

# PHA Plans

## Streamlined 5-Year/Annual Version

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

OMB No. 2577-0226  
(exp 08/31/2009)

---

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 to certain 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 5-Year Plan for Fiscal Years 2008 - 2012

## Streamlined Annual Plan for Fiscal Year 2012

**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. Full reporting for each component listed in the streamlined Annual Plan submitted with the 5-year plan is required.**

## Streamlined Five-Year PHA Plan Agency Identification

**PHA Name:** Housing Authority of the City of LaGrange **PHA Number:** GA026

**PHA Fiscal Year Beginning: (mm/yyyy)** 04/2008

**PHA Programs Administered:**

- Public Housing and Section 8**    
  **Section 8 Only**    
  **Public Housing Only**  
 Number of public housing units:    
 Number of S8 units:    
 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:				

**Public Access to Information**

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

- Main administrative office of the PHA
- PHA development management offices
- PHA local offices

**Display Locations For PHA Plans and Supporting Documents**

The PHA Plans and attachments (if any) are available for public inspection at: (select all that apply)

- Main administrative office of the PHA
- PHA development management offices
- PHA local offices
- Main administrative office of the local government
- Main administrative office of the County government
- Main administrative office of the State government
- Public library
- PHA website
- Other (list below)

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)

## Streamlined Five-Year PHA Plan

### PHA FISCAL YEARS 2008 - 2012

[24 CFR Part 903.12]

#### **A. Mission**

State the PHA's mission for serving the needs of low-income, very low income, and extremely low-income families in the PHA's jurisdiction. (select one of the choices below)

The mission of the PHA is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.

The PHA's mission is: (state mission here)  
*The mission of the Housing Authority of the City of LaGrange is to be the leader in making excellent affordable housing available for very-low, low and moderate-income persons through effective management and the wise stewardship of public funds. The Housing Authority is committed to operating in an efficient, ethical, and professional manner. By working with others, we will assist qualified families with appropriate opportunities and services to enhance the quality of family life.*

#### **B. Goals**

The goals and objectives listed below are derived from HUD's strategic Goals and Objectives and those emphasized in recent legislation. PHAs may select any of these goals and objectives as their own, or identify other goals and/or objectives. Whether selecting the HUD-suggested objectives or their own, **PHAs ARE STRONGLY ENCOURAGED TO IDENTIFY QUANTIFIABLE MEASURES OF SUCCESS IN REACHING THEIR OBJECTIVES OVER THE COURSE OF THE 5 YEARS.** (Quantifiable measures would include targets such as: numbers of families served or PHAS scores achieved.) PHAs should identify these measures in the spaces to the right of or below the stated objectives.

#### **HUD Strategic Goal: Increase the availability of decent, safe, and affordable housing.**

PHA Goal: Expand the supply of assisted housing  
Objectives:

- Apply for additional rental vouchers:
- Reduce public housing vacancies:
- Leverage private or other public funds to create additional housing opportunities:
- Acquire or build units or developments
- Other (list below)

PHA Goal: Improve the quality of assisted housing  
Objectives:

- Improve public housing management: (PHAS score)
- Improve voucher management: (SEMAP score)
- Increase customer satisfaction:
- Concentrate on efforts to improve specific management functions:

- (list; e.g., public housing finance; voucher unit inspections)
- Renovate or modernize public housing units:
- Demolish or dispose of obsolete public housing:
- Provide replacement public housing:
- Provide replacement vouchers:
- Other: (list below)

PHA Goal: Increase assisted housing choices

Objectives:

- Provide voucher mobility counseling:
- Conduct outreach efforts to potential voucher landlords
- Increase voucher payment standards
- Implement voucher homeownership program:
- Implement public housing or other homeownership programs:
- Implement public housing site-based waiting lists:
- Convert public housing to vouchers:
- Other: (list below)

**HUD Strategic Goal: Improve community quality of life and economic vitality**

PHA Goal: Provide an improved living environment

Objectives:

- Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments:
- Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments:
- Implement public housing security improvements:
- Designate developments or buildings for particular resident groups (elderly, persons with disabilities)
- Other: (list below)

**HUD Strategic Goal: Promote self-sufficiency and asset development of families and individuals**

PHA Goal: Promote self-sufficiency and asset development of assisted households

Objectives:

- Increase the number and percentage of employed persons in assisted families:
- Provide or attract supportive services to improve assistance recipients' employability:
- Provide or attract supportive services to increase independence for the elderly or families with disabilities.
- Other: (list below)

**HUD Strategic Goal: Ensure Equal Opportunity in Housing for all Americans**

- PHA Goal: Ensure equal opportunity and affirmatively further fair housing
- Objectives:
  - Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability:
  - Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability:
  - Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required:
  - Other: (list below)  
Communicate the fraud prevention policy to both internal and external customers, vendors and partners.

**Other PHA Goals and Objectives: (list below)**

# Streamlined Annual PHA Plan

## PHA Fiscal Year 2008

[24 CFR Part 903.12(b)]

### Table of Contents

Provide the following table of contents for the streamlined Annual Plan submitted with the Five-Year Plan, including all streamlined plan components, and additional requirements, together with the list of supporting documents available for public inspection.

#### **A. ANNUAL STREAMLINED PHA PLAN COMPONENTS**

- 1. Housing Needs
- 2. Financial Resources
- 3. Policies on Eligibility, Selection and Admissions
- 4. Rent Determination Policies
- 5. Capital Improvements Needs
- 6. Demolition and Disposition
- 7. Homeownership
- 8. Civil Rights Certifications (included with PHA Certifications of Compliance)
- 9. Additional Information
  - a. PHA Progress on Meeting 5-Year Mission and Goals
  - b. Criteria for Substantial Deviations and Significant Amendments
  - c. Other Information Requested by HUD
    - i. Resident Advisory Board Membership and Consultation Process
    - ii. Resident Membership on the PHA Governing Board
    - iii. PHA Statement of Consistency with Consolidated Plan
    - iv. (Reserved)
- 10. Project-Based Voucher Program
- 11. Supporting Documents Available for Review
- 12. FY 2008 Capital Fund Program and Capital Fund Program Replacement Housing Factor, Annual Statement/Performance and Evaluation Report
- 13. Capital Fund Program 5-Year Action Plan
- 14. Other (List below, providing name for each item)

#### **B. SEPARATE HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE**

**Form HUD-50077**, PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans;  
Certification by State or Local Official of PHA Plan Consistency with Consolidated Plan.  
For PHAs APPLYING FOR CAPITAL FUND PROGRAM (CFP) GRANTS:  
**Form HUD-50070**, Certification for a Drug-Free Workplace;  
**Form HUD-50071**, Certification of Payments to Influence Federal Transactions;  
**Form SF-LLL & SF-LLLa**, Disclosure of Lobbying Activities.

**Executive Summary (optional)**

[903.7(r)]. If desired, provide a brief overview of the contents of the streamlined 5-Year/Annual Plan.

The LaGrange Housing Authority has prepared this Agency Plan in compliance with Section 511 of the Quality Housing and Work Responsibility Act of 1998 and the ensuing HUD requirements. Our Annual Plan is based on the premise that if we accomplish our goals and objectives we will be working towards the achievement of our mission.

The plans, statements, budget summary, policies, etc. set forth in the Annual Plan all lead towards the accomplishment of our goals and objectives. Taken as a whole, they outline a comprehensive approach towards our goals and objectives and are consistent with the Consolidated Plan. Here are just a few highlights of our Annual Plan:

- The Authority will continue to offer and provide reasonable accommodations and transfer if the family meets a certain criteria
- The Authority will offer rent policies to support and encourage work
- The Authority will continue to modify units, upon request, in all bedroom sizes to be handicapped accessible as needed

**1. Statement of Housing Needs** [24 CFR Part 903.12 (b), 903.7(a)]

**A. Housing Needs of Families on the Public Housing and Section 8 Tenant- Based Assistance Waiting Lists**

State the housing needs of the families on the PHA’s waiting list/s. **Complete one table for each type of PHA-wide waiting list administered by the PHA.** PHAs may provide separate tables for site-based or sub-jurisdictional public housing waiting lists at their option.

<b>Housing Needs of Families on the PHA’s Waiting Lists</b>			
Waiting list type: (select one)			
<input type="checkbox"/>	Section 8 tenant-based assistance		
<input checked="" type="checkbox"/>	Public Housing		
<input type="checkbox"/>	Combined Section 8 and Public Housing		
<input type="checkbox"/>	Public Housing Site-Based or sub-jurisdictional waiting list (optional)		
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	28		143
Extremely low income <=30% AMI	21	80	
Very low income (>30% but <=50% AMI)	4	20	
Low income (>50% but <80% AMI)	0	0	
Families with children	9	32	

Housing Needs of Families on the PHA's Waiting Lists			
Elderly families	0	0	
Families with Disabilities	2	7	
Race/ethnicity-white	0	0	
Race/ethnicity-black	28	100	
Race/ethnicity-latino	0	0	
Race/ethnicity			
Characteristics by Bedroom Size (Public Housing Only)			
1BR	15	54	45
2 BR	6	21	32
3 BR	3	11	30
4 BR	4	14	32
5 BR			
5+ BR			
Is the waiting list closed (select one)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
If yes:			
How long has it been closed (# of months)?			
Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input type="checkbox"/> Yes			
Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input type="checkbox"/> No <input type="checkbox"/> Yes			

## B. Strategy for Addressing Needs

Provide a brief description of the PHA's strategy for addressing the housing needs of families on the PHA's public housing and Section 8 waiting lists **IN THE UPCOMING YEAR**, and the Agency's reasons for choosing this strategy.

### (1) Strategies

**Need: Shortage of affordable housing for all eligible populations**

**Strategy 1. Maximize the number of affordable units available to the PHA within its current resources by:**

Select all that apply

- Employ effective maintenance and management policies to minimize the number of public housing units off-line
- Reduce turnover time for vacated public housing units
- Reduce time to renovate public housing units
- Seek replacement of public housing units lost to the inventory through mixed finance development
- Seek replacement of public housing units lost to the inventory through section 8 replacement housing resources
- Maintain or increase section 8 lease-up rates by establishing payment standards that will enable families to rent throughout the jurisdiction
- Undertake measures to ensure access to affordable housing among families assisted by the PHA, regardless of unit size required
- Maintain or increase section 8 lease-up rates by marketing the program to owners,

- particularly those outside of areas of minority and poverty concentration
- Maintain or increase section 8 lease-up rates by effectively screening Section 8 applicants to increase owner acceptance of program
- Participate in the Consolidated Plan development process to ensure coordination with broader community strategies
- Other (list below)

**Strategy 2: Increase the number of affordable housing units by:**

Select all that apply

- Apply for additional section 8 units should they become available
- Leverage affordable housing resources in the community through the creation of mixed - finance housing
- Pursue housing resources other than public housing or Section 8 tenant-based assistance.
- Other: (list below)

**Need: Specific Family Types: Families at or below 30% of median**

**Strategy 1: Target available assistance to families at or below 30 % of AMI**

Select all that apply

- Exceed HUD federal targeting requirements for families at or below 30% of AMI in public housing
- Exceed HUD federal targeting requirements for families at or below 30% of AMI in tenant-based section 8 assistance
- Employ admissions preferences aimed at families with economic hardships
- Adopt rent policies to support and encourage work
- Other: (list below)

**Need: Specific Family Types: Families at or below 50% of median**

**Strategy 1: Target available assistance to families at or below 50% of AMI**

Select all that apply

- Employ admissions preferences aimed at families who are working
- Adopt rent policies to support and encourage work
- Other: (list below)

