-examination processing by the HA.

6.4 MISSED RECERTIFICATION APPOINTMENT

If the family fails to respond to the recertification letter and fails to attend the recertification appointment, a second letter will be mailed. The second letter will advise the family of the deficiency and require the family to correct. If the deficiency is not corrected within a reasonable time frame than a notice of intent to terminate Section 8 benefits will be mailed. If the client fails to respond properly than they are subject to termination proceedings.

6.5 INTERIM REEXAMINATIONS OF INCOME AND HOUSEHOLD COMPOSITION

All interim changes of family income or household composition must be reported to the housing agency as an interim reexamination within thirty days of the occurrence. Interim reexamination will be processed for the next month in which the change became effective. Families will be required to report increases in household income of more than $100 per month. If changes of income occur frequently, the housing agency reserves the right to review household income changes in terms of a yearly average so as to excuse program participants from excessive reporting. Interim reporting is not required for Social Security recipients who are afforded an annual cost of living adjustment at the beginning of the calendar year. All households who receive this adjustment do not have to report this change.

6.6 TIMELY REPORTING OF CHANGES IN INCOME AND ASSETS

Standard for Timely Reporting of Changes
The HA requires that families report interim changes to the HA within 30 days of when the change occurs. Any information, document or signature needed from the family, which is needed to verify the change, must be provided within 30 days of the change.

If the change is not reported within the required time period, or if the family fails to provide documentation or signatures, it will be considered untimely reporting.

Procedures when the Change is reported in a Timely Manner
The HA will notify the family and the owner of any change in the HAP to be effective according to the following guidelines:

1. An increase in tenant rent will be effective retroactive to the date on which it would have been effective had it been reported on a timely basis. The family will be liable for any overpaid housing assistance and may be required to sign a repayment agreement or make a lump sum repayment.

2. A decrease in tenant rent will be effective on the first of the month following the month in which the change was reported.

Procedures when the Change is Not Processed by the HA in a Timely Manner
Processed in a timely manner means that the change goes into effect on the date it should when the family reports the change in a timely manner, as describe above. If the change is not made effective on that date, the change is not processed by the HA in a timely manner.

In this case, an increase will be effective after the required thirty days' notice prior to the first of the month after completion of processing by the HA.

If the change resulted in a decrease, the overpayment by the family will be calculated retroactively to the date it should have been effective, and the family will be credited for the amount.

6.7 MINIMUM RENT

The HA has imposed a $50 rent minimum and will help those that qualify for exemptions as identified below:

QHWRA established certain exemptions to the minimum rent requirements for hardship circumstances. Section 3(a)(3)(B) of the USHA generally states that financial hardship includes the following situations: (1) the family has lost eligibility determinations for a Federal, State, or local assistance program: (2) the

family would be evicted as a result of the imposition of the minimum rent requirement: (3) the income of the family has decreased because of changed circumstances, including loss of employment; (4) a death in the family has occurred; and (5) other circumstances determined by the HA or HUD.)

Families or individuals claiming zero income will need to report income status quarterly.

The family must request a hardship exception with supporting documentation. The HA will promptly review all family requests made for exception to the minimum rent due to financial hardship. The HA will use its standard verification procedures to verify circumstances which are claimed to have resulted in financial hardship.

Suspension of Minimum Rent
The HA will grant the minimum rent exception to all families who request it, effective the first of the following month. The minimum rent will be suspended until the HA determines whether a hardship exists and, if it exists, whether the hardship is temporary or long-term.

Suspension means that the HA must enforce the minimum rent calculation until the HA has made its decision whether to grant a request for an exception. During the minimum rent suspension period, the family will not be required to pay a minimum rent and the housing assistance payment will be increase accordingly.

Denial of Hardship Exception
If the HA determines that there is not a qualifying financial hardship, the Ha must promptly notify the family in writing of the denial of its request. The HA will offer a repayment agreement to the family for any rent not paid during the period when the HA was evaluating the hardship exception request.

6.8 LEASE APPROVAL AND HOUSING ASSISTANCE PAYMENTS CONTRACT EXECUTION

The following HA representatives are authorized to execute a contract on behalf of the HA: The executive director or his or her designee. The Contractor will execute contract renewals.

Owners must provide the current street address of their residence (not a post office box). If families lease properties owned by relatives, the owner's current address will be compared to the address of the subsidized unit.

An owner must provide his or her social security number.

The owner must provide a business or home telephone number.

PROOF OF OWNERSHIP
Owners must also submit proof of ownership of the property, such as a property deed, tax bill, online printout from city/town assessor's office or a mortgage statement (include the volume and page number from the most recent transaction in the municipal land records), and a copy of the management agreement if the property is managed by a management agent.

CHANGE OF OWNERSHIP
A change in ownership does not required the execution of a new contract, however, a new HAP contract and lease must be executed upon the tenant's re-examination date.

The HA will process a change of ownership only upon the written request of the new owner and only if accompanied by a copy of the warranty deed or other document showing the transfer of title and the Federal Employee Identification Number or Social Security Number of the new owner.

6.9 VERIFICATION PROCEDURES

Child Care Business
If an applicant/participant is operating a licensed day care business, income will be verified as with any other business.

If the applicant/participant is operating a "cash and carry" operation (which may or may not be licensed), the HA will require that the applicant/participant complete a form for each customer which indicates: name of person(s) whose child (children) is/are being cared for, phone number, number of hours child is being care for, method of payment (check/cash), amount paid, and signature of person.

If the family has filed a tax return, the family will be required to provide it.

Child care for work: The maximum child care expense allowed must be less than the amount earned by the person enabled to work which is included in the family' annual income. The person enabled to work will be the adult member of the household who earns the least amount of income from working.

Amount of expense: Licensed, registered or otherwise regulated childcare providers will provide a signed statement of childcare expenses. The maximum allowance for all other childcare is $100.00 per child per week.

Medical Expenses
When it is unclear in the HUD rules as to whether or not to allow an items as a medical expense, IRS Publication 502 will be used as a guide.

Non-prescription medicines will be counted toward medical expenses for families who qualify, if the family furnishes legible receipts.

Recurring Gifts
The family must furnish a self-certification, which contains the following information:

The person who provides the gifts
The value of the gifts
The regularity (dates) of the gifts
The purpose of the gifts

Verification of Legal Identity
In order to prevent program abuse, the HA will require applicants to furnish verification of legal identity for all family members..

The documents listed below will be considered acceptable verification of legal identity for adults. If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

- Certificate of Birth, naturalization process
- Church issued baptismal certificate
- Current, valid Driver's license
- U.S. military discharge (DD 214)
- U.S. passport
- Voter's registration
- Company/agency Identification Card
- State or Federal government issued identification card
- DSS Eligibility Management System (EMS) print-out

Documents considered acceptable for the verification of legal identity for minors may be one or more of the following:

- Certificate of Birth
- Adoption papers
- Custody agreement
- Health and Human Services ID
- School records

Verification of Permanent Absence of Family Member. If an adult member who was formerly a member of the household is reported permanently absent by the family, the HA will consider any of the following as verification

1. Husband and wife institutes divorce action
2. Husband and wife institutes legal separation

3. Order of protection/restraining order obtained by one family member against another
4. Proof of another home address, such as utility bills, canceled checks for rent, drivers license, or lease or rental agreement, if available.
5. Statements from other agencies such as social services or a written statement from the landlord or manager that the adult family member is no longer living at that location.
6. If no other proof can be provided, the HA will accept a self-certification from the head of household or the spouse or co-head, if the head is the absent member.
7. if the adult family member is incarcerated, a document from the Court or prison should be obtained stating how long they will be incarcerated.

Verification of Social Security Numbers

Social security numbers must be provided as a condition of eligibility for all family members age six and over if they have been issued a number. Verification of Social security numbers will be done through a Social Security Card issued by the Social Security Administration. If a family member cannot produce a Social Security Card, only the documents listed below showing his or her Social Security Number may be used for verification. The family is also required to certify in writing that eh document(s) submitted in lieu of the social Security Card information provided is/are complete and accurate:

- A driver's license
- Identification card issued by a Federal, State or local agency
- Identification card issued by a medical insurance company or provider (including Medicare and Medicaid)
- An identification card issued by an employer or trade union
- An identification card issued by a medical insurance company
- Earnings statement or payroll stubs
- Bank Statements
- IRS Form 1099
- Benefit award letters from government agencies
- Retirement benefit letter
- Life insurance policies
- Court records such as real estate, tax notices, marriage and divorce, judgment or bankruptcy records
- Verification of benefits or Social Security Number from Social Security Administration
- EMS print-out

New family members ages six and older will be required to produce their Social Security Card or provide the substitute documentation described above together with their certification that the substitute information provided is complete and

accurate. This information is to be provided at the time the change in family composition is reported to the HA.

If an applicant or participant is able to disclose the Social Security Number but cannot meet the documentation requirements, the applicant or participant must show proof they have applied to Social Security for a replacement card. The applicant/participant or family member will have an additional 30 days to provide proof of the Social Security Number. If they fail to provide this documentation, the family's assistance will be terminated.

In the case of an individual at least 62 years of age, the HA may grant an extension for an additional 60 days to a total of 120 days. If, at the end of this time, the elderly individual has not provided documentation, the family's assistance will be terminated.

If the family member states they have not been issued a number, the family member will be required to show they have applied for a Social Security Number.

7.0 INSPECTION POLICIES

7.1 HOUSING QUALITY STANDARDS AND INSPECTIONS

The HA will use the guidelines delineated in 24 CFR 982.401 as the appropriate Housing Quality Standards. Efforts will be made at all times to encourage owners to provide housing above HQS minimum standards.

Before approving a lease, the HA shall inspect the unit for compliance with the Housing Quality Standards. The inspection will be made as quickly as possible, but no later than ten (10) days after the owner's request.

If there are violations that must be corrected in order for the unit to be decent, safe and sanitary, the HA will advise both the owner and tenant of the work required to be done. The unit will be re-inspected to ascertain that necessary work has been performed and that the unit meets the Housing Quality Standards before a contract is executed. The Assistant Director maintains a report to monitor Housing Quality Standards violations and the noncompliance sanctions.

All utilities must be in service prior to the effective date of the HAP contract. If the utilities are not in service at the time of inspection, the HQS inspector will notify the owner or the tenant (whomever is responsible for the utilities, according to the RTA) to have the utilities turned on. The inspector will either schedule or conduct a re-

inspection, or the owner and the tenant shall both certify that the utilities are in service.

If the tenant is responsible for supplying the stove and/or the refrigerator, the HA will allow the stove and/or the refrigerator to be placed in the unit after the inspection if, after the unit has passed all other HQS, the owner and the tenant certify that the appliances are in the unit and working according to HQS. The HA will not conduct a re-inspection in that event.

7.2 ANNUAL HQS INSPECTIONS

Inspection: The tenant is notified of the date and time of inspection appointment by mail. If the tenant is unable to be present, he or she must reschedule the appointment so that the inspection is completed within 7 days.

If the tenant does not contact the HA to reschedule the inspection, or if the tenant misses two (2) inspection appointments without good cause such as emergency, illness or disability, the HA will consider the tenant to have violated a family obligation and his or her assistance may be terminated in accordance with the termination procedures in the administrative plan.

Rent Increases -Increases in the rent paid to the owner may not be approved if the unit is in a failed condition.

7.3 ACCEPTABILITY CRITERIA AND EXCEPTIONS TO HQS

The HA adheres to the acceptability criteria in the program regulations and HUD inspection booklet with the additions described below:

Security:

If window security bars or security screens are present on emergency exit windows, they must be equipped with a quick release system or the unit must be in compliance with NFPA requirements for means of escape. The owner is responsible for ensuring that the family is instructed on the use of the quick release system.

Owners are responsible for providing batteries and for replacing (old) non-functioning batteries for battery-powered (units) smoke detectors or fire detectors and ensuring that the smoke detector is properly installed and working.

Bedrooms:

- Bedrooms must be at least seventy (70) square feet is size if occupied by one person and one hundred (100) square feet if intended occupancy is two persons.
- Bedrooms in basements are not allowed unless they meet local code requirements. Bedrooms must have adequate ventilation and emergency exit capability.

Modifications:

Modifications or adaptations made to a unit (due) to accommodate a person with a disability must meet all applicable HQS and building codes.

Admittance to Basement:

Owners are required to allow the inspector access to the basement to inspect the heating system. If the owner does not allow access, he or she may instead present a safely inspection certificate from a local public agency or evidence that the heating equipment was recently serviced and is in good working order. The evidence of recent inspection or service must not be over one year old.

The HA reserves to the right to require property owners to provide supporting documentation that significant modification or rehabilitation made by the owner to the apartment unit are in compliance with local housing, fire or zoning code requirements and/or regulations before approving an apartment unit (e.g. local code approval of
modification/rehab of converting a porch room to a bedroom or an attic space to bedroom).

7.4 DETERIORATED PAINT SURFACES

All painted surfaces of all buildings used or intended to be used in whole or part for human habitation shall be kept free of deteriorated paint surfaces. Deteriorated paint surfaces is defined as any interior or exterior paint or other coating that is peeling, chipping, chalking or cracking, or any paint or coating located on an interior or exterior surface or fixture that is otherwise damaged or separated from the substrate.

All deteriorated paint must be stabilized or abated, even property exempt under the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821-4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C.4851-4856), and part 35, subparts A, B, M, and R of Code of Federal Regulations (CFR).

Property with deteriorated paint that is specifically exempt from part 35, subparts A, B, M, and R of the Code of Federal Regulations *(i.e. property where all occupants are age 6 or older; property that is built after January 1, 1978; properties that has zero bedrooms dwelling; property where all lead-based paint has been removed or the property has been found to be free of lead-based paint by a certified lead-based*

paint inspector), will not require a clearance examination but will still need to be stabilized or abated according to "safe work practices". For further detail please refer to the Lead Paint Policy Appendix V.

7.5 EMERGENCY REPAIR REQUIREMENT

According to HUD regulations all life-threatening HQS deficiencies must be corrected within twenty-four hours of inspection (depending on the severity of the violations immediate termination of the contract may be necessary). Examples of life-threatening HQS deficiencies may include: severe natural gas odor, severe structural defects threatening to collapse; severe electrical hazards endangering life, etc. Smoke detectors that are properly installed are frequently cited for not working due to the fact the tenant has recently pulled the battery or because the battery has loss charge. Since inoperable smoke detectors have the potential to cause life-threatening hazard, we will cite these instances as needing immediate correction. In instances where there is an actual life-threatening HQS deficiency or the potential of a life-threatening hazard (i.e. inoperable smoke detector) the following procedures shall apply.

A separate ***Emergency Repair Notice*** will be generated and mailed directly to the landlord and tenant on the date of the inspection. The housing inspector will also attempt to reach the owner or owner representative directly by telephone to notify

them of the violation(s). The emergency repair notice will require that emergency repairs to be completed immediately.

The emergency repair notice requires that the owner make immediate repair and certify through the ***Owner Certification of Completion of Emergency or Life-Threatening Violations*** that the cited violations have been corrected immediately.

The next month's rent will be abated if the owner does not submit the ***Owner Certification of Completion of Emergency or Life-Threatening Violations*** or if the subsequent re-inspection reveals that the repairs were not completed. A re-inspection will be conducted even if the owner certified that violations have been corrected. In lieu of the ***Owner Certification of Completion of Emergency or Life-Threatening Violations*** the HA may accept other documentation provided by the owner that adequately supports that the emergency repairs were corrected timely.

7.6 HQS ENFORCEMENT

Each HQS inspection of a unit under contract where the unit fails to meet HQS, any life-threatening HQS deficiencies must be corrected within 24 hours from the inspection and all other cited HQS deficiencies must corrected within no more than

30 calendar days from the inspection or any HA approved extension. If any life-threatening HQS deficiencies are not corrected within 24 hours and all other HQS deficiencies are not corrected within 30 calendar days or any HA-approved extension, the HA will withhold, abate or terminate the housing assistance payments. A landlord's request for extension may be made verbally or in writing. The HA approval will be documented or notated in the case file.

7.7 EXTENSION TIME TO COMPLETE REPAIRS

The HA may grant an extension in lieu of abatement in the following cases:

- The owner has a good history of HQS compliance.
- There is an unavoidable delay in completing repairs due to difficulties in obtaining parts or contracting for services.
- The repairs are expensive (such as exterior painting of roof repair) and the owner needs time to obtain the funds.
- The repairs must be delayed due to climate conditions.

The extension will be made for a period to be determined by the HA. At the end of that time, if the work is not completed, the HA will begin the abatement.

8.0 RENT AND HOUSING ASSISTANCE PAYMENTS

8.1 PAYMENT STANDARDS

The HA will set up an applicable payment standard schedule for each bedroom size in accordance with HUD regulations. The HA may establish an adjustment standard schedule on an annual basis (prior to FMR increases) in order to assure continued affordability for participating families.

The following factors will be considered in the assessment of the adequacy of the payment standard:

1. *Success rates of program participants:* The HA will review the number of voucher holders whose vouchers expire without having a leased unit. The HA will review the average time required for voucher holders to find units.

2. *Availability of suitable vacant units with rent below the payment standards (Rent survey data)*: The HA will review its rent reasonableness data, vacancy rate data, and other relevant information to determine whether there is an ample supply of vacant units with rents below the payment standard amounts in each bedroom category.

3. *Rent burdens of program participants:* The HA will review the percentage of income voucher families use to pay rent to determine the extent to which rent burdens exceed 30 percent of income.

4. *Availability of greater housing choices*: The HA will review the availability of greater housing choices for voucher holders.

The HA will also review on a cases by case basis applying a higher payment standard within the basic range as a reasonable accommodation for a family with a family member with disabilities.

8.2 REVIEW AND ADJUSTMENT OF ALLOWANCES FOR UTILITIES

The HA shall at least annually determine whether there has been a substantial change in utility rates or other charges of general applicability and whether an adjustment is required in the allowance for utilities and other services by reason of such change or because of errors in the original determination. The procedure for this determination shall be as follows:

The HA will request estimates and actual data from utility companies, heating companies and program participants. Utility Allowance schedules may be collected from other housing authorities in region to review ongoing rates currently in use. After reviewing the aforementioned data decisions will be made to determine if utility allowance schedule needs to be adjusted. If the HA determines that an adjustment should be made, the HA shall make the necessary adjustments taking into account the size of dwelling units and other pertinent factors.

8.3 RENT REASONABLENESS

The HA will determine and document on a case-by case- basis that the rent approved for a unit is reasonable in comparison with rent charged for other comparable unassisted units in the market.

The HA will not approve tenancy until it determines that the initial rent to the owner is a reasonable rent. The HA must re-determine the reasonable rent before any increase in the rent to the owner. The HA must also re-determine the reasonable rent if there is a five percent (5%) decrease in the published fair market rent (FMR) for the unit size rented by the family which goes into effect sixty (60) days before the

contract anniversary, as compared with the FMR in effect one year before the contract anniversary.

Rent Reasonableness will be determined using the following method:

Rent is reviewed at initial lease-up, as well as, requested rent increase, to determine whether it is reasonable in relation to rents currently being charged for other comparable unassisted units in the private market.

Initial rents and rent increase requests, will be reviewed for reasonableness by referring to the HA's compiled rental survey data for appropriateness. The location, quality, size, unit type, and age of the contract unit will be considered when making this determination. If the rent is deemed unreasonable the HA may provide the owner with a reasonable rental amount based on the complied rental survey data. If the owner disputes the HA's determination the owner may be afforded the opportunity to provide additional rental survey data that supports the rent that is being requested. The owner's submission of rental survey information does not ensure approval of the requested rent. The HA will determine the rent based on the best rental survey data that is available.

The rental survey data used to make comparisons may be obtained through the services of a state certified real estate appraiser or through collected rental data information.

Each approved rent will contain a "Certification of Rent Reasonableness" form in the file that will certify and document that the rent has been approved. The "Certification of Rent Reasonableness" form will identify a specific comparable rent for a similar type unit considering the location, quality, size, unit type, and age of the contract unit.

In addition, initial lease-up rent request will require the owner to sign the "Owner's Certification of Rent Reasonableness" form to require owners to support the rent they are charging. The "Owner's Certification of Rent Reasonableness" form will require the owner to acknowledge that acceptance of housing assistance payments certifies that the rent is not more than rent charged by the owner for comparable unassisted units in the premises. The HA reserves the right to request and obtain information on the rents being charged by the owner for other units in the premises or elsewhere. Each case-file will contain this certification at initial lease-up.

Each file is subject to file review for completeness before payment is authorized. Payment will not be authorized unless the "Certification of Rent Reasonableness" form and the "Owner's Certification of Rent Reasonableness" form is contained in the file.

If the compiled rental survey data does not a have a comparable unit by location, quality, size, or unit type, then the next best comparable unit from the compiled rental survey data may be used to support the approved rent.

8.4 REVIEW OF FAMILY CIRCUMSTANCES, RENTS, UTILITIES AND HOUSING QUALITY STANDARDS.

The HA's Director or Assistant Director of the program assigns annual re-examinations at least two months prior to each lease anniversary date, based on a computer generated monthly report intended for such purposes. The HA's Program Representatives thereby have sufficient opportunity to notify, in writing, both the owner and the tenant. Should either party have issues to resolve there is then adequate time to explore the issues, and to work toward their resolution prior to the expiration of the lease.

Changes in tenant income are processed upon verification throughout the lease term. All tenants who report zero income are asked to certify their income status at least every three months.

As detailed above, the HA will assign new cases, as well as annual re-certifications, to Occupancy Specialists. The Housing Inspector determines tenants continued eligibility and payment amounts.

Reinspection is done as required by the Housing Inspector or as requested by the tenant or owner.

The Assistant Director maintains a record of all requested repairs. The completion dates are monitored monthly to ensure that reinspection deadlines are met or if not, then the appropriate administrative sanctions are taken. Before monthly housing assistance payments are made, all repairs that are requested are reviewed to ensure that the Housing Inspector follow through on administrative sanctions. In the instance were monies need to be recovered from participating families or program landlords, the attached Quality Control Plan (Appendix IV) outline HA policy on this matter.

8.5 FAMILY BREAK-UP

In the event that a family break-up occurs in an assisted household, the HA will review the following factors to determine which members of the family continues to receive assistance in the program:

1. What is in the best interest of minor children or ill, elderly or disabled family members.

2. Whether family members are forced to leave the unit as a result of actual or threatened physical violence against family members by a spouse or other member of the household.
3. Which family member has recognized custody of minor children in family.

8.6 ABSENCE FROM UNIT

The family may be absent from the unit for brief periods. For longer absences the following HA policy shall apply:

Absence is defined as no family member residing in the unit.

Family members need to notify the HA of any extended absence from the unit and the reason for the absence. The HA may require the family to document the reason for the extended absence. In any event, family members may not be absent from the unit for a period of more than 60 consecutive calendar days.