**Need: Specific Family Types: The Elderly**

**Strategy 1: Target available assistance to the elderly:**

Select all that apply

- Seek designation of public housing for the elderly
- Apply for special-purpose vouchers targeted to the elderly, should they become

- available
- Other: (list below)

**Need: Specific Family Types: Families with Disabilities**

**Strategy 1: Target available assistance to Families with Disabilities:**

Select all that apply

- Seek designation of public housing for families with disabilities
- Carry out the modifications needed in public housing based on the section 504 Needs Assessment for Public Housing
- Apply for special-purpose vouchers targeted to families with disabilities, should they become available
- Affirmatively market to local non-profit agencies that assist families with disabilities
- Other: (list below)

**Need: Specific Family Types: Races or ethnicities with disproportionate housing needs**

**Strategy 1: Increase awareness of PHA resources among families of races and ethnicities with disproportionate needs:**

Select if applicable

- Affirmatively market to races/ethnicities shown to have disproportionate housing needs
- Other: (list below)

**Strategy 2: Conduct activities to affirmatively further fair housing**

Select all that apply

- Counsel section 8 tenants as to location of units outside of areas of poverty or minority concentration and assist them to locate those units
- Market the section 8 program to owners outside of areas of poverty /minority concentrations
- Other: (list below)

**Other Housing Needs & Strategies: (list needs and strategies below)**

**(2) Reasons for Selecting Strategies**

Of the factors listed below, select all that influenced the PHA's selection of the strategies it will pursue:

- Funding constraints
- Staffing constraints
- Limited availability of sites for assisted housing
- Extent to which particular housing needs are met by other organizations in the

- community
- Evidence of housing needs as demonstrated in the Consolidated Plan and other information available to the PHA
- Influence of the housing market on PHA programs
- Community priorities regarding housing assistance
- Results of consultation with local or state government
- Results of consultation with residents and the Resident Advisory Board
- Results of consultation with advocacy groups
- Other: (list below)

## **2. Statement of Financial Resources**

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

List on the following table the financial resources that are anticipated to be available to the PHA for the support of Federal public housing and tenant-based Section 8 assistance programs administered by the PHA during the Plan year. Note: the table assumes that Federal public housing or tenant based Section 8 assistance grant funds are expended on eligible purposes; therefore, uses of these funds need not be stated. For other funds, indicate the use for those funds as one of the following categories: public housing operations, public housing capital improvements, public housing safety/security, public housing supportive services, Section 8 tenant-based assistance, Section 8 supportive services or other.

<b>Financial Resources: Planned Sources and Uses</b>		
<b>Sources</b>	<b>Planned \$</b>	<b>Planned Uses</b>
<b>1. Federal Grants (FY 2008 grants)</b>		
a) Public Housing Operating Fund	783,981	
b) Public Housing Capital Fund	749,430	
c) HOPE VI Revitalization	0	
d) HOPE VI Demolition	0	
e) Annual Contributions for Section 8 Tenant-Based Assistance	0	
f) Resident Opportunity and Self-Sufficiency Grants	0	
g) Community Development Block Grant	0	
h) HOME	0	

<b>Financial Resources: Planned Sources and Uses</b>		
<b>Sources</b>	<b>Planned \$</b>	<b>Planned Uses</b>
Other Federal Grants (list below)	0	
<b>2. Prior Year Federal Grants (unobligated funds only) (list below)</b>	749,430	Daily operations
CGP 501-06	685,866	
<b>3. Public Housing Dwelling Rental Income</b>	448,340	Daily operations
<b>4. Other income (list below)</b>		
Investment income	48,359	
<b>4. Non-federal sources (list below)</b>		
<b>Total resources</b>	<b>3,465,316</b>	

### **3. PHA Policies Governing Eligibility, Selection, and Admissions**

[24 CFR Part 903.12 (b), 903.7 (b)]

#### **A. Public Housing**

Exemptions: PHAs that do not administer public housing are not required to complete subcomponent 3A.

##### **(1) Eligibility**

a. When does the PHA verify eligibility for admission to public housing? (select all that apply)

When families are within a certain number of being offered a unit: (state number)

When families are within a certain time of being offered a unit: (state time)

Other: (describe)

The second phase is the final determination of eligibility, referred to as the full application. The full application takes place when the family nears the top of the waiting list. The LaGrange Housing Authority will ensure that verification of all preferences, eligibility, suitability and selection factors are current in order to determine the family's final eligibility for admission into the Public Housing Program.

b. Which non-income (screening) factors does the PHA use to establish eligibility for admission to public housing (select all that apply)?

Criminal or Drug-related activity

Rental history

- Housekeeping
- Other (describe)  
Utility verification, balance owed to government agency including LHA, debt owed for community service
- c.  Yes  No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?
- d.  Yes  No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?
- e.  Yes  No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)

**(2)Waiting List Organization**

a. Which methods does the PHA plan to use to organize its public housing waiting list (select all that apply)

- Community-wide list
- Sub-jurisdictional lists
- Site-based waiting lists
- Other (describe)

b. Where may interested persons apply for admission to public housing?

- PHA main administrative office
- PHA development site management office
- Other (list below)  
Pathways, Troup Department of Family and Children Services, Health Clinic, City of LaGrange Utility Department, Community Action for Improvement

c. 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 d.

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:

d. 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 subsection **(3) Assignment**

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)

**(3) Assignment**

a. How many vacant unit choices are applicants ordinarily given before they fall to the bottom of or are removed from the waiting list? (select one)

- One
- Two
- Three or More

b.  Yes  No: Is this policy consistent across all waiting list types?

c. If answer to b is no, list variations for any other than the primary public housing waiting list/s for the PHA:

#### **(4) Admissions Preferences**

a. Income targeting:

Yes  No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 40% of all new admissions to public housing to families at or below 30% of median area income?

b. Transfer policies:

In what circumstances will transfers take precedence over new admissions? (list below)

- Emergencies
- Over-housed
- Under-housed
- Medical justification
- Administrative reasons determined by the PHA (e.g., to permit modernization work)
- Resident choice: (state circumstances below)
- Other: (list below)

c. Preferences

1.  Yes  No: Has the PHA established preferences for admission to public housing (other than date and time of application)? (If "no" is selected, skip to subsection **(5) Occupancy**)

2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences:

- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- Victims of domestic violence
- Substandard housing
- Homelessness
- High rent burden (rent is > 50 percent of income)

Other preferences: (select below)

- Working families and those unable to work because of age or disability
- Veterans and veterans' families
- Residents who live and/or work in the jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs

- Households that contribute to meeting income goals (broad range of incomes)
- Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes
- Other preference(s) (list below)

3. If the PHA will employ admissions preferences, please prioritize by placing a “1” in the space that represents your first priority, a “2” in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use “1” more than once, “2” more than once, etc.

Date and Time

Former Federal preferences:

- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- Victims of domestic violence
- Substandard housing
- Homelessness
- High rent burden

Other preferences (select all that apply)

- Working families and those unable to work because of age or disability
- Veterans and veterans’ families
- Residents who live and/or work in the jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)
- Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes
- Other preference(s) (list below)

4. Relationship of preferences to income targeting requirements:

- The PHA applies preferences within income tiers
- Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

### **(5) Occupancy**

a. What reference materials can applicants and residents use to obtain information about the rules of occupancy of public housing (select all that apply)

- The PHA-resident lease
- The PHA’s Admissions and (Continued) Occupancy policy

- PHA briefing seminars or written materials
- Other source (list)

b. How often must residents notify the PHA of changes in family composition? (select all that apply)

- At an annual reexamination and lease renewal
- Any time family composition changes
- At family request for revision
- Other (list)

**(6) Deconcentration and Income Mixing**

a.  Yes  No: Does the PHA have any general occupancy (family) public housing developments covered by the deconcentration rule? If no, this section is complete. If yes, continue to the next question.

b.  Yes  No: Do any of these covered developments have average incomes above or below 85% to 115% of the average incomes of all such developments? If no, this section is complete. If yes, list these developments on the following table:

Deconcentration Policy for Covered Developments			
Development Name	Number of Units	Explanation (if any) [see step 4 at §903.2(c)(1)(iv)]	Deconcentration policy (if no explanation) [see step 5 at §903.2(c)(1)(v)]

**B. Section 8**

Exemptions: PHAs that do not administer section 8 are not required to complete sub-component 3B. **Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).**

**(1) Eligibility**

a. What is the extent of screening conducted by the PHA? (select all that apply)

- Criminal or drug-related activity only to the extent required by law or regulation
- Criminal and drug-related activity, more extensively than required by law or regulation
- More general screening than criminal and drug-related activity (list factors):
- Other (list below)

b.  Yes  No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?

c.  Yes  No: Does the PHA request criminal records from State law enforcement

agencies for screening purposes?

- d.  Yes  No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)
- e. Indicate what kinds of information you share with prospective landlords? (select all that apply)
- Criminal or drug-related activity
- Other (describe below)

**(2) Waiting List Organization**

- a. With which of the following program waiting lists is the section 8 tenant-based assistance waiting list merged? (select all that apply)
- None
- Federal public housing
- Federal moderate rehabilitation
- Federal project-based certificate program
- Other federal or local program (list below)
- b. Where may interested persons apply for admission to section 8 tenant-based assistance? (select all that apply)
- PHA main administrative office
- Other (list below)

**(3) Search Time**

- a.  Yes  No: Does the PHA give extensions on standard 60-day period to search for a unit?
- If yes, state circumstances below:

**(4) Admissions Preferences**

- a. Income targeting
- Yes  No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 75% of all new admissions to the section 8 program to families at or below 30% of median area income?
- b. Preferences
1.  Yes  No: Has the PHA established preferences for admission to section 8 tenant-based assistance? (other than date and time of application) (if no, skip to subcomponent **(5) Special purpose section 8 assistance programs**)
2. Which of the following admission preferences does the PHA plan to employ in the

coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences

- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- Victims of domestic violence
- Substandard housing
- Homelessness
- High rent burden (rent is > 50 percent of income)

Other preferences (select all that apply)

- Working families and those unable to work because of age or disability
- Veterans and veterans' families
- Residents who live and/or work in your jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)
- Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes
- Other preference(s) (list below)

3. If the PHA will employ admissions preferences, please prioritize by placing a "1" in the space that represents your first priority, a "2" in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use "1" more than once, "2" more than once, etc.

- Date and Time

Former Federal preferences:

- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- Victims of domestic violence
- Substandard housing
- Homelessness
- High rent burden

Other preferences (select all that apply)

- Working families and those unable to work because of age or disability
- Veterans and veterans' families
- Residents who live and/or work in your jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)
- Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs

- Victims of reprisals or hate crimes
- Other preference(s) (list below)

4. Among applicants on the waiting list with equal preference status, how are applicants selected? (select one)

- Date and time of application
- Drawing (lottery) or other random choice technique

5. If the PHA plans to employ preferences for “residents who live and/or work in the jurisdiction” (select one)

- This preference has previously been reviewed and approved by HUD
- The PHA requests approval for this preference through this PHA Plan

6. Relationship of preferences to income targeting requirements: (select one)

- The PHA applies preferences within income tiers
- Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

**(5) Special Purpose Section 8 Assistance Programs**

a. In which documents or other reference materials are the policies governing eligibility, selection, and admissions to any special-purpose section 8 program administered by the PHA contained? (select all that apply)

- The Section 8 Administrative Plan
- Briefing sessions and written materials
- Other (list below)

b. How does the PHA announce the availability of any special-purpose section 8 programs to the public?

- Through published notices
- Other (list below)

**4. PHA Rent Determination Policies**

[24 CFR Part 903.12(b), 903.7(d)]

**A. Public Housing**

Exemptions: PHAs that do not administer public housing are not required to complete sub-component 4A.