Housing Assistance Payments terminate if the family is absent for longer than the maximum period permitted. The term of the HAP Contract and the assisted lease also terminate.

The HA reserves the right to consider special circumstances (such as absence due to hospitalization, medical emergency, etc.) as a basis to determine whether the HA may want to allow a resumption of assistance to the family. The family must supply any information requested by the HA to verify the special circumstances.
It is the responsibility of the head of household to report changes in family composition. The HA will evaluate absences from the unit using this policy.

Temporary Absence of Any Member
The HA must compute all applicable income of every family member who is on the lease, including those who are temporarily absent. In addition, the HA must count the income of the spouse or the head of the household if that person is temporarily absent, even if that person is not on the lease.

If the spouse is temporarily absent and in the military, all military pay and allowances (except hazardous duty pay when a person is exposed to hostile fire, and any other exceptions to military pay which HUD may define) is counted as income.

Permanent Absence of Any Member
Any member of the household will be considered permanently absent if she or he is away from the unit for three (3) consecutive months except as otherwise provided in this chapter. Income of persons permanently absent will not be counted.

Absence Due to Medical Reasons

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, the HA will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent. If, within a calendar year, the verification indicates that the family member will return in less than three (3) months, the family member will not be considered permanently absent.

If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated in accordance with the HA's "Absence of Entire Family" policy.

Absence Due to Full-time Student Status
Full time student who attend school away from the home will be treated in the following manner:

A student (other than the head of household or spouse) who attends school away from home but lives with the family during school recesses may, at the family's choice, be considered either temporarily or permanently absent. Income over $480 is not counted for full-time students. If the family decides that the member is permanently absent, income of that member will not be included in total household income, the member will not be included on the lease, and the member will not be included for determination of voucher size.

Absence Due to Incarceration
Any member of the household will be considered permanent absent if she or he is incarcerated for three (3) consecutive months. The HA will determine if the reason for incarceration is for drug-related or violent criminal activity.

Absence of Children Due to Placement in Foster Care
If the family includes a child or children temporarily absent form the home due to placement in foster care, the HA will determine from the appropriate agency when the child or children will be returned to the home.

If the time period is to be greater than twelve (12) months from the date of removal of the child or children, the voucher size will be reduced. If all children are removed from the home permanently, the voucher size will be reduced in accordance with the HA's subsidy standards.

Absence of Entire Family
These policy guidelines address situations when the family is absent from the unit, but has not moved out of the unit. In cases where the family has moved out of the unit, the HA will terminated assistance in accordance with appropriated termination procedures contained in this plan.

Families are required both to notify the HA before they move out of a unit and to give the HA information about any family absence from the unit.

Families must notify their landlord and HA if they are going to be absent form the unit for more than thirty (30) consecutive days. Approval will be granted by the HA on a case-by-case basis.

If the entire family is absent from the assisted unit for more than sixty (60) consecutive days, the unit will be considered to be vacated and the assistance will be terminated.

A person with a disability may request an extension of time as an accommodation, provided that the extension requested does not go beyond the HUD-allowed limit of one-hundred eighty (180) consecutive calendar days.

If the absence which resulted in the termination of assistance was due to a person's disability, and if the HA can verify that the person was unable to notify the HA in accordance with the family's responsibilities, and if funding in available, the HA may re-instate the family as an accommodation if requested by the family.

Caretaker for Children

If neither parent remains in the household and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, the HA will treat that adult as a visitor until court-
voucher will then be transferred to the caretaker.

If the appropriate agency cannot confirm the guardianship status of the caretaker, the HA will review that status at thirty (30) day intervals.

If custody or legal guardianship has not been awarded by the court, but the action is in process, the HA will secure verification from social services staff as to the status.

When the HA approves a person to reside in the unit as caretaker for the children, the income of the caretaker should be counted pending a final disposition. The HA will work with the appropriate service agencies and the landlord to provide a smooth transition in these cases.

If a member of the household is subject to a court order that restricts him or her from the home for more than three (3) months, the person will be considered permanently absent.

Visitors
Any adult, regardless of degree of relationship, not included on the HUD form 50058 who has been in the unit for more than thirty (30) consecutive days without HA approval will be considered to be living in the unit as an unauthorized household member. Absence of evidence of any other address will be considered verification that the visitor is a member of the household. Statements from neighbors and/or the landlord will be considered in making the determination.

Use of the unit address as the visitor's current residence for any purpose that is not explicitly temporary shall be construed as evidence of permanent residence.

The burden of proof that the individual is a visitor rests on the family. In the absence of such proof, the individual will be considered an unauthorized member of the household and the HA will terminate assistance to the family, since prior approval was not requested for the addition.

Minors and college students who were part of the family but who now live away from home during the school year and are no longer on the lease may visit for up to sixty (60) consecutive days per year without being considered a member of the household.

In a joint custody arrangement, if the minor is in the household less than 90 days per year, the minor will be considered to be an eligible visitor and no a family member.

8.7 PAYMENT OF MONIES OWED BY OWNER OR FAMILY TO THE HA

The HA staff must report all cases of suspected overpayments of program funds Program Supervisor(s). In every case, efforts will be undertaken to recover actual overpayments. The money may be recovered by withholding future HAP or utility payments, or by written mutual agreement to a repayment schedule approved by the Program Management. A monthly Accounts Receivable Report, which tracks all such activity, is generated by the Payments Coordinator and available for review by the Program Management staff.

If reasonable efforts do not result in repayment, the Program Management will re-evaluate each account for referral of legal action where appropriate.

Accounts receivable procedures for Payments made to a landlord for damages, unpaid rent or vacancy reimbursement or overpayments made on behalf of a tenant.

1. *Cancelled or inactive tenants* - for tenants who owe money and whose rental assistance benefits have been terminated either voluntarily or involuntarily the following will occur: The amount that the tenant owes will be maintained in

the tenant's permanent file for future reference. Clients cannot reapply without paying money owed in full or entering into a repayment schedule if offered to them. If other Housing Authorities request status information, balance owed will be reported.

2. *Active tenants* - for tenants on the program who owe money as a result of payments being made on their behalf for damages, unpaid rent or vacancy reimbursement or overpayments the following will occur: Clients will enter into a repayment agreement for the amount of the monies owed. The terms and conditions of the payment schedule will be based on a reasonable standard. Tenant's name, allocation code, and the amount owed is entered onto the "Active Tenants with Damages Report". This report is updated monthly to identify delinquent accounts for subsequent mailing notices. Tenant's name and the total amount owed is entered into the Accounts Receivable computer program. If applicable, tenants utility checks are held by the Payments Coordinator.

8.8 CONTINUED PARTICIPATION SCREENING

At reexamination each adult household member (18 years of age and older) must certify that they do not meet any of the following offenses. Additional certifications must be obtained from new adult members joining the household or whenever members of the household become 18 years of age:

- Persons currently engaged in drug related criminal activity or violent criminal activity.
- Fugitives felons, parole violators and persons fleeing to avoid prosecution, or custody or confinement after convictions, for a crime, or attempt to commit a crime, that is a felony under the laws of the place from which the individuals flees.
- Persons convicted for producing Methamphetamine on federal assisted housing property.
- Sex offenders who are required by law to maintain permanent/lifetime registration with a State program.
- Persons whom a HA determines it has a reasonable cause to believe the household member’s illegal drug or alcohol abuse threatens the health, safety, or interferes with the peaceful enjoyment of the premises by other residents.
- Persons evicted from federally assisted housing for drug-related criminal activity less than 3 years ago, unless the tenant successfully completes a rehabilitation program approved by a HA or the circumstances for the eviction no longer exist.

- Persons with outstanding debt to any federal subsidized housing programs or if outstanding debt to a federal subsidized program not current with a repayment schedule.
- Person(s) who have committed fraud, bribery, or corrupt or criminal action, or engaged in drug-related or violent criminal activity or been incarcerated, paroled or placed on probation for these offenses within the last three years.

Failure of all adult household members to certify that they do not meet these offenses may be grounds for termination of housing program benefits. The HA reserves the right to conduct a criminal history background check for current program participants if written information is provided to the HA that alleges an offense to this certification and the HA determines there to be a reasonable cause for conducting a criminal history background check to verify. If the HA conducts a criminal history background check it will be with the consent of the participant and in accordance with HA screening policy outline within the administrative plan. In these instances the participant will be first asked to meet with the HA to review the issues and if deemed necessary be asked to sign the consent to the criminal history background check.

9.0 TERMINATION OF ASSISTANCE TO THE FAMILY

9.1 TERMINATION POLICY AND PROCEDURE

The following will constitute grounds for removal of a participant from the Housing Choice Voucher programs:

1. Failure to make payments for monies owed the HA or another HA.
2. Violation of any of the family obligations under 24 CFR 982.551.
3. A participant or family member engaged in drug-related criminal activity or violent criminal activity.
4. A participant has committed fraud (bribery or any other corrupt or criminal act) at the time of application or during assisted tenancy.
5. A participant has failed to comply with the requirements under the family's contract of participation in the Family Self-Sufficiency program.
6. If any family members of the family has been evicted from public housing.
7. If the family has engaged in or threatened abusive or violent behavior toward HA personnel.
8. A participant that abuses alcohol or drugs in a way that may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents.

9.2 PROCEDURE FOR REMOVING A SECTION 8 TENANT FROM THE PROGRAM:

1. The tenant and landlord will be mailed a notice of intent to terminate Section 8 benefits. The notice shall state the grounds for removal. It shall advise the tenant that they have 10 days in which to respond and contest the action by requesting a hearing.
2. The tenant may have an advocate or attorney present at the hearing.
3. If the tenant does not respond, they may be automatically removed from the program effective the first day of the month coming after the date of the notice. Notice of termination will be sent to the tenant and landlord simultaneously.

10.0 COMPLAINTS AND APPEALS

10.1 INFORMAL HEARING FOR PARTICIPANT

The HA will give a participant family an opportunity for an informal hearing to consider whether the following HA decisions relating to the individual circumstances of a participant family are in accordance with the law, HUD regulations and HA policies:

1. A determination of the family's annual or adjusted income, and the use of such income to compute the housing assistance payment.
2. A determination of the appropriate utility allowance (if any) for tenant-paid utilities from the HA utility allowance schedule.
3. A determination of the family unit size under the HA subsidy standards.
4. A determination that a certificate program family is residing in a unit with a larger number of bedrooms than appropriate for the family unit size under the HA subsidy standards, or the HA determination to deny the family's request for an exception from the standards.
5. A determination to terminate assistance for a participant family because of the family's action or failure to act (see 24 CFR Sec. 982.552).
6. A determination to terminate assistance because the participant family has been absent from the assisted unit for longer than the maximum period permitted under HA policy and HUD rules.

In the cases described in paragraphs (1), (2) and (3) of this section, the HA will notify the family that the family may ask for an explanation of the basis of the HA determination, and that if the family does not agree with the determination, the family may request an informal hearing on the decision.

In the cases described in (4), (5) and (6) of this section of this section, the HA will give the family prompt written notice that the family may request a hearing before the HA

terminates housing assistance payments for the family under an outstanding HAP contract.

In the situations that require a notification to the family that they may request a hearing, the notice will:

1. Contain a brief statement of reasons for the decision;
2. State that if the family does not agree with the decision, the family may request an informal hearing on the decision, and
3. State that the family must make the request for an informal hearing in writing within ten (10) days of the date of the notice so that an informal hearing may be held to present objections and review the decision.

10.2 CONDUCT OF HEARING

When a hearing for a participant family is required the HA procedures for conducting informal hearings for participants will be as follows:

1. The HA shall appoint a hearing officer to conduct the hearing who must be an employee or outside person other than the person who made or approved the decision under review or a subordinate of such person.

2. The hearing officer shall issue a written decision stating briefly the factual and other basis for the decision, a copy of which shall be furnished promptly to the family. Factual determinations relating to the individual circumstances of the family shall be based on a preponderance of the evidence presented at the hearing. A copy of the hearing decision shall be furnished promptly to the family.

When a hearing for a participant family is required, the HA will proceed with the hearing in a reasonably expeditious manner upon the request of the family.

The family will be given the opportunity to examine before the HA hearing any HA documents that are directly relevant to the hearing. The family will be allowed to copy any such document at the family's expense (or as the HA agrees to provide). If the HA does not make the document available for examination on request of the family, the HA will not rely on the document at the hearing.

The HA must be given the opportunity to examine at the HA office before the HA hearing any family documents that are directly relevant to the hearing. The HA must be allowed to copy any such document at the HA's expense. If the family does not make the document available for examination on request of the HA, the family may not rely on the document at the hearing. The term “documents” includes records and regulations.

A lawyer or other representative may represent the family.

The HA and the family will be given the opportunity to present evidence, and may question any witnesses. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

The HA is not considered bound by a hearing decision in the following situations:

1. Concerning a matter for which the HA is not required to provide an opportunity for an informal hearing under this section, or that otherwise exceeds the authority of the person conducting the hearing under the HA hearing procedures.
2. Contrary to HUD regulations or requirements, or otherwise contrary to federal, State, or local law.

3. If the HA determines that it is not bound by a hearing decision, the HA must promptly notify the family of the determination, and of the reasons for the determination.

10.3 ISSUES THAT DO NOT REQUIRE A HEARING

The HA is not required to provide a participant family an opportunity for an informal hearing for any of the following:

1. Discretionary administrative determinations by the HA.
2. General policy issues or class grievances.
3. Establishment of the HA schedule of utility allowances for families in the program.
4. A HA determination not to approve an extension or suspension of a voucher term.
5. A HA determination not to approve a unit or tenancy.
6. A HA determination that an assisted unit is not in compliance with HQS. (However, the HA must provide the opportunity for an informal hearing for a decision to terminate assistance for a breach of the HQS caused by the family as described in Sec. 982.551(c).
7. A HA determination that the unit is not in accordance with HQS because of the family size.
8. A determination by the HA to exercise or not to exercise any right or remedy against the owner under a HAP contract.

11.0 PROGRAM INTEGRITY

11.1 PROGRAM ABUSE POLICY

These policies have been established to outline the procedures used to follow-up instances of suspected program abuse allegations and claims of program abuse by program by participants. The policy and procedures are as follows:

When families, owners or HA employees fail to adhere to program requirements, the HA will take appropriate action. The action that is appropriate may depend on the particular case of circumstances.

The HA will take every step to distinguish between "errors or omissions" and "fraud and abuse" of the program. Examples of the difference between unintentional errors and omissions and fraud and abuse are as follows

ERRORS AND OMISSIONS VS. FRAUD AND ABUSE

Unintentional Errors/Omissions	Fraud/Abuse
By the Family	
• Failure to report required information due to lack of understanding, such as omitting a particular asset or failing to report a source of income. • Incorrect reporting, such as reporting the income source but incorrectly stating the amount of income. • Failure to report changes as required, such as failure to notify the PHA or a change in family composition or income.	• Intentionally misrepresenting income, assets, and allowances. • Intentionally misrepresenting family composition. • Initiating and participating in bribes or other illegal activities.
By the Owner	
• Collecting housing assistance payments for an unoccupied unit, when the owner is not aware that the assisted family has vacated. • Errors in specifying responsibilities for utility payments.	• Collecting extra or "side" payments in excess of the family share of rent or requiring the family to perform extraordinary services in lieu of payments. • Charging families for utilities that are the owner's responsibility. • Collecting housing assistance payments for units not occupied by program participants. • Bribing PHA employees to certify a substandard unit as passing HQS. • Other HQS violations involving misrepresentation and deceit.

By the PHA	
• Unintentionally miscalculating subsidy/rent. • Unintentionally determining eligible families as ineligible and vice versa. • Unintentionally approving rents that are not reasonable. • Misinterpreting documentation or information provided by a third party. • Forgetting to inform the participant of a reporting requirement or to collect all required information during an interview. • Unknowingly failing to apply program rules and procedures properly. • Late processing.	• Willful passing of units not meeting HQS and/or local standards. • Accepting kickbacks from owner, managers, or families to permit participation or to allow rents in excess of the rent reasonableness limitation. • Intentionally calculating total tenant payment or housing assistance payments incorrectly. • Intentionally making incorrect determinations of family eligibility, including certifying as eligible otherwise ineligible applicants, coaching applicants to falsify documents, or changing an applicant's position on the waiting list.

11.2 UNINTENTIONAL ERRORS OR OMISSIONS AND POSSIBLE REMEDIES

In instances of unintentional errors and omission the following corrective action may be taken by the HA based on the particular facts of the case:

Unintentional Errors and Omissions By the family and Possible Remedies

1.) When family payment is incorrectly established too high (tenant pays more than it should under the program):
In cases where the unintentional error or omission is clearly the fault of the family, the HA need not reimburse the family. Instead, the HA will process the change immediately and provide notice to the landlord and family of the effective date of the change. Changes in the amount of family payment and housing assistance payments become effective the month following the discovery.

2.) When family payment is incorrectly established too low (tenant pays less than it should under the program):
In cases where the unintentional error or omission is clearly the fault of the family, the family must repay the program within a reasonable period of time. If the amount owed is not repaid, the HA may terminated the family's assistance. The HA will process the change immediately and inform the landlord and the family of the effective date of the change. Increases in the amount of the family payment resulting from a family error or omission become effective retroactively to the time of the reporting error.

3.) Error affecting the size of the family's unit:
In cases where unintentional misrepresentation by the family leads the family to receive subsidy for a larger unit than the size for which it is entitle, the family must repay the program or sign a repayment agreement to pay any amount owed. If the amount is not repaid, the HA may terminate the family's assistance. If the HA decides not to terminate the family's assistance, the HA must immediately adjust the subsidy according to the payment standard for the appropriate bedroom size and provide the family and owner reasonable notice of the change. The family is not required to move but if the family is unable to pay the new amount, it must give appropriate notice to the owner and HA and move to a smaller unit.

Unintentional Error and Omissions By the Owner and Possible Remedies
In cases when the HA discovers that the owner is not entitled to the full amount of housing assistance payment it paid to the owner, the HA may reclaim the amount due by notifying the owner to tender payment or by withholding payments due for the subsequent month or months until the debt is paid.

Unintentional Error and Omissions By the HA and Possible Remedies
1.) When family payment is incorrectly established too high (tenant pays more than it should under the program):
In cases where the error or omission is clearly the fault of the HA, the HA must immediately refund the total amount due to the family and calculate the correct family payments. Such reimbursement may come from the HA's administrative fees depending on the circumstances. If the family owed the landlord rent, the HA, depending upon the circumstances, may choose to pay the amount due or a portion thereof directly to the owner on behalf of the family.

2.) When family payment is incorrectly established too low (tenant pays less than it should under the program):
In cases where the error or omission is clearly the fault of the HA, the family and owner are not responsible for repayment. The HA must give the family and owner reasonable notice of the increase in family payment and corresponding decrease in housing assistance payment. The HA must repay the program within a reasonable period of time. Such reimbursement may come from the HA's administrative fees depending on the circumstances.

3.) Error affecting the size of the family's unit:
In cases where HA error leads the family to receive subsidy for a unit that is smaller than the size for which it is entitled, the HA will immediately notify the family and the owner of the problem and issue the family a voucher for the appropriate bedroom size. The HA will provide apartment listings of available apartments. If the family does not locate another unit within the required timeframe, the HA may terminate assistance for the family if the unit does not meet the HQS requirement.

In cases where HA error leads the family to receive subsidy for larger unit than the size for which it is entitled, the HA will immediately encourage the family to move to a smaller unit. The HA will provide apartment listings of available apartments. If the family refuses to move after other reasonable alternatives are identified, the HA will recalculate the family's subsidy based on the payment standard for the bedroom size for which it qualifies. The HA will give reasonable notice to the family and owner of any change in payment.

11.3 FRAUD OR PROGRAM ABUSE: POSSIBLE REMEDIES

"Fraud" and "abuse" is considered a single act or pattern of actions made with the intent to deceive or mislead, constituting a false statement, omission, or concealment of a substantive fact. Fraud and abuse result in the payment of federal housing assistance funds in violation of program requirements. Fraud is the intentional, false-representation or concealment of a material fact for the purpose inducing another to act upon it to his or her injury. Fraudulent and related criminal activities may include bribery or kickbacks, false claims or bid rigging, theft, embezzlement, or other misapplication of funds or assets, forgery or altercation of documents, impropriety with respect to report financial transactions, profiteering or inside knowledge, destruction or concealment of records or assets.

Issues relating to preventing and detecting HA employee fraud is outlined in detail in the contract administrator's Quality Control Plan under the employee fraud policy section.

When families or owners intentionally fail to report required information or report incorrect information to obtain benefits to which they are not entitled to it is considered fraud. Fraud is the legal term that involves taking legal action to pursue a remedy of the situation, such as terminating program assistance or recovering program funds. A program participant or owner may be terminated from the program for fraud, but the HA may consider any mitigating circumstances before actually terminating benefits.

When the HA has reason to believe that a program participant has abused the program, immediate action will be taken to gather information regarding the validity of the concern or claim and if valid the nature and extent of the abuse (if applicable). The HA will attempt to collect as much information as possible about the case so that a fair and informed decision can be made. The HA may choose to confront the program participant, owner with any pertinent information from other parties involved. Other parties may include HA staff, representative from other local agency (police, welfare agency and other third parties, such as the person reporting the abuse, landlord, tenant, or employer). Depending on the severity of the potential program abuse, the HA may record this information onto a summary form called the "Potential Program Abuse Summary Form". The Potential Program Abuse Summary form will be completed by the staff person assigned to the case and will eventually include the final findings and recommendations.

If as a result of assessment it is determined that the program participant has abused the program, action will be taken to remedy the situation. If any program participant member has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program, the HA will have grounds to deny program assistance to an applicant or terminate program assistance for a participant.

If the Housing program paid too much rent on the program participant's behalf because of discrepancies in information furnished by the program participant and if sufficient evidence exists that demonstrates that the program participant intentionally misrepresented its circumstances, the HA will pursue debt collection of program funds and may elect to terminate assistance.

The HA will have discretion to consider all of the circumstances in each case, including prior history, to determine whether or not to deny or terminate assistance because of action or failure to act by members of the program participant. The HA will consider the seriousness of the case, any special circumstances surrounding the case, the extent of participation or culpability of individual family members, any mitigating circumstances such as those related to the disability of a family member, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure.

As a condition of continued assistance for other family members, the HA may impose a requirement that family members who participated in or were culpable for the action or failure will not reside in the unit. The HA may permit the other members of a participant family to continue receiving assistance. If the family includes a person with disabilities, the HA decision concerning such action is subject to reasonable accommodations considerations.