**(1) Income Based Rent Policies**

Describe the PHA’s income based rent setting policy/ies for public housing using, including discretionary (that is, not required by statute or regulation) income disregards and exclusions, in the appropriate spaces below.

a. Use of discretionary policies: (select one of the following two)

- The PHA will not employ any discretionary rent-setting policies for income-based rent in public housing. Income-based rents are set at the higher of 30% of adjusted monthly income, 10% of unadjusted monthly income, the welfare rent, or minimum rent (less HUD mandatory deductions and exclusions). (If selected, skip to sub-component (2))
- The PHA employs discretionary policies for determining income-based rent (If selected, continue to question b.)

b. Minimum Rent

1. What amount best reflects the PHA's minimum rent? (select one)

- \$0  
 \$1-\$25  
 \$26-\$50

2.  Yes  No: Has the PHA adopted any discretionary minimum rent hardship exemption policies?

3. If yes to question 2, list these policies below:

MINIMUM RENT HARDSHIP EXEMPTION: All LHA families, under the law, can request a minimum rent hardship, and that determination is subject to LHA grievance procedure. If the family requests a hardship exemption, the minimum rent requirement is immediately suspended.

The minimum rent is suspended for the following situations:

- 1) The family has lost eligibility for assistance and is awaiting an eligibility determination for a Federal, State or local program;
- 2) A family may be evicted due to the imposition of the minimum rent requirement;
- 3) The family's income has decreased due to changed circumstances including loss of employment;
- 4) Exemption may not be provided if said hardship is determined to be temporary; the family must provide LHA with documentation of hardship under the circumstances.

Should LHA determine that the hardship is temporary, the minimum rent shall then be imposed; however, the family will not be evicted for non-payment during the ninety (90) day period commencing on the date of the family's request for exemption of minimum rent in excess of the resident rent otherwise payable. A reasonable repayment agreement is an option for any such rent not paid during that period. If the family, thereafter, demonstrates

that the financial hardship is long-term duration, LHA shall retroactively exempt the family from the minimum rent requirement.

If the resident is denied the minimum rent hardship, the resident is entitled to file a grievance and LHA may not require the resident to make an escrow deposit to obtain said hearing.

c. Rents set at less than 30% of adjusted income

1.  Yes  No: Does the PHA plan to charge rents at a fixed amount or percentage less than 30% of adjusted income?
2. If yes to above, list the amounts or percentages charged and the circumstances under which these will be used below:

d. Which of the discretionary (optional) deductions and/or exclusions policies does the PHA plan to employ (select all that apply)

- For the earned income of a previously unemployed household member
- For increases in earned income
- Fixed amount (other than general rent-setting policy)  
If yes, state amount/s and circumstances below:
- Fixed percentage (other than general rent-setting policy)  
If yes, state percentage/s and circumstances below:
- For household heads
- For other family members
- For transportation expenses
- For the non-reimbursed medical expenses of non-disabled or non-elderly families
- Other (describe below)

e. Ceiling rents

1. Do you have ceiling rents? (rents set at a level lower than 30% of adjusted income) (select one)

- Yes for all developments
- Yes but only for some developments
- No

2. For which kinds of developments are ceiling rents in place? (select all that apply)

- For all developments
- For all general occupancy developments (not elderly or disabled or elderly only)
- For specified general occupancy developments

- For certain parts of developments; e.g., the high-rise portion
- For certain size units; e.g., larger bedroom sizes
- Other (list below)

3. Select the space or spaces that best describe how you arrive at ceiling rents (select all that apply)

- Market comparability study
- Fair market rents (FMR)
- 95<sup>th</sup> percentile rents
- 75 percent of operating costs
- 100 percent of operating costs for general occupancy (family) developments
- Operating costs plus debt service
- The “rental value” of the unit
- Other (list below)

f. Rent re-determinations:

1. Between income reexaminations, how often must tenants report changes in income or family composition to the PHA such that the changes result in an adjustment to rent? (select all that apply)

- Never
- At family option
- Any time the family experiences an income increase
- Any time a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold) \_\_\_\_\_
- Other (list below)  
 Family receives income from a new source. Member added to the family through birth or adoption or court-awarded custody. A household member is leaving or has left the family unit. Family experience decrease in income.

g.  Yes  No: Does the PHA plan to implement individual savings accounts for residents (ISAs) as an alternative to the required 12 month disallowance of earned income and phasing in of rent increases in the next year?

**(2) Flat Rents**

a. In setting the market-based flat rents, what sources of information did the PHA use to establish comparability? (select all that apply.)

- The section 8 rent reasonableness study of comparable housing
- Survey of rents listed in local newspaper
- Survey of similar unassisted units in the neighborhood
- Other (list/describe below)

## B. Section 8 Tenant-Based Assistance

Exemptions: PHAs that do not administer Section 8 tenant-based assistance are not required to complete sub-component 4B. **Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).**

### (1) Payment Standards

Describe the voucher payment standards and policies.

a. What is the PHA's payment standard? (select the category that best describes your standard)

- At or above 90% but below 100% of FMR
- 100% of FMR
- Above 100% but at or below 110% of FMR
- Above 110% of FMR (if HUD approved; describe circumstances below)

b. If the payment standard is lower than FMR, why has the PHA selected this standard? (select all that apply)

- FMRs are adequate to ensure success among assisted families in the PHA's segment of the FMR area
- The PHA has chosen to serve additional families by lowering the payment standard
- Reflects market or submarket
- Other (list below)

c. If the payment standard is higher than FMR, why has the PHA chosen this level? (select all that apply)

- FMRs are not adequate to ensure success among assisted families in the PHA's segment of the FMR area
- Reflects market or submarket
- To increase housing options for families
- Other (list below)

d. How often are payment standards reevaluated for adequacy? (select one)

- Annually
- Other (list below)

e. What factors will the PHA consider in its assessment of the adequacy of its payment standard? (select all that apply)

- Success rates of assisted families
- Rent burdens of assisted families

Other (list below)

**(2) Minimum Rent**

a. What amount best reflects the PHA's minimum rent? (select one)

- \$0  
 \$1-\$25  
 \$26-\$50

b.  Yes  No: Has the PHA adopted any discretionary minimum rent hardship exemption policies? (if yes, list below)

**5. Capital Improvement Needs**

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

Exemptions from Component 5: Section 8 only PHAs are not required to complete this component and may skip to Component 6.

**A. Capital Fund Activities**

Exemptions from sub-component 5A: PHAs that will not participate in the Capital Fund Program may skip to component 5B. All other PHAs must complete 5A as instructed.

**(1) Capital Fund Program**

- a.  Yes  No Does the PHA plan to participate in the Capital Fund Program in the upcoming year? If yes, complete items 12 and 13 of this template (Capital Fund Program tables). If no, skip to B.
- b.  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 of sub-component 5B: 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) Hope VI Revitalization**

- a.  Yes  No: Has the PHA received a HOPE VI revitalization grant? (if no, skip to next component; if yes, provide responses to questions on chart below for each grant, copying and completing as many times as necessary)
- b. Status of HOPE VI revitalization grant (complete one set of questions for each grant)  
 Development name:  
 Development (project) number:  
 Status of grant: (select the statement that best describes the current status)  
 Revitalization Plan under development  
 Revitalization Plan submitted, pending approval  
 Revitalization Plan approved  
 Activities pursuant to an approved Revitalization Plan underway
- c.  Yes  No: Does the PHA plan to apply for a HOPE VI Revitalization grant in the Plan year? If yes, list development name/s below:
- d.  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:
- e.  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:

## **6. Demolition and Disposition**

[24 CFR Part 903.12(b), 903.7 (h)]

Applicability of component 6: Section 8 only PHAs are not required to complete this section.

- a.  Yes  No: Does the PHA plan to conduct any demolition or disposition activities (pursuant to section 18 or 24 (Hope VI) of the U.S. Housing Act of 1937 (42 U.S.C. 1437p) or Section 202/Section 33 (Mandatory Conversion) in the plan Fiscal Year? (If "No", skip to component 7; if "yes", complete one activity description for each development on the following chart.)

<b>Demolition/Disposition Activity Description</b>
1a. Development name:
1b. Development (project) number:
2. Activity type: Demolition <input type="checkbox"/>

Disposition <input type="checkbox"/>
3. Application status (select one) Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date application approved, submitted, or planned for submission: <u>(DD/MM/YY)</u>
5. Number of units affected: 6. Coverage of action (select one) <input type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Timeline for activity: a. Actual or projected start date of activity: b. Projected end date of activity:

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

[24 CFR Part 903.12(b), 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 below:

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):

- a.  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.
- b.  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.
- c.  Partnering with a qualified agency or agencies to administer the program (list name(s) and years of experience below).
- d.  Demonstrating that it has other relevant experience (list experience below).

## **8. Civil Rights Certifications**

[24 CFR Part 903.12 (b), 903.7 (o)]

Civil rights certifications are included in the *PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans*, which is submitted to the Field Office in hard copy—see Table of Contents.

## **9. Additional Information**

[24 CFR Part 903.12 (b), 903.7 (r)]

### **A. PHA Progress in Meeting the Mission and Goals Described in the 5-Year Plan**

*(Provide a statement of the PHA's progress against the goals and objectives established in the previous*

*5-Year Plan for the period FY 2008- 2012\_*

#### **LHA Goal: Expand the supply of assisted housing**

- The Authority contracted for unit turnaround and will continue to work on reducing the length and number of unit vacancies. A marketing plan was developed to make all aware of the public housing program.

#### **LHA Goal: Improve the quality of assisted housing in an efficient & effective manner**

- The Authority attained a score of 84 on the Public Housing Assessment System making the Authority a Standard Performer.

- The Authority developed a Follow-Up Plan because all sections of the Resident Assessment and Satisfaction Survey were not above 75%.
- The Authority continues to prioritize work orders and using subcontractors to complete maintenance jobs which require quick turnaround.
- The Capital Fund Program was used modernize/replace HVAC units at Benjamin Harvey Hill Apartments.
- The Authority has implemented fines to encourage resident participation to promote a safe environment.

**LHA Goal: Increase assisted housing choices**

- The Authority is working to create additional -affordable housing.

**LHA Goal: Provide an improved living environment**

- The Authority continues to evaluate the need for additional security measures at all developments.

**LHA Goal: Promote self-sufficiency and asset development of assisted households**

- The Authority works with local agencies to provide elderly and/or disabled residents safety education & health awareness.
- The Authority will continue the survey process to provide service programs.

**LHA Goal: Ensure equal opportunity and affirmatively further fair housing**

- The Authority will continue to modify units, upon request, in all bedroom sizes to be handicapped accessible as needed.

**1. A. Substantial Deviation from the 5-year Plan:**

A “Substantial Deviation” from the 5-year Plan is an overall change in the direction from the existing mission or goals or objectives.

2. Our mission statement continues to affect all parties – the residents, the community, HUD and H/A staff.
3. A review of needs assessment determined our goals and objectives. Our existing goals and objectives were challenging, achievable, clear, positive and measurable.
4. **B. Significant Amendment or Modification to the Annual Plan:**

A “Significant Amendment or Modification” to the Annual Plan is a change in a policy or procedures pertaining to the operation of the Authority.

5. Basic criteria to determine a significant amendment or modification the 5-year plan:
  1. Charge rent percentages less than 30% of adjusted income.
  2. Revision to capital expenditures for demolition and replacement
  3. Use of capital funds as operating reserve
  4. Addition of new non-emergency work items of \$100,000.

## **B. Criteria for Substantial Deviations and Significant Amendments**

### **(1) Amendment and Deviation Definitions**

24 CFR Part 903.7(r)

PHAs are required to define and adopt their own standards of substantial deviation from the 5-year Plan and Significant Amendment to the Annual Plan. The definition of significant amendment is important because it defines when the PHA will subject a change to the policies or activities described in the Annual Plan to full public hearing and HUD review before implementation.

#### a. Substantial Deviation from the 5-Year Plan

A “Substantial Deviation” from the 5-year Plan is an overall change in the direction from the existing mission or goals or objectives.

1. Our mission statement continues to affect all parties – the residents, the community, HUD and H/A staff.
2. A review of needs assessment determined our goals and objectives. Our existing goals and objectives were challenging, achievable, clear, positive and measurable.

#### b. Significant Amendment or Modification to the Annual Plan

A “Significant Amendment or Modification” to the Annual Plan is a change in a policy or procedures pertaining to the operation of the Authority.

- A. Basic criteria to determine a significant amendment or modification the 5-year plan:
1. Charge rent percentages less than 30% of adjusted income.
  2. Revision to capital expenditures for demolition and replacement
  3. Use of capital funds as operating reserve
  4. Addition of new non-emergency work items of \$100,000.

**C. Other Information**

[24 CFR Part 903.13, 903.15]

**(1) Resident Advisory Board Recommendations**

- a.  Yes  No: Did the PHA receive any comments on the PHA Plan from the Resident Advisory Board/s?

If yes, provide the comments below:

- Residents voiced approval on EIV/and tenant file income information was confidential and subject to the privacy act;
- Residents were asked and agreed to market the program to assure that opportunities for program participation are adequately publicized to those lease likely to apply;
- Residents voiced approval on how we would handle missed appointments, inspections and set-outs

- b. In what manner did the PHA address those comments? (select all that apply)

Considered comments, but determined that no changes to the PHA Plan were

necessary.

The PHA changed portions of the PHA Plan in response to comments  
List changes below:

Other: (list below)

**(2) Resident Membership on PHA Governing Board**

The governing board of each PHA is required to have at least one member who is directly assisted by the PHA, unless the PHA meets certain exemption criteria. Regulations governing the resident board member are found at 24 CFR Part 964, Subpart E.

- a. Does the PHA governing board include at least one member who is directly assisted by the PHA this year?

Yes  No:

If yes, complete the following:

Name of Resident Member of the PHA Governing Board:

Nancy Robinson

Method of Selection:

Appointment

**The term of appointment is (include the date term expires):**

Election by Residents (if checked, complete next section--Description of Resident Election Process)

**Description of Resident Election Process**

Nomination of candidates for place on the ballot: (select all that apply)

- Candidates were nominated by resident and assisted family organizations
- Candidates could be nominated by any adult recipient of PHA assistance
- Self-nomination: Candidates registered with the PHA and requested a place on ballot
- Other: (describe)

Eligible candidates: (select one)

- Any recipient of PHA assistance
- Any head of household receiving PHA assistance
- Any adult recipient of PHA assistance
- Any adult member of a resident or assisted family organization
- Other (list)

Eligible voters: (select all that apply)

- All adult recipients of PHA assistance (public housing and section 8 tenant-based assistance)
- Representatives of all PHA resident and assisted family organizations
- Other (list)

b. If the PHA governing board does not have at least one member who is directly assisted by the PHA, why not?

- The PHA is located in a State that requires the members of a governing board to be salaried and serve on a full time basis
- The PHA has less than 300 public housing units, has provided reasonable notice to the resident advisory board of the opportunity to serve on the governing board, and has not been notified by any resident of their interest to participate in the Board.
- Other (explain):

Date of next term expiration of a governing board member: March 31, 2008

Name and title of appointing official(s) for governing board (indicate appointing official for the next available position): Mayor Jeff Lukken and City Council

**(3) 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).

**Consolidated Plan jurisdiction: (provide name here)**

a. 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 list 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)  
To increase the number of Georgia's low and moderate income households who have obtained affordable, rental housing free of overcrowded and structurally substandard conditions.
- Other: (list below)

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

**(4) (Reserved)**

Use this section to provide any additional information requested by HUD.

**10. Project-Based Voucher Program**

- a.  Yes  No: Does the PHA plan to “project-base” any tenant-based Section 8 vouchers in the coming year? If yes, answer the following questions.
- b.  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:)

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

## 11. List of Supporting Documents Available for Review for Streamlined Five-Year/ 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	<i>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.</i>	Standard 5 Year and Annual Plans; streamlined 5 Year Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan.	5 Year 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
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources
X	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
	Any policy governing occupancy of Police Officers and Over-Income Tenants in Public Housing. <input type="checkbox"/> Check here if included in the public housing A&O Policy.	Annual Plan: Eligibility, Selection, and Admissions Policies

<b>List of Supporting Documents Available for Review</b>		
<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Related Plan Component</b>
	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public housing rent determination policies, including the method for setting public housing flat rents. <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
X	Schedule of flat rents offered at each public housing development. <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
	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. <input type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Rent Determination
X	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation).	Annual Plan: Operations and Maintenance
X	Results of latest Public Housing Assessment System (PHAS) Assessment (or other applicable assessment).	Annual Plan: Management and Operations
X	Follow-up Plan to Results of the PHAS Resident Satisfaction Survey (if necessary)	Annual Plan: Operations and Maintenance and Community Service & Self-Sufficiency
	Results of latest Section 8 Management Assessment System (SEMAP)	Annual Plan: Management and Operations
	Any policies governing any Section 8 special housing types <input type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Operations and Maintenance
	Consortium agreement(s).	Annual Plan: Agency Identification and Operations/ Management
X	Public housing grievance procedures <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Grievance Procedures
	Section 8 informal review and hearing procedures. <input type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Grievance Procedures
X	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
X	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

<b>List of Supporting Documents Available for Review</b>		
<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Related Plan Component</b>
	Policies governing any Section 8 Homeownership program (Section _____ of the Section 8 Administrative Plan)	Annual Plan: Homeownership
X	Public Housing Community Service Policy/Programs <input type="checkbox"/> 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
X	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
X	Policy on Ownership of Pets in Public Housing Family Developments (as required by regulation at 24 CFR Part 960, Subpart G). <input type="checkbox"/> Check here if included in the public housing A & O Policy.	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
	Consortium agreement(s), if a consortium administers PHA programs.	Joint PHA Plan for Consortia
	Consortia 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 PHA Plan for Consortia
	Other supporting documents (optional). List individually.	(Specify as needed)

**CAPITAL FUND PROGRAM TABLES START HERE**

<b>Annual Statement/Performance and Evaluation Report</b>					
<b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary</b>					
<b>PHA Name: Housing Authority of the City of LaGrange</b>		<b>Grant Type and Number GA06O026501-04</b>			<b>Federal FY of Grant:</b>
		Capital Fund Program Grant No:			
		Replacement Housing Factor Grant No:			
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input checked="" type="checkbox"/> Revised Annual Statement (revision no: 4) <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 9/30/2007 <input type="checkbox"/> 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	148,000	148,000	148,000	82,085.24
4	1410 Administration	27,580	27,580	27,580	22,807.04
5	1411 Audit	1,500	1,500	1,500	0
6	1415 Liquidated Damages				
7	1430 Fees and Costs	27,840.73	27,840.73	27,840.73	4,732.73
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures	52,559.27	272,096.42	272,096.42	52,559.27
11	1465.1 Dwelling Equipment—Nonexpendable	0			
12	1470 Nondwelling Structures	384,785.32	114,200	114,200	87,127.20
13	1475 Nondwelling Equipment	132,379.68	183,427.85	183,427.85	79,530.85
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1501 Collateralization or Debt Service				
20	1502 Contingency				

## Annual Statement/Performance and Evaluation Report

### Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary

PHA Name: Housing Authority of the City of LaGrange	Grant Type and Number GA06O026501-04 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: 4) 
  Performance and Evaluation Report for Period Ending: 9/30/2007 
  Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
21	Amount of Annual Grant: (sum of lines 2 – 20)	774,645	774,645	774,645	329,012.83
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	60,000	60,000	60,000	45,418.43
25	Amount of Line 21 Related to Security – Hard Costs	40,000	36,318.12	36,318.12	3,011
26	Amount of line 21 Related to Energy Conservation Measures	25,500	217,496.42	217,496.42	23,459.27

**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 GA06O026501-04 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	
HA-Wide	Human Service Coordinator	1408	1	41,000	41,000	41,000	18,182.27	
	Security Contract	1408	1	40,000	60,000	60,000	53,710.09	
	Security Cameras	1408	2	40,000	36,318.12	36,318.12	3,011.00	
	Personnel training	1408	1	2,000	3,500	3,500	170.50	
	Needs assessment	1408	1	5,000	7,181.88	7,181.88	7,181.88	
	Total Management Improv 148,000	1408	1					
HA-Wide	Clerk of Works	1410	1	33,190	13,190	13,190	8,417.04	
	Accountant 10%	1410	1	7,195	7,195	7,195	7,195.00	
	Ex Director 10%	1410	1	7,195	7,195	7,195	7,195.00	
	Total Admin 27,580							
HA-Wide	Audit	1411	1	1,500	1,500	1,500	0	
	Total Audit 1,500							
HA-Wide	Architect/consultant for planning, design, preparation of construction	1430	1	43,000	27,840.73	27,840.73	4,732.73	
	Total Fees & Cost 27,840.73							
Ben Hill 26-1	Electronic Smoke Alarms	1460	238	11,900	0	0	0	
	Screen Vents (26-1)	1460	238	0	29,100	29,100	29,100	

**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 GA06O026501-04 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	
Lucy Mor 26-2	Water Heaters	1460	75	12,750	12,750	12,750	12,426.87	
Ben Hill 26-1	Water Heaters		75	12,750	12,750	12,750	11,032.40	
Ben Hill	HVAC		61	0	217,496.42	225,577.66		
	Total Dwel Struct						272,096.42	
Lucy Morgan	Remodel office into After Sch Prog	1470	1	136,665	114,200	114,200	87,127.20	
Lucy Morgan	Gymnasium	1470	1	248,120.32	0	0	0	

**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 GA06O026501-04 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	
	Total Nondwel Struct 114,200							
HA-Wide	Buffers	1475	3	2280.68	2,780.68	2,780.68	2,780.68	
	Band Saws	1475	2	1,000	968.31	968.31	968.31	
	Generator	1475	2	46,119	90,000	90,000	0	
	Vehicles (bus and truck)	1475	2	59,080	62,994	62,994	49,097.00	
	Backpack blowers	1475	2	1,000	903.53	903.53	903.53	
	Sewer Snake	1475	2	1,900	3,081.68	3,081.68	3,081.68	
Lucy Mor/Ben Hil	Office Furniture	1475	1	20,500	22,699.65	22,699.65	22,699.65	
	Total Nondwel Equip 183,427.85							

**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 GA06O026501-04 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		

**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 GA06O026501-04 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	
1408	Sept. 2006			Sept. 2008			
1410	Sept. 2006			Sept. 2008			
1411	Sept. 2006			Sept. 2008			
1430	Sept. 2006			Sept. 2008			
1440	Sept. 2006			Sept. 2008			
1465	Sept. 2006			Sept. 2008			
1470	Sept. 2006			Sept. 2008			
1475	Sept. 2006			Sept. 2008			

**CAPITAL FUND PROGRAM TABLES START HERE**

**Annual Statement/Performance and Evaluation Report**  
**Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary**

PHA Name: Housing Authority of the City of LaGrange	Grant Type and Number CFP 501-05 Capital Fund Program Grant No: GA06P02650105 Replacement Housing Factor Grant No:	Federal FY of Grant: 2005
---	--	------------------------------