11.4 INCOME DISCREPANCY RESOLUTION

The Exceeds Threshold Report contained in the EIV system identifies families that *may have* substantially under reported wages, social security benefits and/or unemployment compensation. If EIV data is greater than tenant-reported income by $2,400 or greater annually, the HA will take steps to resolve these income discrepancies. In accordance with 24 CFR 5.236, the HA will obtain written third party verification of disputed EIV data. Below is a summary of steps the HA will take to resolve income discrepancies:

1. Discuss the discrepancy with the tenant.
2. Request current documents from the tenant (i.e. Original, current and consecutive pay stubs, original SSA benefit verification letter, etc.)
3. Request written third party verification of any income source that the tenant disputes.
4. Confirm effective dates of unreported income source.
5. In cases where the HA confirms that the tenant failed to report income

source(s), the HA will determine retroactive rent due to the HA and execute a repayment agreement with the tenant.

The HA will not take adverse action against the tenant based solely on EIV data. Below is a list of resources the HA may use to assist in the income discrepancy resolution process.

Social Security Administration (SSA) Form 7004: This SSA form may be used by the HA to request a tenant's Social Security Earnings Statement. The statement provides a record of the tenant's Social Security earnings history, year-by-year and provides an estimate of benefit payments that the tenant and the tenant's family may qualify for now or in the future.

Internal Revenue Service (IRS) Form 4506-T: This IRS form may be used by the HA to request a tenant's tax return transcript. The transcript shows most line items contained on the return as it was originally filed, including any accompanying forms and schedules. Tax return transcripts are generally available for the current and past three years. If a statement of the tenant's tax account, which shows changes that the tenant or IRS made after the original return was filed, the HA will request a "Tax Account Transcript." This transcript shows basic data including marital status, type of return filed, adjusted gross income, taxable income, payments and adjustments made on the tenant's account.

11.5 PROCEDURES FOR HANDLING INCOME DISCREPANCIES DISCOVERED THROUGH THE HUD EIV SYSTEM WHERE THE CLIENT CLAIMS IDENTITY THEFT OR INCORRECT INFORMATION PROVIDED BY THE EMPLOYER

If the client claims that income discrepancy discovered through the HUD EIV system is the result of identity theft or incorrect information provided by the employer, the following procedures will be taken:

1. The client will need to sign the release on the *third-party verification of wages form*. Once signed the housing agency will mail *third-party verification of wages form* directly to the employer. This is done to confirm verification of the information provided through the EIV system and not necessarily to resolve possible identity theft or incorrect information provided by the employer.

2. The client will need to directly contact the employer of the disputed income listed on the EIV report and obtain verification from the named employer that they did not receive the income through the EIV system. The housing agency will furnish the client with a copy of the income discrepancies information (including the name and address of the employer and the dollar amount per quarter). The client will need to obtain and furnish verification to the housing agency that reported amounts are incorrect within 30 days of the initial request or negative action against the tenant's subsidy may be taken. The client will be asked to sign a

written certification explaining the expectations of the tenant and the potential consequences for non-compliance.

3. The client will need to sign *OMB No.0960-0466 for Request for Social Security Statement*. The housing agency will submit this form on behalf of the client to receive and confirm the historical income earned by the client as part of the overall assessment and resolution of the income discrepancy.

4. The client will need to sign the housing agency *Income Discrepancy Resolution Certification form* certifying to the client's statement: a) that they dispute that they actually earned/received the historical income reported through the EIV system; b) that they understand they need to contact the employer directly to resolve and; c) that they understand the consequence for not resolving or not complying with program obligations.

5. When clients claim identity theft, they will be asked to provide any other documentation that may help support their case (e.g. police report, communication with the federal trade commission, notification to credit reporting agencies, written documentation with other agencies, etc).

11.6 REPAYMENT SCHEDULE POLICY

If the HA elects to offer the program participant an opportunity to enter into a repayment schedule the following will be used as a guide to determine the length of the repayment period. The HA may elect to consider special circumstances to decide to shorten or lengthen the repayment schedule.

Repayment Amount	Recommended Length of Repayment Schedule
$50 to $1,000	12 Months
$1,001 to $2,000	24 Months
$2,001 and greater	36 Months

If the program participant enters into a repayment agreement but later defaults on the agreement, the HA may take action to terminate assistance for the program participant.

11.7 PREVENTING AND DETECTING ERRORS, OMISSIONS, FRAUD AND PROGRAM ABUSE

All new voucher holders and current participants will receive regular orientation sessions that explain rules, regulations and policies regarding reporting income and household composition and their program obligations. Program staff will explain the forms and review all reported income. The orientation session will require pertinent family

members to sign the applicant/tenant certification form. The applicant/tenant certification requires them to account for whether or not their household receives income in each income category and certify that they have reported all income and full household composition and will outline the penalties for fraud and program abuse. Warning signs will be posted in each office, including information explaining the EIV system and the HUD Things You Should Know (HUD-1140-OIG) form. Mailings for re-certification appointments will include a supplement flyer explaining the EIV system and the penalties for not reporting income and all household members properly.

The HA also maintains a separate Quality Control Plan (please see attachment – Quality Control Plan) that further identifies the program controls and quality assurance measures currently being practiced. These program controls and quality assurance measures were developed to ensure the quality of the program administration, as well as to minimize exposure of abuse of the Section 8 program funds by staff, landlords and tenants, and to maintain the integrity of the program data.

11.8 Potential Program Abuse Summary Form

Potential Program Abuse Summary Form

PR Initials_____

1. Name, Address, SSN and allocation code of subject:

_____
_____
_____

2. Synopsis of the alleged abuse or fraudulent activity, which specifies the sources:

_____
_____
_____

3. Name and address of known witness or persons having knowledge of the allegations:

_____
_____
_____

4. Known or suspected period during which the alleged offense occurred:

_____
_____
_____

5. Known or suspected monetary loss:

_____
_____

6. Determination, based on the evidence, as to whether the subject is abusing or has abused the program and is receiving or received a benefit to which he or she is not entitled:

_____
_____
_____
_____

7. Corrective action to be taken to remedy situation:

_____
_____
_____

_____ _____
Corrective Action Signed/Approved by Supervisor Date

12.0 VIOLENCE AGAINST WOMEN ACT (VAWA) POLICY

12.1 PURPOSE AND APPLICABILITY

The purpose of this policy (herein called "Policy") is to implement the applicable provisions of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162) and more generally to set forth the HA's policies and procedures regarding domestic violence, dating violence, and stalking, as hereinafter defined.

This policy shall be applicable to the administration by the HA of all federally subsidized public housing and Section 8 rental assistance under the United States Housing Act of 1937 (42 U.S.C. §1437 *et seq.*). Notwithstanding its title, this policy is gender-neutral, and its protections are available to males who are victims of domestic violence, dating violence, or stalking as well as female victims of such violence.

12.2 GOALS AND OBJECTIVES

This Policy has the following principal goals and objectives:

a. Maintaining compliance with all applicable legal requirements imposed by VAWA;

b. Ensuring the physical safety of victims of actual or threatened domestic violence, dating violence, or stalking who are assisted by the HA;

c. Providing and maintaining housing opportunities for victims of domestic violence dating violence, or stalking;

d. Creating and maintaining collaborative arrangements between the HA, law enforcement authorities, victim service providers, and others to promote the safety and well-being of victims of actual and threatened domestic violence, dating violence and stalking, who are assisted by the HA; and

e. Taking appropriate action in response to an incident or incidents of domestic violence, dating violence, or stalking, affecting individuals assisted by the HA.

12.3 OTHER HA POLICIES AND PROCEDURES

This Policy shall be referenced in and attached to the HA's Five-Year Public Housing Agency Plan and shall be incorporated in and made a part of the HA's Admissions Standards and Continued Occupancy Policy. The HA's annual public housing agency plan shall also contain information concerning the HA's activities, services or programs relating to domestic violence, dating violence, and stalking.

To the extent any provision of this policy shall vary or contradict any previously adopted policy or procedure of the HA, the provisions of this Policy shall prevail.

12.4 DEFINITIONS

As used in this Policy:

A. *Domestic Violence* – The term 'domestic violence' includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction."

B. *Dating Violence* – means violence committed by a person— who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:
(i) The length of the relationship.
(ii) The type of relationship.
(iii) The frequency of interaction between the persons involved in the relationship.

C. *Stalking* – means –(A) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass or intimidate another person; and (B) in the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to – (i) that person; (ii) a member of the immediate family of that person; or (iii) the spouse or intimate partner of that person;

D. *Immediate Family Member* - means, with respect to a person – (A) a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; (B) or any other person living in the household of that person and related to that person by blood or marriage.

E. *Perpetrator* – means person who commits an act of domestic violence, dating violence or stalking against a victim.

12.5 ADMISSION AND SCREENING

Non-Denial of Assistance. The HA will not deny admission to the Section 8 rental assistance program to any person because that person is or has been a victim of

domestic violence, dating violence, or stalking, provided that such person is otherwise qualified for such admission.

12.6 TERMINATION OF TENANCY OR ASSISTANCE

A. *VAWA Protections.* Under VAWA, persons assisted under the Section 8 rental assistance program have the following specific protections, which will be observed by the HA:

1. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered to be a "serious or repeated" violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of or assistance to the victim of that violence.
2. In addition to the foregoing, tenancy or assistance will not be terminated by the HA as a result of criminal activity, if that criminal activity is directly related to domestic violence, dating violence or stalking engaged in by a member of the assisted household, a guest or another person under the tenant's control, and the tenant or an immediate family member is the victim or threatened victim of this criminal activity. However, the protection against termination of tenancy or assistance described in this paragraph is subject to the following limitations:

    a. Nothing contained in this paragraph shall limit any otherwise available authority of the HA' or a Section 8 owner or manager to terminate tenancy, evict, or to terminate assistance, as the case may be, for any violation of a lease or program requirement not premised on the act or acts of domestic violence, dating violence, or stalking in question against the tenant or a member of the tenant's household. However, in taking any such action, neither the HA nor a Section 8 manager or owner may apply a more demanding standard to the victim of domestic violence dating violence or stalking than that applied to other tenants.
    b. Nothing contained in this paragraph shall be construed to limit the authority of the HA or a Section 8 owner or manager to evict or terminate from assistance any tenant or lawful applicant if the owner, manager or the HA, as the case may be, can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property, if the tenant is not evicted or terminated from assistance. assistance.

B. *Removal of Perpetrator*. Further, notwithstanding anything in paragraph 12.6 A.2. or Federal, State or local law to the contrary, the HA or a Section 8 owner or manager, as the case may be, may bifurcate a lease, or remove a household member from a lease, without regard to whether a household member is a signatory to a lease, in order to evict, remove, terminate occupancy rights, or

terminate assistance to any individual who is a tenant or lawful occupant and who engages in acts of physical violence against family members or others. Such action against the perpetrator of such physical violence may be taken without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also the tenant or a lawful occupant. Such eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by law applicable to terminations of tenancy and evictions by the HA. Leases used for dwelling units occupied by families assisted with Section 8 rental assistance administered by the HA, shall contain provisions setting forth the substance of this paragraph.

12.7 VERIFICATION OF DOMESTIC VIOLENCE, DATING VIOLENCE OR STALKING

A. *Requirement for Verification.* The law allows, but does not require, the verify that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking claimed by a tenant or other lawful occupant is bona fide and meets the requirements of the applicable definitions set forth in this policy. Subject only to waiver as provided in paragraph 12.7. C., the HA shall require verification in all cases where an individual claims protection against an action involving such individual proposed to be taken by the HA. Section 8 owners or managers receiving rental assistance administered by the HA may elect to require verification, or not to require it as permitted under applicable law.