Original Annual Statement  Reserve for Disasters/ Emergencies  Revised Annual Statement (revision no: 3  
 Performance and Evaluation Report for Period Ending: 9/30/2007 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	0			
2	1406 Operations	67,575	0		
3	1408 Management Improvements Soft Costs	91,000	105,000	105,000	16,666.65
	Management Improvements Hard Costs	0	0		
4	1410 Administration	45,600	45,600	45,600	1,814.80
5	1411 Audit	1,500	1,500	1,500	
6	1415 Liquidated Damages	0	0		
7	1430 Fees and Costs	46,000	46,000	46,000	591.30
8	1440 Site Acquisition	0	0		
9	1450 Site Improvement	0	0		
10	1460 Dwelling Structures	389,890	506,759.20	506,759.20	540.00
11	1465.1 Dwelling Equipment—Nonexpendable	0	0		
12	1470 Nondwelling Structures	0	0		
13	1475 Nondwelling Equipment	148,401	85,106.80	85,106.80	57,106.80
14	1485 Demolition	0	0		
15	1490 Replacement Reserve	0	0		
16	1492 Moving to Work Demonstration	0	0		
17	1495.1 Relocation Costs	0	0		
18	1499 Development Activities	0	0		
19	1502 Contingency	0	0		
	Amount of Annual Grant: (sum of lines 2-19)	789,966	789,966	789,966	76,719.55
	Amount of line XX Related to LBP Activities				
	Amount of line XX Related to Section 504 compliance				

**Annual Statement/Performance and Evaluation Report**  
**Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary**

PHA Name: Housing Authority of the City of LaGrange	Grant Type and Number CFP 501-05 Capital Fund Program Grant No: GA06P02650105 Replacement Housing Factor Grant No:	Federal FY of Grant: 2005
---	--	------------------------------

Original Annual Statement  Reserve for Disasters/ Emergencies  Revised Annual Statement (revision no: 3  
 Performance and Evaluation Report for Period Ending: 9/30/2007 Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
	Amount of line XX Related to Security –Soft Costs	40,000	60,000	60,000	16,666.65
	Amount of Line XX related to Security-- Hard Costs				
	Amount of line XX Related to Energy Conservation Measures	0	506,219.20	506,219.20	
	Collateralization Expenses or Debt Service				

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

PHA Name: Housing Authority of the City of LaGrange		Grant Type and Number CGP 501-05 Capital Fund Program Grant No: GA06P02650105 Replacement Housing Factor Grant No:				Federal FY of Grant: 2005		
Development # Name/HA-Wide Act.	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Exp.	
BEN HILL 26-1	PAINTING	1406		33788	0			
LUCY MORGAN 26-2	PAINTING	1406		33787	0			
	Total Operations 0							
HA Wide	Human Service Coordinator	1408	1	41,000	41,000	41,000		
	Security Contract		1	40,000	60,000	60,000	16,666.65	
	Training		1	4,000	4,000	4,000		
	Plan Consultation			6,000	0			
	Total Administration 105,000							
Administration	Clerk of Works	1410	1	35,000	35,000	35,000		
	Accountant 10%		1	5,300	5,300	5,300	1,204.50	
	Ex. Director 10%		1	5,300	5,300	5,300	610.30	
	Total Administration 45,600							
Audit	Audit	1411	1	1,500	1,500	1,500		
	Total Audit 1,500							
Fees & Cost	Architect	1430	1	46,000	46,000	46,000	591.30	
	Total Fees & Cost 46,000							
Ben Hill 26-1	Water Heaters	1460		5,500	0	0		
				Original	Revised	Funds Obligated	Funds Exp.	
Lucy Morgan 26-2	Water Heaters			5,500	0	0		

<b>Annual Statement/Performance and Evaluation Report</b>							<b>Part II: Supporting Pages</b>		
<b>Capital Fund Program and Capital Fund Program Replace Housing Factor (CFP/CFPRHF)</b>									
PHA Name: Housing Authority of the City of LaGrange		Grant Type and Number CGP 501-05 Capital Fund Program Grant No: GA06P02650105 Replacement Housing Factor Grant No:					Federal FY of Grant: 2005		
Development # Name/HA-Wide Act.	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
Ben Hill 26-1	Electronic Smoke alarms			5	14,416	540	540	540	
Lucy Morgan 26-2	Blinds				12,195	0			
Ben Hill 26-1	Blinds				14,836	0			
Lucy Morgan 26-2	Cable Outlets/Telephone jacks				40,506	0			
Ben Hill 26-1	Cable Outlets/Telephone jacks				40,506	0			
	Screen vents				19,076	0			
Ben Hill	HVAC			194	237,355	506,219.20	506,219.20		
	Total Dwell Struct						506,759.20		

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

PHA Name: Housing Authority of the City of LaGrange		Grant Type and Number CGP 50105 Capital Fund Program Grant No: GA06P02650105 Replacement Housing Factor Grant No:				Federal FY of Grant: 2005			
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	
Nondwel Equip	Photo i.d. camera		1475		2,400	0			
	Tv/vcr/videos			2	2,400	2,106.80	2,106.80	2,106.80	
	Laundry equipment			1	34,400	0			
	30 passenger van			1	43,201	0			
	Play equipment			2	36,000	63,000	63,000	55,000.00	
Ben Hill 26-1	Computers			10	30,000	20,000	20,000		
	Total nondwel equip 85,106.80								



## CAPITAL FUND PROGRAM TABLES START HERE

<b>Annual Statement/Performance and Evaluation Report</b>					
<b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary</b>					
PHA Name: Housing Authority of the City of LaGrange		Grant Type and Number CFP 501-06 Capital Fund Program Grant No: GA06P02650106 Replacement Housing Factor Grant No:			Federal FY of Grant: 2006
<b>Original Annual Statement Reserve for Disasters/ Emergencies Revised Annual Statement (revision no: 1</b>					
<b>Performance and Evaluation Report for Period Ending: 09/30/2007 Performance and Evaluation Report</b>					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	149,886	98,486	0	0
3	1408 Management Improvements Soft Costs	41,000	41,000	0	0
	Management Improvements Hard Costs	108,886	0	0	0
4	1410 Administration	55,045	55,045	16,000	0
5	1411 Audit	4,500	1,500	0	0
6	1415 Liquidated Damages	0	0	0	0
7	1430 Fees and Costs	52,000	46,000	0	0
8	1440 Site Acquisition	0	0	0	0
9	1450 Site Improvement	0	0	0	0
10	1460 Dwelling Structures	0	244,501	0	0
11	1465.1 Dwelling Equipment—Nonexpendable	0	0	0	0
12	1470 Nondwelling Structures	227,411	225,000		0
13	1475 Nondwelling Equipment	110,702	37,898	225,000	0
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				

**Annual Statement/Performance and Evaluation Report**  
**Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary**

PHA Name: Housing Authority of the City of LaGrange	Grant Type and Number CFP 501-06 Capital Fund Program Grant No: GA06P02650106 Replacement Housing Factor Grant No:	Federal FY of Grant: 2006
---	--	------------------------------

**Original Annual Statement Reserve for Disasters/ Emergencies Revised Annual Statement (revision no: 1**  
**Performance and Evaluation Report for Period Ending: 09/30/2007** **Performance and Evaluation Report**

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
19	1502 Contingency				
	Amount of Annual Grant: (sum of lines 2-19)	749,430	749,430	241,000	0
	Amount of line XX Related to LBP Activities			0	0
	Amount of line 1470 Related to Section 504 compliance	10,000	30,000	0	0
	Amount of line XX Related to Security –Soft Costs	41,000	41,000	0	0
	Amount of Line XX related to Security-- Hard Costs	108,886	0	0	0
	Amount of line XX Related to Energy Conservation Measures				
	Collateralization Expenses or Debt Service				

<b>Annual Statement/Performance and Evaluation Report</b>							<b>Part II: Supporting Pages</b>		
<b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)</b>									
PHA Name: Housing Authority of the City of LaGrange		Grant Type and Number CGP 501-06 Capital Fund Program Grant No: GA06P02650106 Replacement Housing Factor Grant No:					Federal FY of Grant: 2006		
Development # Name/HA-Wide Act.	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
					Original	Revised	Funds Obligated	Funds Exp.	
Ha wide	Termite contract		1406	1	26,400	0	0	0	
Lucy Morgan 26-2	Bat Removal		1406	182	25,000	0	0	0	
Ha wide	Vacancy turnaround		1406	50	40,000	40,000	0	0	
Ha wide	Security contract with city		1406	1	58,486	58,486	0	0	
	<b>TOTAL OPERATIONS 98,486</b>								
HA wide improve	Human Service Coordinator		1408	1	41,000	41,000	0	0	
HA Wide	Security Cameras		1408	25	108,886	99,602	0	0	
	Total management improve 140,602								
HA wide Admin.	Funding for Clerk of Works		1410	1	35,000	35,000	0	0	
	Accountant @ 10%		1410	1	8,000	8,000	8,000		
	Executive Director @ 10%		1410	1	8,000	8,000	8,000		
	Resident Training		1410	1	4,045	4,045			
	Total Admin. 55,045								
Ha wide Audit	Audit		1411	1	4,500	1,500	0	0	
	Total Audit 1,500								
Ha Wide Fees & cost	A&E Services		1430	1	46,000	46,000	0	0	
	Plan Consultation		1430	1	6,000	0			
	Total Fees & Costs 46,000								

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

PHA Name: Housing Authority of the City of LaGrange		Grant Type and Number <b>CGP 50106</b> Capital Fund Program Grant No: GA06P02650106 Replacement Housing Factor Grant No:					Federal FY of Grant: <b>2006</b>		
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
Lucy Morgan 26-2	Install new HVAC system. Will require replace of Freon lines (SEER required)		1460	40	0	244,501			
	Total Dwelling Structure 244,501								
Lucy Morgan 26-2	Gymnasium		1470	1	109,464	0	0	0	
Lucy Morgan 26-2	Remodel office/After School Program		1470	1	95,935	150,000	150,000	0	
Lucy Morgan 26-2	Remodel Community Building		1470	1	17,935	75,000	75,000	0	
	Total nondwelling structure 225,000								
Lucy Morgan 26-2	Gym Equipment		1475	1	24,804	0	0	0	
Lucy Morgan 26-2	Computer equipment/After school prog		1475	15	20,000	20,000	0	0	
Ha Wide	30-passenger van		1475	1	55,000	0	0	0	
Ha Wide	Table and Chairs		1475	20	10,898	10,898	0	0	
Ha wide	Portable radios for maintenance & youth workers		1475	12	0	5,000			
Ha wide	Rolling ladder		1475	1	0	1,000			
Ha wide	Bin organizer		1475	1	0	500			
Ha wide	Handicap stencil/line parking space		1475	1	0	250			
Ha wide	ABC stencil set		1475	1	0	250			
	Total nondwelling equipment 37,898				x				

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

PHA Name: Housing Authority of the City of LaGrange	<b>Grant Type and Number CGP 50106</b> Capital Fund Program Grant No: GA06P02650106 Replacement Housing Factor Grant No:	<b>Federal FY of Grant: 2006</b>
---	--	----------------------------------

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
--	---	--	---------------------	----------	----------------------	-------------------	----------------

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

PHA Name: Housing Authority of LaGrange	<b>Grant Type and Number</b> Capital Fund Program No: Replacement Housing Factor No:	<b>Federal FY of Grant: 2006</b>
---	--	----------------------------------

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	
	JULY 08			JULY 10			

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

PHA Name: Housing Authority of the City of LaGrange		Grant Type and Number <b>CGP 50106</b> Capital Fund Program Grant No: GA06P02650106 Replacement Housing Factor Grant No:			Federal FY of Grant: <b>2006</b>		
---	--	--	--	--	----------------------------------	--	--