Verification of a claimed incident or incidents of actual or threatened domestic violence, dating violence or stalking may be accomplished in one of the following three ways:

1. *HUD-approved form* - by providing to the HA or to the requesting Section 8 owner or manager a written certification, on a form approved by the U.S. Department of Housing and Urban Development (HUD), that the individual is a victim of domestic violence, dating violence or stalking that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and the completed certification must include the name of the perpetrator.
2. *Other documentation* - by providing to the HA or to the requesting Section 8 owner or manager documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing the domestic violence, dating violence or stalking, or the effects of the abuse, described in such documentation. The professional providing the documentation must sign and attest under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident or incidents in question

are bona fide incidents of abuse meeting the requirements of the applicable definition(s) set forth in this policy. The victim of the incident or incidents of domestic violence, dating violence or stalking described in the documentation must also sign and attest to the documentation under penalty of perjury.

3. *Police or court record* – by providing to the HA or to the requesting Section 8 owner or manager a Federal, State, tribal, territorial, or local police or court record describing the incident or incidents in question.

B. *Time allowed to provide verification/ failure to provide.* An individual who claims protection against adverse action based on an incident or incidents of actual or threatened domestic violence, dating violence or stalking, and who is requested by the HA to provide verification, must provide such verification within 14 business days (*i.e.*, 14 calendar days, excluding Saturdays, Sundays, and federally-recognized holidays) after receipt of the request for verification. Failure to provide verification, in proper form within such time will result in loss of protection under VAWA and this policy against a proposed adverse action.

C. Waiver of verification requirement. The Director of the HA may, with respect to any specific case, waive the above-stated requirements for verification and provide the benefits of this policy based on the victim's statement or other corroborating evidence. Such waiver may be granted in the sole discretion of the Director. Any such waiver must be in writing. Waiver in a particular instance or instances shall not operate as precedent for, or create any right to, waiver in any other case or cases, regardless of similarity in circumstances.

12.8 CONFIDENTIALITY

A. *Right of confidentiality.* All information (including the fact that an individual is a victim of domestic violence, dating violence or stalking) provided to the HA or to a Section 8 owner or manager in connection with a verification required under section 12.7 of this policy or provided in lieu of such verification where a waiver of verification is granted, shall be retained by the receiving party in confidence and shall neither be entered in any shared database nor provided to any related entity, except where disclosure is:

1. requested or consented to by the individual in writing, or
2. required for use in connection with termination of Section 8 assistance, as permitted in VAWA, or
3. otherwise required by applicable law.

B. *Notification of rights.* All tenants of public housing and tenants participating in the Section 8 rental assistance program administered by the HA shall be notified in writing concerning their right to confidentiality and the limits on such rights to confidentiality.

12.9 TRANSFER TO NEW RESIDENCE

Portability. A Section 8-assisted tenant will not be denied portability to a unit located in another jurisdiction (notwithstanding the term of the tenant's existing lease has not expired, or the family has not occupied the unit for 12 months) so long as the tenant has complied with all other requirements of the Section 8 program and has moved from the unit in order to protect a health or safety of an individual member of the household who is or has been the victim of domestic violence dating violence or stalking and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.

12.10 RELATIONSHIP WITH SERVICE PROVIDERS

It is the policy of the HA to cooperate with organizations and entities, both private and governmental, that provide shelter and/or services to victims of domestic violence. If the HA staff become aware that an individual assisted by the HA is a victim of domestic violence, dating violence or stalking, the HA will refer the victim to such providers of shelter or services as appropriate. Notwithstanding the foregoing, this Policy does not create any legal obligation requiring the HA either to maintain a relationship with any particular provider of shelter or services to victims or domestic violence or to make a referral in any particular case.

12.11 NOTIFICATION

The HA shall provide written notification to applicants, tenants, and Section 8 owners and managers, concerning the rights and obligations created under VAWA relating to confidentiality, denial of assistance and, termination of tenancy or assistance.

12.12 RELATIONSHIP WITH OTHER APPLICABLE LAWS

Neither VAWA nor this Policy implementing it shall preempt or supersede any provision of Federal, State or local law that provides greater protection than that provided under VAWA for victims of domestic violence, dating violence or stalking.

GLOSSARY

A ACRONYMS USED IN SUBSIDIZED HOUSING

AAF Annual Adjustment Factor. A factor published by HUD in the Federal Register which is used to compute annual rent adjustment.

ACC Annual Contributions Contract

BR Bedroom

CFR Code of Federal Regulations. Commonly referred to as "the regulations". The CFR is the compilation of federal rules which are first published in the Federal Register and which define and implement a statute.

CR Contract Rent

FHA Federal Housing Administration

FICA Federal Insurance Contributions Act – Social Security Taxes

FMR Fair Market Rent

FY Fiscal Year

FYE Fiscal Year End

GAO Government Accounting Office

GR Gross Rent

HA Housing Agency

HAP Housing Assistance Payment

HCDA Housing and Community Development Act

HQS Housing Quality Standards

HUD The Department of Housing and Urban Development or its designee

IG Inspector General

IPA Independent Public Accountant

IRA Individual Retirement Account

MSA A Metropolitan Statistical Area established by the U.S. Census Bureau

PHA Public Housing Agency

PMSA A Primary Metropolitan Statistical Area established by the U.S. Census Bureau

PS Payment Standard

QC Quality Control

RTA Request for Tenancy Approval

RFP Request for Proposals

RRP Rental Rehabilitation Program

SMSA Standard Metropolitan Statistical Area. **Note**: this term has been replaced by **MSA**, Metropolitan Statistical Area.

TR Tenant Rent

TTP Total Tenant Payment

UA Utility Allowance

URP Utility Reimbursement Payment

B. GLOSSARY OF TERMS USED IN SUBSIDIZED HOUSING

1937 ACT. The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.).

ADIMINISTRATIVE PLAN. The HUD-required written policy of the HA governing its administration of the Section 8 tenant-based programs. The Administrative Plan and any revisions must be approved by the HA's board and a copy submitted to HUD as a supporting document to the HA Plan.

ABSORPTION. In portability, the point at which a receiving HA stops billing the initial HA for assistance on behalf of a family exercising portability. The receiving HA uses funds available under its consolidated ACC.

ACC RESERVE ACCOUNT (formerly **PROJECT RESERVE**). Account established by HUD from amounts by which the maximum payment to the HA under the consolidated ACC (during a HA fiscal year) exceeds the amount actually approved and paid. This account is used as the source of additional payments for the program.

ADA. Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

ADJUSTED INCOME. Annual income after all allowances approved by HUD have been deducted.

ADMINISTRATIVE FEE. Fee paid by HUD to the HA for administration of the program.

ADMINISTRATIVE FEE RESERVE (formerly **OPERATING RESERVE).** Account established by HA from excess administrative fee income. The administrative fee reserve must be used for housing purposes.

ADMISSION. The effective date of the first HAP contract for a family (i.e., the first day of the initial lease term) in a tenant-based program. This is the point when the family becomes a participant in the program.

ANNUAL BUDGET AUTHORITY. The maximum annual payment by HUD to a HA for a funding increment.

ANNUAL CONTRIBUTIONS CONTRACT (or **ACC**). A written contract between HUD and a HA. Under the contract HUD agrees to provide funding for the operation of the program, and the HA agrees to comply with HUD requirements for the program.

ANNUAL INCOME. The anticipated total annual income of an eligible family from all sources for the 12-month period following the date of determination of income, computed in accordance with the regulations.

APPLICANT (or **APPLICANT FAMILY**). A family that has applied for admission to a program, but is not yet a participant in the program.

ASSETS (see **NET FAMILY ASSETS**).

ASSISTED TENANT. A tenant who pays less than the market rent as defined in the

regulations. Includes tenants receiving rent supplement, Rental Assistance Payments, or Section 8 assistance and all other 236 and 221 (d)(3) BMIR tenants, except those paying the 236 market rent or 120% of the BMIR rent, respectively.

BEDROOM.

BUDGET AUTHORITY. An amount authorized and appropriated by the U.S. Congress for payment to HAs under the program. For each funding increment in a HA program, budget authority is the maximum amount that may be paid by HUD to the HA over the ACC term of the funding increment.

CHILD CARE EXPENSES. Amounts paid by the family for the care of minors under 13 years of age where such care is necessary to enable a family member to be employed or for a household member to further his/her education.

CO-HEAD. An individual in the household who is equally responsible for the lease with the Head of Household. (A family never has a co-head and a spouse, and a co-head is never a dependent).

COMMON SPACE. In shared housing, the space available for use by the assisted family and other occupants of the unit.

CONGREGATE HOUSING. Housing for elderly persons or persons with disabilities that meets the HQS for congregate housing.

CONSOLIDATED ANNUAL CONTRIBUTIONS CONTRACT (or **CONSOLIDATED ACC**). See 24 CFR 982.151.

CONTIGUOUS MSA. In portability, an MSA that shares a common boundary with the MSA in which the jurisdiction of the initial HA is located.

CONTINUOUSLY ASSISTED. An applicant is continuously assisted under the 1937 Housing Act if the family is already receiving assistance under any 1937 Housing Act program when the family is admitted to the voucher program.

CONTRACT (see **HOUSING ASSISTANCE PAYMENTS CONTRACT).**

CONTRACT RENT.

COOPERATIVE. Housing, including mutual housing, which owned by a nonprofit corporation or association, and where a member of the corporation or association has the right to reside in a particular apartment, and to participate in the management of the housing. A special housing type: See 24 CFR 982.619.

COVERED FAMILIES. Statutory term for families who are required to participate in a welfare agency economic self-sufficiency program and who may be subject to a welfare benefit sanction for noncompliance with this obligation. Includes families who receive welfare assistance or other public assistance under a program for which federal, state or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for the assistance.

DEPENDENT. A member of the family household (excluding foster children), other

than the family head or spouse, who is under eighteen (18) years of age or is a disabled person or a handicapped person, or is a full-time student eighteen (18) years of age or older.

DISABILITY ASSISTANCE EXPENSE. Anticipated cost for care attendant(s) and auxiliary apparatus for disabled family members which enable a family member (including the disabled family member) to work.

DISABLED FAMILY. A family whose head, spouse, or sole member is a person with disabilities; or two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides.

DISABLED PERSON (see **PERSON WITH DISABILITIES).**

DISPLACED PERSON (or **DISPLACED FAMILY**). A person or family displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized under federal disaster relief laws.

DOMICILE. The legal residence of the household head or spouse as determined in accordance with state and local law.

DRUG-RELATED CRIMINAL ACTIVITY. The illegal manufacture, sale, distribution, or use of a controlled substance, or the possession with intent to manufacture, sell, distribute or use a controlled substance, as defined in Section 102 of the Controlled Substance Act (21 U.S.C. 802).

DRUG TRAFFICKING. The illegal manufacture, sale, distribution or use of a controlled substance, or the possession with intent to manufacture, sell, distribute or use a controlled substance, as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802).

ECONOMIC SELF-SUFFICIENCY PROGRAM. Any program designed to encourage, assist, train or facilitate the economic independence of assisted families, or to provide work for such families. Can include job training, employment counseling, work placement, basic skills training, education, English proficiency, Workfare, financial or household management, apprenticeship, or *any* other program necessary to ready a participant to work (such as mental health treatment or treatment for drug abuse). Includes any work activities as defined in the Social Security Act (42 U.S.C. 607(d)). Also see 24 CFR 5.603 (c).

ELDERLY FAMILY. A family whose head, spouse, or sole member is a person who is at least 62 years of age; or two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aides.

ELDERLY HOUSEHOLD. A family whose head or spouse or sole member is at least 62 years of age; may include two or more elderly persons living together; or one or more such persons living with another person who is determined to be essential to his/her care and well-being.

ELDERLY PERSON. A person who is at least 62 years old.