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

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

PHA Name: Housing Authority of the City of LaGrange	Grant Type and Number GA06O026501-07 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: 9/30/2007 
  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	111,000		101,000	
4	1410 Administration	47,580		14,390	
5	1411 Audit	1,500			
6	1415 Liquidated Damages				
7	1430 Fees and Costs	19,530			
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures	586,886			
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)	766,496			

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

PHA Name: Housing Authority of the City of LaGrange	Grant Type and Number GA06O026501-07 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: 9/30/2007 
  Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
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	60,000			
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures	550,000		115,390	

**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 GA06O026501-07 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	
HA-Wide	Human Service Coordinator	1408	1	41,000		41,000		
	Security Contract	1408	1	60,000		60,000		
	Administration Training	1408	1	5,000				
	Maintenance Training	1408	1	5,000				
	Total Management Improve	1408		111,000				
HA-Wide	Clerk of Works	1410	1	33,190				
	Accountant 10%	1410	1	7,195		7,195		
	Ex Director 10%	1410	1	7,195		7,195		
	Total Admin			47,580				
HA-Wide	Audit	1411	1	1,500				
	Total Audit			1,500				
HA-Wide	Architect/consultant for planning, design, preparation of construction	1430	1	19,530				
	Total Fees & Cost			19,530				
Lucy Morgan 26- 2	Install new HVAC system with replacement of Freon lines due to new SEER requirement	1460	92	550,000				
26-2	Cable TV outlets/Telephone jacks	1460	5	18,433				

<b>Annual Statement/Performance and Evaluation Report</b> <b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)</b> <b>Part II: Supporting Pages</b>								
PHA Name:		Grant Type and Number GA06O026501-07 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	
Ben Hill 26-1	Cable TV outlets/Telephone jacks	1460	5	18,453				
	Total Dwell Structure 586,886							



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	
1408	9/12/2009			9/12/2011			
1410	9/12/2009			9/12/2011			
1411	9/12/2009			9/12/2011			
1430	9/12/2009			9/12/2011			
1440	9/12/2009			9/12/2011			
1465	9/12/2009			9/12/2011			
1470	9/12/2009			9/12/2011			
1475	9/12/2009			9/12/2011			

**CAPITAL FUND PROGRAM TABLES START HERE**

<b>Annual Statement/Performance and Evaluation Report</b>		
<b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary</b>		
PHA Name: Housing Authority of the City of LaGrange	Grant Type and Number CFP Capital Fund Program Grant No: Replacement Housing Factor Grant No: GA026501-08	Federal FY of Grant: 2008

<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:    )					
<input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> 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	70,000			
3	1408 Management Improvements Soft Costs				
	Management Improvements Hard Costs				
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	559,000			
11	1465.1 Dwelling Equipment—Nonexpendable	2,380			
12	1470 Nondwelling Structures	100,000			
13	1475 Nondwelling Equipment	18,100			
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1502 Contingency				
	Amount of Annual Grant: (sum of lines.....)	749,480			
	Amount of line XX Related to LBP Activities				
	Amount of line XX Related to Section 504 compliance				
	Amount of line XX Related to Security –Soft Costs				
	Amount of Line XX related to Security-- Hard Costs				
	Amount of line XX Related to Energy Conservation Measures	559,000			
	Collateralization Expenses or Debt Service				



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

PHA Name: Housing Authority of the City of LaGrange		Grant Type and Number GA06P02650108 Capital Fund Program Grant No: Replacement Housing Factor Grant No:				Federal FY of Grant: 2001			
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	
Ben Hill 26-1	Painting		1406	50	35,000				
Lucy Morgan 26-2	Painting			50	35,000				
	Total Operations 70,000								
Ben Hill 26-1	Screen door replacement		1460	238	288,000				
Lucy Morgan 26-2	Screen door replacement		1460	182	271,000				
	Total dwelling struct 559,000								
Ben Hill 26-1	Commode seats		1465	119	1,190				
Lucy Morgan 26-2	Commode seats		1465	119	1,190				
	Total dwel equip-non expend 2,380								
H/A Wide	Paint Sprayer		1475	1	1200				
	Pallett Jack			1	500				
	Electric Drain Cleaner			1	400				
	Ditch trencher			1	10,000				
	Concrete grinder			1	5,000				
	Pressure Washer			1	500				



### Capital Fund Program Five-Year Action Plan

Part I: Summary

PHA Name <b>LaGrange Housing Authority</b>		<input type="checkbox"/> <b>Original 5-Year Plan</b> <input checked="" type="checkbox"/> <b>Revision No: 1</b>			
Development Number/Name/HA-Wide	Year 1	Work Statement for Year 2 FFY Grant: PHA FY: 2009	Work Statement for Year 3 FFY Grant: PHA FY: 2010	Work Statement for Year 4 FFY Grant: PHA FY: 2011	Work Statement for Year 5 FFY Grant: PHA FY: 2012
	Annual Statement				
Ha- wide		160,500	220,466	133,966	150,966

<b>26-1 Ben Hill</b>		614,466	567,250		328,000
26-2 Lucy Morgan		15,000	2,250	656,000	311,000
CFP Funds Listed for 5-year planning		789,966	789,966	789,966	789,966
Replacement Housing Factor Funds					

Capital Fund Program Five-Year Action Plan

**Part II: Supporting Pages—Work Activities**

Activities for Year 1	Activities for Year : <u>  2  </u> FFY Grant: 2009 PHA FY:			Activities for Year: <u>  3  </u> FFY Grant: 2010 PHA FY:		
	Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
<b>See</b>	<b><i>Ha-wide 1406</i></b>	<b><i>Vacancy preparation</i></b>	30,000	<b><i>Ha-wide 1406</i></b>		
<b>Annual</b>				Ha-wide	<b><i>Electrical repairs</i></b>	13,966
<b>Statement</b>	<b><i>Ha-wide 1408</i></b>	Human Svc Coordinator	45,000	<b><i>Ha-wide 1408</i></b>	<b><i>Human svc Coordinator</i></b>	45,000
		Resident Training	5,000	Ha-wide	Security Contract	45,000







**ADMISSION  
AND  
CONTINUED  
OCCUPANCY  
POLICY  
(ACOP)**

---

---

**LAGRANGE  
HOUSING  
AUTHORITY**

# ACOP TABLE OF CONTENTS

---

<b>1.0</b>	<b>FAIR HOUSING.....</b>	<b>6</b>
<b>2.0</b>	<b>REASONABLE ACCOMODATION .....</b>	<b>6</b>
<b>2.1</b>	<b>COMMUNICATION .....</b>	<b>7</b>
<b>2.2</b>	<b>QUESTIONS TO ASK IN GRANTING THE ACCOMMODATION .....</b>	<b>7</b>
<b>3.0</b>	<b>SERVICES FOR NON ENGLISH SPEAKING APPLICANTS AND RESIDENTS .....</b>	<b>9</b>
<b>4.0</b>	<b>FAMILY OUTREACH .....</b>	<b>9</b>
<b>5.0</b>	<b>RIGHT TO PRIVACY .....</b>	<b>9</b>
<b>6.0</b>	<b>REQUIRED POSTINGS.....</b>	<b>9</b>
<b>7.0</b>	<b>TAKING APPLICATIONS.....</b>	<b>10</b>
<b>8.0</b>	<b>ELIGIBILITY FOR ADMISSION .....</b>	<b>111</b>
<b>8.1</b>	<b>INTRODUCTION .....</b>	<b>11</b>
<b>8.2</b>	<b>ELIGIBILITY CRITERIA.....</b>	<b>122</b>
<b>8.3</b>	<b>SUITABILITY.....</b>	<b>16</b>
<b>8.4</b>	<b>GROUND FOR DENIAL.....</b>	<b>18</b>
<b>8.5</b>	<b>INFORMAL REVIEW .....</b>	<b>20</b>
<b>9.0</b>	<b>MANAGING THE WAITING LIST .....</b>	<b>21</b>
<b>9.1</b>	<b>OPENING AND CLOSING THE WAITING LIST .....</b>	<b>21</b>
<b>9.2</b>	<b>ORGANIZATION OF THE WAITING LIST .....</b>	<b>21</b>
<b>9.3</b>	<b>FAMILIES NEARING THE TOP OF THE WAITING LIST .....</b>	<b>22</b>
<b>9.4</b>	<b>PURGING THE WAITING LIST .....</b>	<b>22</b>
<b>9.5</b>	<b>REMOVAL OF APPLICANTS FROM THE WAITING LIST.....</b>	<b>22</b>
<b>9.6</b>	<b>MISSED APPOINTMENTS.....</b>	<b>23</b>
<b>9.7</b>	<b>NOTIFICATION OF NEGATIVE ACTIONS.....</b>	<b>23</b>
<b>10.0</b>	<b>TENANT SELECTION AND ASSIGNMENT PLAN .....</b>	<b>23</b>
<b>10.1</b>	<b>PREFERENCES.....</b>	<b>23</b>
<b>10.2</b>	<b>ASSIGNMENT OF BEDROOM SIZES .....</b>	<b>24</b>
<b>10.3</b>	<b>SELECTION FROM THE WAITING LIST .....</b>	<b>26</b>
<b>10.4</b>	<b>DECONCENTRATION POLICY .....</b>	<b>26</b>
<b>10.5</b>	<b>DECONCENTRATION INCENTIVES.....</b>	<b>27</b>
<b>10.6</b>	<b>OFFER OF A UNIT .....</b>	<b>27</b>
<b>10.7</b>	<b>REJECTION OF UNIT .....</b>	<b>27</b>
<b>10.8</b>	<b>ACCEPTANCE OF UNIT .....</b>	<b>28</b>