ELIGIBLE FAMILY (see **FAMILY**). A family is defined by the HA in the administrative plan, which is approved by HUD.

EXCESS MEDICAL EXPENSES. Any medical expenses incurred by elderly or disabled families only in excess of 3% of Annual Income which are not reimbursable from any other source.

EXTREMELY LOW-INCOME FAMILY. A family whose annual income does not exceed 30 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income ceilings higher or lower than 30% of medical income for an area if HUD finds such variations are necessary due to unusually high or low family incomes.

FAIR HOUSING ACT. Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601 et seq.).

FAIR MARKET RENT (or **FMR**). The rent including the cost of utilities (except telephone) that would be required to be paid in the housing market area to obtain privately owned existing decent, safe and sanitary rental housing of modest (non-luxury) nature with suitable amenities. Fair market rents for existing housing are established by HUD for housing units of varying sizes (number of bedrooms) and are published in the *Federal Register*.

FAMILY. "Family" includes but is not limited to:

A family with or without children (the temporary absence of a child from the home due to placement in foster care shall not be considered in determining family composition and family size);

An elderly family;

A near-elderly family;

A displaced family

The remaining member of a tenant family; and

A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family.
("Family" can be further defined by the HA).

FAMILY OF VETERAN OR SERVICE PERSON. A family is a "family of veteran or service person" when:

The veteran or service person (a) is either the head of household or is related to the head of the household; or (b) is deceased and was related to the head of the household, and was a family member at the time of death.

The veteran or service person, unless deceased, is living with the family or is only temporarily absent unless s/he was (a) formerly the head of the household

and is permanently absent because of hospitalization, separation, or desertion, or is divorced; provided, the family contains one or more persons for whose support s/he is legally responsible and the spouse has not remarried; or (b) not the head of the household but is permanently hospitalized; provided, that s/he was a family member at the time of hospitalization and there remain in the family at least two related persons.

FAMILY RENT TO OWNER. In the voucher program, the portion of the rent to owner paid by the family.

FAMILY SELF-SUFFICIENCY PROGRAM (or **FSS PROGRAM**). The program established by a HA to promote self-sufficiency of assisted families, including the provision of supportive services.

FAMILY SHARE. The amount calculated by subtracting the housing assistance payment from the gross rent.

FAMILY UNIT SIZE. The appropriate number of bedrooms for a family, as determined by the HA under the HA's subsidy standards.

FMR/EXCEPTION RENT. The fair market rent published by HUD headquarters. In the pre-merger certificate program the initial contract rent for a dwelling unit plus any utility allowance could not exceed the FMR/exception rent limit (for the dwelling unit or for the family unit size). In the voucher program the HA adopts a payment standard schedule that is within 90% to 110% of the FMR for each bedroom size.

FOSTER CHILD CARE PAYMENT. Payment to eligible households by state, local, or private agencies appointed by the State, to administer payments for the care of foster children.

FULL-TIME STUDENT. A person who is attending school or vocational training on a full-time basis (carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended).

FUNDING INCREMENT. Each commitment of budget authority by HUD to a HA under the consolidated annual contributions contract for the HA program.

GROSS RENT. The sum of the Rent to Owner and the utility allowance. If there is no utility allowance, Rent to Owner equals Gross Rent.

GROUP HOME. A dwelling unit that is licensed by a state as a group home for the exclusive residential use of two to twelve persons who are elderly or persons with disabilities (including any live-in aide or aides).

HAP CONTRACT (see **HOUSING ASSISTANCE PAYMENTS CONTRACT).**

HEAD OF HOUSEHOLD. The head of household is the person who assumes legal and financial responsibility for the household and is listed on the application as the head.

HOUSING AGENCY (or **HA**; see **PUBLIC HOUSING AGENCY**). A state, county, municipality or other governmental entity or public body (or agency or instrumentality thereof) authorized to engage in or assist in the development or operation of low-income housing. (Note: HA and PHA mean the same thing.)

HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974. The act in which the U.S. Housing Act of 1937 (sometimes referred to as the Act) was re-codified, and which added the Section 8 Programs.

HOUSING ASSISTANCE PAYMENT (or **HAP**). The monthly assistance payment by a HA. The total assistance payment consists of:

A payment to the owner for rent to owner under the family's lease.

An additional payment to the family if the total assistance payment exceeds the rent to owner. The additional payment is called a "utility reimbursement" payment.

HOUSING ASSISTANCE PAYMENTS CONTRACT (or **HAP CONTRACT).** A written contract between a HA and an owner in the form prescribed by HUD headquarters, in which the HA agrees to make housing assistance payments to the owner on behalf of an eligible family.

HOUSING ASSISTANCE PLAN. (1) A Housing Assistance Plan submitted by a local government participating in the Community Development Block Program as part of the block grant application, in accordance with the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD. (2) A Housing Assistance Plan meeting the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD.

HOUSING QUALITY STANDARDS (or **HQS**). The minimum housing quality standards established by HUD for housing assisted under the tenant-based programs.

HUD. The U.S. Department of Housing and Urban Development.

HUD REQUIREMENTS. HUD requirements for the Section 8 programs. HUD requirements are issued by HUD headquarters as regulations, Federal Register notices or other binding program directives.

IMPUTED ASSET. Asset disposed of for less than fair market value during two years preceding examination or re-examination.

IMPUTED INCOME. The passbook interest rate established by HUD, multiplied by the total cash value of assets; this calculation is used when assets exceed $5,000.

IMPUTED WELFARE INCOME. An amount of annual income that is not actually received by a family as a result of a specified welfare benefit reduction, but

which is included in the family's annual income and therefore reflected in the family's rental contribution.

INCOME. Income from all sources for each member of the household, as determined in accordance with criteria established by HUD.

INCOME FOR ELIGIBILITY. Annual Income.

INITIAL HA. In portability, the term refers to both:

The HA that originally selected a family that later decides to move out of the jurisdiction of the selecting HA; and

The HA that absorbed a family that later decides to move out of the jurisdiction of the absorbing HA.

INITIAL PAYMENT STANDARD. The payment standard at the beginning of the HAP contract term.

INITIAL RENT TO OWNER. The rent to owner at the beginning of the HAP contract term.

INTEREST REDUCTION SUBSIDIES. The monthly payments or discounts made by HUD to reduce the debt service payments and, hence, rents required on Section 236 and 221 (d)(3) BMIR projects; this includes monthly interest reduction payments made to mortgagees of Section 236 projects and front-end loan discounts paid on BMIR projects.

JURISDICTION. The area in which the HA has authority under state and local law to administer the program.

LANDLORD. This term means either the owner of the property or his or her representative or the managing agent or his or her representative, as shall be designated by the owner.

LEASE. A written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP contract between the owner and the HA. In cooperative housing, a written agreement between a cooperative and a member of the cooperative. The agreement establishes the conditions for occupancy of the member's family with housing assistance payments to the cooperative under a HAP contract between the cooperative and the HA.

LIVE-IN AIDE. A person who resides with an elderly person or disabled person and who is determined to be essential to the care and well-being of the person, is not obligated for the support of the person, and would not be living in the unit except to provide necessary supportive services.

LOCAL PREFERENCE. A preference used by the HA to select among applicant families.

LOW-INCOME FAMILY. A family whose annual income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income ceilings higher or lower than 80% for areas with unusually high- or low-income families.

MANUFACTURED HOME. A manufactured structure that is built on a permanent chassis, is designed for use as a principal place of residence, and meets the HQS. A special housing type. See 24 CFR 982.620 and 982.621.

MANUFACTURED HOME SPACE. In manufactured home space rental, a space leased by an owner to a family. A manufactured home owned and occupied by the family is located on the space. See 24 CFR 982.622 to 982.624

MARKET RENT. The rent HUD authorizes the owner of **FHA insured/subsidized** multi-family housing to collect from families ineligible for assistance. For unsubsidized units in an FHA-insured multi-family project in which a portion of the total units receive project-based rental assistance, under the Rental Supplement or Section 202/Section 8 Programs, the **Market Rate Rent** is that rent approved by HUD and is the Contract Rent for a Section 8 **certificate holder.** For BMIR units, **Market Rent** varies by whether the project is a rental or cooperative.

MEDICAL EXPENSES. Those total medical expenses, including medical insurance premiums, that are anticipated during the period for which annual income is computed, and that are not covered by insurance. (A deduction for elderly or disabled families only.) These allowances are given when calculating adjusted income for medical expenses in excess of 3% of annual income.

MERGER DATE. October 1, 1999.

MINOR. A member of the family household (excluding foster children), other than the family head or spouse, who is under eighteen (18) years of age.

MIXED FAMILY. A family **with citizens and eligible immigration status and without citizens and eligible immigration status** as defined in 24 CFR 5.504(b)(3)

MONTHLY ADJUSTED INCOME. One-twelfth (1/12, or 8.5%) of the annual adjusted income (i.e., one-twelfth of the income after allowances have been applied).

MONTHLY INCOME. One-twelfth (1/12, or 8.5%) of the annual income.

MUTUAL HOUSING (see **COOPERATIVE).**

NATIONAL. A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.

NEAR-ELDERLY FAMILY. A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62; or two or more persons

who are at least 50 years of age but below the age of 62, living together; or one or more persons who are at least 50 years of age but below the age of 62, living with one or more live-in aides.

NEGATIVE RENT. Now called Utility Reimbursement. A negative Tenant Rent results in a Utility Reimbursement Payment (URP).

NET FAMILY ASSETS. Value of equity in savings, checking, IRA and Keogh accounts, real property, stocks, bonds, and other forms of capital investment. The value of necessary items of personal properly such as furniture and automobiles is excluded from the definition.

NON-CITIZEN. A person who is neither a citizen nor a national of the United States.

OCCUPANCY STANDARDS (see **SUBSIDY STANDARDS**). Standards established by a HA to determine the appropriate number of bedrooms for families of different sizes and compositions.

OWNER. Any persons or entity having the legal right to lease or sublease a unit to a participant.

PARTICIPANT. A family that has been admitted to the HA's program and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the HA for the family (First day of initial lease teen).

PAYMENT STANDARD. The maximum monthly assistance payment for a family assisted in the voucher program (before deducting the total tenant payment by the family.

PERSON WITH DISABILITIES. A person who has a disability as defined in 42 U.S.C. 423 or a developmental disability as defined in 42 U.S.C. 6001. Also includes a person who is determined, under HUD regulations, to have a physical or mental impairment that is expected to be of long-continued and indefinite duration, substantially impedes the ability to live independently, and is of such a nature that the ability to live independently could be improved by more suitable housing conditions. For purposes of reasonable accommodation and program accessibility for persons with disabilities, means an "individual with handicaps" as defined in 24 CFR 8.3. Definition does not exclude persons who have AIDS or conditions arising from AIDS, but does not include a person whose disability is based solely on drug or alcohol dependence (for low-income housing eligibility purposes).

HA PLAN. The annual plan and the 5-year plan as adopted by the HA and approved by HUD in accordance with part 903 of this chapter.

PORTABILITY. Renting a dwelling unit with Section 8 tenant-based assistance outside the jurisdiction of the initial HA.

PREMISES. The building or complex in which the dwelling unit is located, including common areas and grounds.

PRIVATE SPACE. In shared housing: The portion of a contract unit that is for the exclusive use of an assisted family.

PROCESSING ENTITY. Entity responsible for making eligibility determinations and for income reexaminations. In the Section 8 Program, the "processing entity" is the "responsible entity."

PROGRAM. The Section 8 tenant-based assistance program under 24 CFR Part 982.

PROGRAM RECEIPTS. HUD payments to the HA under the consolidated ACC, and *any* other amounts received by the HA in connection with the program.

PUBLIC ASSISTANCE. Welfare or other payments to families or individuals, based on need, which are made under programs funded, separately or jointly, by Federal, state, or local governments.

PUBLIC HOUSING AGENCY (or **PHA**; see **HOUSING AGENCY:** Note: PHA and HA. mean the same thing). PHA includes any state, county, municipality or other governmental entity or public body which is authorized to administer the program (or an agency or instrumentality of such an entity), or any of the following:

> A consortia of housing agencies, each of which meets the qualifications in paragraph (1) of this definition, that HUD determines has the capacity and capability to efficiently administer the program (in which case, HUD may enter into a consolidated ACC with any legal entity authorized to act as the legal representative of the consortia members):
>
> Any other public or private non-profit entity that was administering a Section 8 tenant-based assistance program pursuant to a contract with the contract administrator of such program (HUD or a PHA) on October 21, 1998; or
>
> For any area outside the jurisdiction of a PHA that is administering a tenant-based program, or where HUD determines that such PHA is not administering the program effectively, a private non-profit entity or a governmental entity or public body that would otherwise lack jurisdiction to administer the program in such area.

REASONABLE RENT. A rent to owner that is not more than rent charged for comparable units in the private unassisted market, and not more than the rent charged for comparable unassisted units in the premises.

RECEIVING HA. In portability: A HA that receives a family selected for participation in the tenant-based program of another HA. The receiving HA issues a voucher and provides program assistance to the family.

RE-EXAMINATION (formerly **RECERTIFICATION).** The process of securing documentation of total family income used to determine the rent that the tenant will pay for the next 12 months if there are no additional changes to be reported. There are annual and interim re-examinations.

REMAINING MEMBER OF TENANT FAMILY. Person left in assisted housing after other family members have left and become unassisted.

RENT TO OWNER. The total monthly rent payable to the owner under the lease for the unit. Rent to owner covers payment for any housing services, maintenance and utilities that the owner is required to provide and pay for.

RESPONSIBLE ENTITY. For the public housing and Section 8 tenant based assistance, project-based certificate assistance and moderate rehabilitation program, the responsible entity means the HA administering the program under an ACC with HUD. For all other Section 8 programs, the responsible entity means the Section 8 owner.

SECRETARY. The Secretary of Housing and Urban Development.

SECTION 8. Section 8 of the United States Housing Act of 1937 (42 U.S.C. 14370f).

SECURITY DEPOSIT. A dollar amount which can be applied to unpaid rent, damages or other amounts to the owner under the lease.

SERVICE PERSON. A person in the active military y or naval service (including the active reserve) of the United States.

SHARED HOUSING. A unit occupied by two or more families. The unit consists of both common space for shared use by the occupants of the unit and separate private space for each assisted family. A special housing type.

SINGLE PERSON. A person living alone or intending to live alone.

SPECIAL ADMISSION. Admission of an applicant that is not on the HA waiting list or without considering the applicant's waiting list position.

SPECIAL HOUSING TYPES. See Subpart M of 24 CFR 982, which states the special regulatory requirements for SRO housing, congregate housing, group homes, shared housing, cooperatives (including mutual housing), and manufactured homes (including manufactured home space rental).

SPECIFIED WELFARE BENEFIT REDUCTION. Those reductions of welfare benefits (for a covered family) that may not result in a reduction of the family rental contribution. A reduction of welfare benefits because of fraud in connection with the welfare program, or because of welfare sanction due to noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.

SPOUSE. The husband or wife of the head of the household.

SUBSIDIZED PROJECT. A multi-family housing project (with the exception of a project owned by a cooperative housing mortgage corporation or association) which receives the benefit of subsidy in the form of:

Below-market interest rates pursuant to Section 221(d)(3) and (5) or interest reduction payments pursuant to Section. 236 of the National Housing Act; or

Rent supplement payments under Section 101 of the Housing and Urban Development Act of 1965; or

Direct loans pursuant to Section 202 of the Housing Act of 1959; or

Payments under the Section 23 Housing Assistance Payments Program pursuant to Section 23 of the United States Housing Act of 1937 prior to amendment by the Housing and Community Development Act of 1974;

Payments under the Section 8 Housing Assistance Payments Program pursuant to Section 8 of the United States Housing Act after amendment by the Housing and Community Development Act unless the project is owned by a Public Housing Agency;

A Public Housing Project.

SUBSIDY STANDARDS (see **OCCUPANCY STANDARDS).** Standards established by a HA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

SUSPENSION/TOLLING. Stopping the clock on the term of a family's voucher, for such period as determined by the HA, from the time when the family submits a request for HA approval to lease a unit, until the time when the HA approves or denies the request. If the HA decides to allow extensions or suspensions of the voucher term, the HA administrative plan must describe how the HA determines whether to grant extensions or suspensions, and how the HA determines the length of any extension or suspension.

TENANCY ADDENDUM. For the housing choice voucher program, the lease language required by HUD in the lease between the tenant and the owner.

TENANT. The person or persons (other than a live-in-aide) who execute(s) the lease as lessee of the dwelling unit.

TENANT RENT. The amount payable monthly by the family as rent to the unit owner.

TOTAL TENANT PAYMENT (TTP). The total amount the HUD rent formula requires the tenant to pay toward gross rent and utility allowance.

UNIT. Residential space for the private use of a family.

UNUSUAL EXPENSES. Prior to the change in the 1982 regulations, this was the term applied to the amounts paid by the family for the care of minors under 13 years

of age or for the care of disabled or handicapped family household members, but only where such care was necessary to enable a family member to be gainfully employed.

UTILITIES. Utilities means water, electricity, gas, other heating, refrigeration, cooking fuels, trash collection and sewage services. Telephone service is not included as a utility.

UTILITY ALLOWANCE. If the cost of utilities (except telephone) including range and refrigerator, and other housing services for an assisted unit is not included in the Contract Rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made or approved by a HA or HUD of a reasonable consumption of such utilities and other services for the unit by an energy conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthy living environment.

UTILITY REIMBURSEMENT. In the voucher program, the portion of the housing assistance payment which exceeds the amount of the rent to owner.

UTILITY REIMBURSEMENT PAYMENT. In the pre-merger certificate program, the amount, if any, by which the utility allowance for the unit, if applicable, exceeds the total tenant payment for the family occupying the unit.

VACANCY LOSS PAYMENTS. (For pre-merger certificate contracts effective prior to 10/2/95) When a family vacates its unit in violation of its lease, the owner is eligible for 80% of the contract rent for a vacancy period of up to one additional month (beyond the month in which
the vacancy occurred) if s/he notifies the HA as soon as s/he learns of the vacancy, makes an effort to advertise the unit, and does not reject any eligible applicant except for good cause.

VERY LOW-INCOME FAMILY. A lower-income family whose annual income does not exceed 50% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 50% of the median income for the area on the basis of its finding that such. variations are necessary because of unusually high or low family incomes. This is the income limit for the voucher program.

VETERAN. A person who has served in the active military or naval service of the United States at any time and who shall have been discharged or released there from under conditions other than dishonorable.

VIOLENT CRIMINAL ACTIVITY. Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

VOUCHER. A document issued by a HA to a family selected for admission to the housing choice voucher program. This document describes the program and the procedures for HA approval of a rental unit selected by the family. The voucher also states the obligations of the family under the housing choice voucher program.

VOUCHER HOLDER. A family holding a voucher with an un-expired term (search

time).

VOUCHER PROGRAM. The housing choice voucher program.

WAITING LIST. A list of families organized according to HUD regulations and HA policy who are waiting for subsidy to become available.

WAITING LIST ADMISSION. An admission from the HA waiting list.

WELFARE ASSISTANCE. Income assistance from federal or state welfare programs, including assistance provided under TANF and general assistance. Does not include assistance directed solely to meeting housing expenses, nor programs that provide health care, child care or other services for working families. FOR THE FSS PROGRAM (984.103(b)), "welfare assistance" includes only cash maintenance payments from Federal or State programs designed to meet a family's ongoing basic needs, but does not include food stamps, emergency rental and utilities assistance, SSI, SSDI, or Social Security.

C. GLOSSARY OF TERMS USED IN THE NON-CITIZENS RULE

CHILD. A member of the family other than the family head or spouse who is under 18 years of age.

CITIZEN. A citizen **or** (a) national of the United States.

EVIDENCE OF CITIZENSHIP OR ELIGIBLE STATUS. The documents which must be submitted to evidence citizenship or eligible immigration status.

HEAD OF HOUSEHOLD. The adult member of the family who is the head of the household for the purpose of determining income eligibility and rent.

HUD. The U.S. Department of Housing and Urban Development.

INS. The U.S. Immigration and Naturalization Service.

MIXED FAMILY. A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration. status.

NATIONAL. A person who owes permanent allegiance to the United States; for example, as a result of birth in a United States territory or possession.

NON-CITIZEN. A person who is neither a citizen nor a national of the United States. **HA**. A housing authority which operates public housing.

RESPONSIBLE ENTITY. The person or entity responsible for administering the restrictions on providing assistance to non-citizens with ineligible immigration status (i.e., *or e.g.*, the HA).

SECTION 214. Section 214 restricts HUD from making financial assistance available for non-citizens unless they meet one of the categories of eligible immigration status specified in Section 214 of the Housing and Community Development Act of 1980, as amended (42 U.S.C. 1436a).

SPOUSE. Spouse refers to the marriage partner, either a husband or wife, who is the person whom one would need to divorce in order to dissolve the relationship. It includes the partner in a common-law marriage. It does not cover boyfriends, girlfriends, significant others, or "co-heads." "Co-head" is a term recognized by some HUD programs, but not by public and Indian housing programs.

Attachment B

Required Attachment B :Membership of the Resident Advisory Board or Boards

List members of the Resident Advisory Board or Boards:

The PHA has made every effort to solicit Section 8 participants to serve on the Resident Advisory Board and no one has expressed interest. Therefore, the PHA has elected to appoint all of its residents as the RAB. SWHA will ensure that that all residents will be provided with the same opportunity to comment on the Plan and to submit any additional comments in writing to the SWHA. A mailing was conducted to all current program participants. The mailing included the draft 5-year and Annual Plan, a survey response form, a self-addressed stamp envelope and a cover letter. The mailing invited them to serve on a resident advisory board and/or make comments or recommendations on the draft 5-year and Annual Plan. SWHA will consider any comments from the RAB when drafting the final plan in the same manner as for other RABs and will include any comments provided by SWHA residents when submitting the Plan to HUD for approval.

Resident Advisory Board Members:

LAST NAME	FIRST NAME
BRYDA	LORETTA
COLON	RAMONA
DAVILA	LYDIA
DEJESUS	IRIS
FORESTIER	CARLOS
GARCIA	ARACELIS
GOODMAN	SAMUEL
HARRIS	PAMELA
HAYES	TRINI
HOWARD	ROSE
HUSBANDS	JUNE
JONES	JENNIFER
KEATON	LORRAINE
LAMBERT	DEANN
MARTIN	EDITH
MATTHEWS	ANGELA
MCDADE	MERLINE

LAST NAME	FIRST NAME
MERCED	IRMA
MOLINA	ELSIE
MORIN	LOIS
NIEVES	ADNERIS
PAGAN	TERESA
PAGAN	TERESA
PUGH-MYERS	ALICE
RICCI	PETER
RIOS	CECILIA
RIVAS	INDHIRA
RIVERA	ILIANA
ROBINSON	GERTRUDE
SHERMAN	TAMARIA
VASQUEZ	EVELYN
WALKER	GENE