**11.0 INCOME, EXCLUSIONS FROM INCOME, AND DEDUCTIONS**

**FROM INCOME ..... 29**

**11.1 INCOME ..... 29**

**11.2 ANNUAL INCOME ..... 33**

**11.3 DEDUCTIONS FROM ANNUAL INCOME ..... 37**

**11.4 RECEIPT OF A LETTER FROM HUD CONCERNING INCOME.....38**

**12.0 VERIFICATION.....39**

**12.1 ACCEPTABLE METHODS OF VERIFICATION.....39**

**12.2 TYPES OF VERIFICATION..... 41**

**12.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NONCITIZEN STATUS.. 44**

**12.4 VERIFICATION OF SOCIAL SECURITY NUMBERS..... 45**

**12.5 TIMING OF VERIFICATION ..... 46**

**12.6 FREQUENCY OF OBTAINING VERIFICATION..... 46**

**13.0 DETERMINATION OF TOTAL TENANT PAYMENT AND TENANT RENT ..... 46**

**13.1 FAMILY CHOICE..... 46**

**13.2 THE INCOME METHOD..... 47**

**13.3 MINIMUM RENT..... 47**

**13.4 THE FLAT RENT..... 48**

**13.5 RENT FOR FAMILIES UNDER THE NONCITIZEN RULE ..... 49**

**13.6 UTILITY ALLOWANCE..... 49**

**13.7 PAYING RENT.....50**

**13.8 RENT CREDITS.....51**

**14.0 COMMUNITY SERVICE ..... 51**

**14.1 GENERAL ..... 51**

**14.2 VOLUNTEER OPPORTUNITIES..... 51**

**14.3 NOTIFICATION OF THE REQUIREMENT ..... 51**

**14.4 DEFINITIONS..... 52**

**14.5 THE PROCESS ..... 53**

**14.6 NOTIFICATION OF NON-COMPLIANCE WITH COMMUNITY SERVICE REQUIREMENT..... 54**

**14.7 PROHIBITION AGAINST REPLACEMENT OF AGENCY EMPLOYEES..... 54**

**15.0 RECERTIFICATIONS ..... 54**

**15.1 GENERAL ..... 55**

**15.2 MISSED APPOINTMENTS..... 55**

**15.3 FLAT RENTS ..... 55**

**15.4 THE INCOME METHOD..... 56**

**15.5 EFFECTIVE DATE OF RENT CHANGES FOR ANNUAL REEXAMINATIONS..... 56**

**15.6 INTERIM REEXAMINATIONS..... 57**

15.7	SPECIAL REEXAMINATIONS .....	58
15.8	EFFECTIVE DATE OF RENT CHANGES DUE TO INTERIM OR SPECIAL REEXAMINATION.....	58
15.9	HOUSING AUTHORITY MISTAKE IN CALCULATING RENT.....	58
6.0	UNIT TRANSFERS.....	59
16.1	OBJECTIVES OF THE TRANSFER POLICY.....	59
16.2	TYPES OF TRANSFERS .....	59
16.3	PRIORITIES OF TRANSFERS.....	63
16.4	TRANSFER PROCEDURES .....	63
16.5	RIGHT OF MANAGEMENT TO MAKE EXCEPTIONS.....	65
17.0	INSPECTIONS .....	65
17.1	MOVE-IN INSPECTIONS.....	65
17.2	ANNUAL INSPECTIONS.....	65
17.3	PREVENTATIVE MAINTENANCE INSPECTIONS.....	65
17.4	SPECIAL INSPECTIONS.....	66
17.5	HOUSEKEEPING INSPECTIONS.....	66
17.6	NOTICE OF INSPECTION.....	66
17.7	EMERGENCY INSPECTIONS.....	66
17.8	PRE-MOVE-OUT INSPECTIONS .....	66
17.9	MOVE-OUT INSPECTIONS.....	66
18.0	PET POLICY .....	67
18.1	EXCLUSIONS .....	67
18.3	APPROVAL .....	67
18.4	TYPES AND NUMBER OF PETS .....	67
18.5	INOCULATIONS.....	68
18.6	PET DEPOSIT .....	68
18.7	FINANCIAL OBLIGATION OF RESIDENTS .....	68
18.8	NUISANCE OR THREAT TO HEALTH OR SAFETY.....	68
18.9	DESIGNATION OF PET AREAS.....	68
18.10	MISCELLANEOUS RULES.....	69
18.11	VISITING PETS.....	70
18.12	REMOVAL OF PETS.....	70
19.0	REPAYMENT AGREEMENTS .....	70
20.0	COLLECTION POLICY.....	70
A.	RENT.....	70
B.	EVICTON POLICY FOR NON-PAYMENT.....	71
C.	WORK ORDER POLICY.....	71
D.	EVICTON POLICY FOR NON-PAYMENT OF WORK	

	<b>ORDER CHARGES.....</b>	<b>71</b>
<b>E.</b>	<b>MOVE-OUT PAYMENTS.....</b>	<b>71</b>
<b>21.0</b>	<b>TERMINATION.....</b>	<b>73</b>
<b>21.1</b>	<b>TERMINATION BY TENANT .....</b>	<b>73</b>
<b>21.2</b>	<b>TERMINATION BY THE HOUSING AUTHORITY .....</b>	<b>73</b>
<b>21.3</b>	<b>TERMINATION BY CRIMINAL ACTIVITY .....</b>	<b>75</b>
<b>22.0</b>	<b>ABANDONMENT.....</b>	<b>77</b>
<b>22.1</b>	<b>RETURN OF SECURITY DEPOSIT.....</b>	<b>78</b>
<b>23.0</b>	<b>SUPPORT FOR OUR ARMED FORCES.....</b>	<b>78</b>
<b>24.0</b>	<b>ANTI-FRAUD POLICY.....</b>	<b>79</b>
<b>25.0</b>	<b>FLAT RENT SCHEDULE.....</b>	<b>80</b>
<b>26.0</b>	<b>UTILITY ALLOWANCE SHEDULE.....</b>	<b>80</b>
<b>27.0</b>	<b>GRIEVANCE POLICY.....</b>	<b>81</b>
<b>1.0</b>	<b>RIGHT TO A HEARING.....</b>	<b>81</b>
<b>2.0</b>	<b>DEFINITIONS.....</b>	<b>81</b>
<b>3.0</b>	<b>APPLICABILITY.....</b>	<b>82</b>
<b>4.0</b>	<b>PROCEDURES PRIOR TO A HEARING.....</b>	<b>82</b>
<b>5.0</b>	<b>PROCEDURES TO OBTAIN A HEARING.....</b>	<b>83</b>
<b>5.1</b>	<b>REQUEST FOR HEARING.....</b>	<b>83</b>
<b>5.2</b>	<b>SELECTION OF A HEARING OFFICER.....</b>	<b>84</b>
<b>5.3</b>	<b>FAILURE TO REQUEST A HEARING.....</b>	<b>84</b>
<b>5.4</b>	<b>HEARING PREREQUISITE.....</b>	<b>84</b>
<b>5.5</b>	<b>ESCROW DEPOSIT.....</b>	<b>84</b>
<b>5.6</b>	<b>SCHEDULING OF HEARINGS.....</b>	<b>85</b>
<b>6.0</b>	<b>PROCEDUR3ES GOVERNING THE HEARING.....</b>	<b>85</b>
<b>7.0</b>	<b>INFORMAL HEARING PROCEDURES FOR DENIAL OF ASSISTANCE ON THE BASIS OF INELIGIBLE STATUS.....</b>	<b>87</b>
<b>8.0</b>	<b>DECISION OF THE HEARING OFFICER.....</b>	<b>87</b>
<b>28.0</b>	<b>GLOSSARY.....</b>	<b>89</b>
	<b>ACRONYMS.....</b>	<b>103</b>

# ADMISSIONS AND CONTINUED OCCUPANCY POLICY

---

This Admissions and Continued Occupancy Policy defines the LaGrange Housing Authority's policies for the operation for the Public Housing Program, incorporating Federal, State and local law. If there is any conflict between this policy and laws or regulations, the laws and regulations will prevail.

## 1.0 FAIR HOUSING

**Purpose:** It is the policy of the LaGrange Housing Authority to fully comply with Civil Rights laws, Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of Title I of the Housing and Community Development Act of 1974, Title II of the Americans with Disabilities Act of 1990, Architectural Barriers Act of 1968, Age Discrimination Act of 1975, Title IX of the Education Amendments Act of 1972. LaGrange Housing Authority complies with Presidential Executive Order 11063, 11246, 12892, 12898, 13166 and 13217. The authority is an Equal Opportunity Employer, monitors and complies with Section 3 Economic Opportunity of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (as amended).

**Non-discrimination:** No person shall, on the grounds of race, color, sex, religion, national or ethnic origin, familial status, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under the LaGrange Housing Authority's programs.

**Affirmative Strategies:** The Fair Housing Act specifies that the Secretary of Housing and Urban Development shall administer programs and activities relating to housing and urban development in a manner that affirmative furthers the policies outlined in Section 808 (e) 5. These guiding principles and commitment are evidenced in compliance with the Consolidated Plan to alleviate housing discrimination within this jurisdiction, provide opportunities for all persons to reside in any given housing development, regardless of race, color, religion, sex, disability, familial status, or national origin, promote housing that is accessible to and usable by persons with disabilities and comply with the non-discrimination requirements of the Fair Housing Act and Public Housing Agency Plans. LaGrange Housing Authority's grant funds will be administered according to the Fair Housing Act and will work diligently to affirmative further fair housing.

The annual plan will further the purpose of the Quality Housing and Work Responsibility Act of 1998 (QHWRA), enforce the tenant selection and assignment plan in a nondiscriminatory manner and take affirmative steps to reduce "racial and national origin concentrations".

To further its commitment to full compliance with applicable Civil Rights laws, the LaGrange Housing Authority will provide Federal/State/local information to applicants/tenants of the Public Housing Program regarding discrimination and any recourse available to them if they believe they may be victims of discrimination. Such information will be made available with the

application, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made available at the LaGrange Housing Authority office. In addition, all written information and advertisements will contain the appropriate Equal Opportunity language or logo.

The LaGrange Housing Authority will assist any family that believes they have suffered illegal discrimination by providing them copies of the appropriate housing discrimination forms. The LaGrange Housing Authority will also assist them in completing the forms if requested, and will provide them with the address of the nearest HUD office of Fair Housing and Equal Opportunity.

## **2.0 REASONABLE ACCOMODATION**

Sometimes people with disabilities may need a reasonable accommodation in order to take full advantage of the LaGrange Housing Authority housing programs and related services. When such accommodations are granted, they do not confer special treatment or advantage for the person with a disability; rather, they make the program accessible to them in a way that would otherwise not be possible due to their disability. This policy clarifies how people can request accommodations and the guidelines the LaGrange Housing Authority will follow in determining whether it is reasonable to provide a requested accommodation. Because disabilities are not always apparent, the LaGrange Housing Authority will ensure that all applicants/tenants are aware of the opportunity to request reasonable accommodations.

### **2.1 COMMUNICATION**

Anyone requesting an application will also receive a Request for Reasonable Accommodation form.

Notifications of reexamination, inspection, appointment, or eviction will include information about requesting a reasonable accommodation. Any notification requesting action by the tenant will include information about requesting a reasonable accommodation.

All decisions granting or denying requests for reasonable accommodations will be in writing.

### **2.2 QUESTIONS TO ASK IN GRANTING THE ACCOMMODATION**

- A. Is the requestor a person with disabilities? For this purpose the definition of person with disabilities is different than the definition used for admission. The Fair Housing definition used for this purpose is:

A person with a physical or mental impairment that substantially limits one or more major life activities, has a record of such an

impairment, or is regarded as having such an impairment. (The disability may not be apparent to others, i.e., a heart condition).

If the disability is apparent or already documented, the answer to this question is yes. It is possible that the disability for which the accommodation is being requested is a disability other than the apparent disability. If the disability is not apparent or documented, the LaGrange Housing Authority will obtain verification that the person is a person with a disability.

- B. Is the requested accommodation related to the disability? If it is apparent that the request is related to the apparent or documented disability, the answer to this question is yes. If it is not apparent, the LaGrange Housing Authority will obtain documentation that the requested accommodation is needed due to the disability. The LaGrange Housing Authority will not inquire as to the nature of the disability.
- C. Is the requested accommodation reasonable? In order to be determined reasonable, the accommodation must meet two criteria:
  - 1. Would the accommodation constitute a fundamental alteration? The LaGrange Housing Authority's business is housing. If the request would alter the fundamental business that the LaGrange Housing Authority conducts, that would not be reasonable. For instance, the LaGrange Housing Authority would deny a request to have the LaGrange Housing Authority do grocery shopping for a person with disabilities.
  - 2. Would the requested accommodation create an undue financial hardship or administrative burden? Frequently the requested accommodation costs little or nothing. If the cost would be an undue burden, the LaGrange Housing Authority may request a meeting with the individual to investigate and consider equally effective alternatives.
- D. Generally the individual knows best what it is they need; however, the LaGrange Housing Authority retains the right to be shown how the requested accommodation enables the individual to access or use the LaGrange Housing Authority's programs or services.

If more than one accommodation is equally effective in providing access to the LaGrange Housing Authority's programs and services, the LaGrange Housing Authority retains the right to select the most efficient or economic choice.

The cost necessary to carry out approved requests, including requests for physical modifications, will be borne by the LaGrange Housing Authority if there is no one else willing to pay for the modifications. If another party pays for the modification, the LaGrange Housing Authority will seek to have the same entity pay for any restoration costs.

If the tenant requests as a reasonable accommodation that they be permitted to make physical modifications at their own expense, the LaGrange Housing Authority will generally approve such request if it does not violate codes or affect the structural integrity of the unit.

Any request for an accommodation that would enable a tenant to materially violate essential lease terms will not be approved, i.e. allowing nonpayment of rent, destruction of property, disturbing the peaceful enjoyment of others, etc.

### **3.0 SERVICES FOR NON-ENGLISH SPEAKING APPLICANTS AND RESIDENTS**

The LaGrange Housing Authority will endeavor to have bilingual staff or access to people who speak languages other than English in order to assist non-English speaking families. The following languages shall be covered: Spanish

### **4.0 FAMILY OUTREACH**

The LaGrange Housing Authority will publicize the availability and nature of the Public Housing Program for extremely low-income, very low and low-income families in a newspaper of general circulation, minority media, and by other suitable means.

To reach people who cannot or do not read the newspapers, the LaGrange Housing Authority will distribute fact sheets to the broadcasting media and initiate personal contacts with members of the news media and community service personnel. The LaGrange Housing Authority will also try to utilize public service announcements.

The LaGrange Housing Authority will communicate the status of housing availability to other service providers in the community and inform them of housing eligibility factors and guidelines so they can make proper referrals for the Public Housing Program.

### **5.0 RIGHT TO PRIVACY**

All adult members of both applicant and tenant households are required to sign HUD Form 9886, Authorization for Release of Information and Privacy Act Notice. The Authorization for Release of Information and Privacy Act Notice states how family information will be released and includes the Federal Privacy Act Statement.

Any request for applicant or tenant information will not be released unless there is a signed release of information request from the applicant or tenant.

## **6.0 REQUIRED POSTINGS**

In each of its offices, the LaGrange Housing Authority will post, in a conspicuous place and at a height easily read by all persons including persons with mobility disabilities, the following information:

- A. Statement of Policies and Procedures governing Admission and Continued Occupancy
- B. Notice of the status of the waiting list (opened or closed)
- C. A listing of all the developments by name, address, number of units, units designed with special accommodations, address of all project offices, office hours, telephone numbers, and Resident Facilities and operation hours
- D. Income Limits for Admission
- E. Utility Allowance Schedule
- F. Current Schedule of Routine Maintenance Charges
- G. Dwelling Lease
- H. Grievance Procedure
- I. Fair Housing Poster
- J. Equal Opportunity in Employment Poster
- K. Any current LaGrange Housing Authority Notices

## **7.0 TAKING APPLICATIONS**

Families wishing to apply for the Public Housing Program will be required to complete an application for housing assistance. Applications will be accepted during regular business hours at: 201 Chatham Street, LaGrange Georgia

Applications are taken to compile a waiting list. Due to the demand for housing in the LaGrange Housing Authority jurisdiction, the LaGrange Housing Authority may take applications on an open enrollment basis, depending on the length of the waiting list.

Completed applications will be accepted for all applicants and the LaGrange Housing Authority will verify the information.

Applications may be made in person at the Benjamin Harvey Hill Homes, 201 Chatham Street on Monday through Thursday, 9:00 a.m.- 11:00 a.m. and 1:00 p.m. - 4:00 p.m. . Applications will be mailed to interested families upon request.

The completed application will be dated and stamped upon its return to the LaGrange Housing Authority.

Persons with disabilities who require a reasonable accommodation in completing an application may call the LaGrange Housing Authority to make special arrangements.

The application process will involve two phases. The first phase is the initial application for housing assistance or the pre-application. The pre-application requires the family to provide limited basic information establishing any preferences to which they may be entitled. This first phase results in the family's placement on the waiting list. It is at this point in time that the family's waiting list preference will be verified. If the family no longer qualifies to be near the top of the list, after verification, the family's name will be returned to the appropriate spot on the waiting list.

Upon receipt of the family's pre-application, the LaGrange Housing Authority will make a preliminary determination of eligibility. The LaGrange Housing Authority will notify the family in writing of the date of placement on the waiting list, and the approximate wait before housing may be offered. If the LaGrange Housing Authority determines the family to be ineligible, the notice will state the reasons therefore and will offer the family the opportunity of an informal review of the determination.

The applicant may at any time report changes in their applicant status including changes in family composition, income, or preference factors. The LaGrange Housing Authority will annotate the applicant's file and will update their place on the waiting list. Confirmation of the changes will be confirmed with the family in writing.

The second phase is the final determination of eligibility, referred to as the full application. The full application takes place when the family nears the top of the waiting list. The LaGrange Housing Authority will ensure that verification of all preferences, eligibility, suitability and selection factors are current in order to determine the family's final eligibility for admission into the Public Housing Program.

## **8.0 ELIGIBILITY FOR ADMISSION**

### **8.1 INTRODUCTION**

There are five eligibility requirements for admission to public housing: qualifies as a family, has an income within the income limits, meets citizenship/eligible immigrant criteria, provides documentation of Social Security numbers, and signs consent authorization documents. In addition to the eligibility criteria, families must also meet the

LaGrange Housing Authority screening criteria in order to be admitted to public housing.

## 8.2 **ELIGIBILITY CRITERIA**

### A. Family status.

1. A **family with or without children**. Such a family is defined as a group of people related by blood, marriage, adoption or affinity that live together in a stable family relationship.
  - a. Children temporarily absent from the home due to placement in foster care are considered family members.
2. An **elderly family**, which is:
  - a. A family whose head, spouse, or sole member is a person who is at least 62 years of age;
  - b. Two or more persons who are at least 62 years of age living together; or
  - c. One or more persons who are at least 62 years of age living with one or more live-in aides.

Live-in aide means a person who resides with one or more elderly persons or near-elderly persons or persons with disabilities, and who:

    1. Is determined to be essential to the care and well-being of the persons;
    2. Is not obligated for the support of the persons; and
    3. Would not be living in the unit except to provide the necessary supportive services.
3. A **near elderly family**, which is:
  - a. 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;
  - b. Two or more persons, who are at least 50 years of age but below the age of 62, living together; or
  - c. 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.

4. **A disabled family**, which is:
  - a. A family whose head, spouse, or sole member is a person with disabilities;
  - b. Two or more persons with disabilities living together; or
  - c. One or more persons with disabilities living with one or more live-in aides.
  - d. For purposes of qualifying for low-income housing, does not include a person whose disability is based solely on drug or alcohol dependence.
  - e. Persons with disabilities means:
    - a. Has a disability as defined in Section 223 of the Social Security Act (As defined in 42 U.S.C. 423)
    - b. Has a physical, mental or emotional impairment that:
      - i. is expected to be of a long-continued and indefinite duration;
      - ii. substantially impedes his or her ability to live independently; and
      - iii. is of such a nature that the ability to live independently could be improved by more suitable housing conditions or
    - f. Has a developmental disability as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(5)).
5. **A displaced family**, which is a family in which each member, or whose sole member, has been displaced by governmental action, or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.

Persons with disabilities means:

- a. Has a disability as defined in Section 223 of the Social Security Act (as defined in 42 U.S.C. 423)
- b. Has a physical, mental, or emotional impairment that:
  - i. Is expected to be of a long-continued and indefinite duration;
  - ii. Substantially impedes his or her ability to live independently; and

- iii. Is of such a nature that the ability to live independently could be improved by more suitable housing conditions or
  - c. Has a developmental disability as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(5).
  - d. Does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agency for acquired immunodeficiency syndrome;
  - e. For purposes of qualifying for low-income housing, does not include a person whose disability is based solely on any drug or alcohol dependence; and
  - f. Notwithstanding any other provision of law, nor individual shall be considered a person with disabilities, for purposes of eligibility for low-income housing under this title, solely on the basis of any drug or alcohol dependence.
- 6. **A remaining member of a tenant family.**
  - 7. **A single person** who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family.

B. Income eligibility

- 1. To be eligible for admission to developments or scattered-site units, the family's annual income must be within the low-income limit set by HUD. This means the family income cannot exceed 80 percent of the median income for the area.
- 2. The LaGrange Housing Authority may allow police officers who would not otherwise be eligible for occupancy in public housing to reside in a public housing dwelling unit. Such occupancy must be needed to increase security for public housing residents. Their rent shall at least equal the cost of operating the public housing unit.
- 3. Income limits apply only at admission and are not applicable for continued occupancy.
- 4. A family may not be admitted to the public housing program from another assisted housing program (e.g., tenant-based Section 8) or from a public housing program operated by another housing authority without meeting the income requirements of the LaGrange Housing Authority.

5. If the LaGrange Housing Authority acquires a property for federal public housing purposes, the families living there must have incomes within the low-income limit in order to be eligible to remain as public housing tenants.
6. Income limit restrictions do not apply to families transferring within our Public Housing Program.

C. Citizenship/Eligibility Status

1. To be eligible for public housing each member of the family 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)) or a citizen of the Republic of Marshall Islands, the Federated States of Micronesia, or the Republic of Palau. However, people in the last category are not entitled to housing assistance in preference to any United States citizen or national resident within Guam.
2. Family eligibility for assistance.
  - a. A family shall not be eligible for assistance unless every member of the family residing in the unit is determined to have eligible status, with the exception noted below.
  - b. Despite the ineligibility of one or more family members, a mixed family may be eligible for one of three types of assistance. (See Section 13.5 for calculating rents under the non-citizen rule)
  - c. A family without any eligible members and receiving assistance on June 19, 1995 may be eligible for temporary deferral of termination of assistance.

D. Social Security Number Documentation

To be eligible, all family members 6 years of age and older must provide a Social Security number or certify that they do not have one. Adults must certify for minors.

E. Signing Consent Forms

1. In order to be eligible, each member of the family who is at least 18 years of age, and each family head and spouse regardless of age, shall sign one or more consent forms.
2. The consent form must contain, at a minimum, the following:

- a. A provision authorizing HUD or the LaGrange Housing Authority to obtain from State Wage Information Collection Agencies (SWICAs) any information or materials necessary to complete or verify the application for participation or for eligibility for continued occupancy; and
- b. A provision authorizing HUD or the LaGrange Housing Authority to verify with previous or current employers or other sources of income information pertinent to the family's eligibility for or level of assistance;
- c. A provision authorizing HUD to request income information from the IRS and the SSA for the sole purpose of verifying income information pertinent to the family's eligibility or level of benefits; and
- d. A statement that the authorization to release the information requested by the consent form expires 15 months after the date the consent form is signed.
- e. A statement allowing the LaGrange Housing Authority permission to access the applicant's criminal record with any and all police and/or law enforcement agencies.

### **8.3 SUITABILITY**

- A. Applicant families will be evaluated to determine whether, based on their recent behavior, such behavior could reasonably be expected to result in noncompliance with the public housing lease. The LaGrange Housing Authority will look at past conduct as an indicator of future conduct. Emphasis will be placed on whether a family's admission could reasonably be expected to have a detrimental effect on the development environment, other tenants, LaGrange Housing Authority employees, or other people residing in the immediate vicinity of the property. Otherwise eligible families will be denied admission if they fail to meet the suitability criteria or are banned.
- B. The LaGrange Housing Authority will consider objective and reasonable aspects of the family's background, including the following:
  - 1. History of meeting financial obligations, especially rent and any utility payments;
  - 2. Ability to maintain (or with assistance would have the ability to maintain) their housing in a decent and safe condition based on living or housekeeping habits and whether such habits could adversely affect the health, safety, or welfare of other tenants;

3. History of criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well being of other tenants or staff or cause damage to the property;
  3. History of disturbing neighbors or destruction of property;
  4. Having committed fraud in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from; and
  5. History of abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment by others.
- C. The LaGrange Housing Authority will ask applicants to provide information demonstrating their ability to comply with the essential elements of the lease. The LaGrange Housing Authority will verify the information provided. Such verification may include but may not be limited to the following:
1. A credit check of the head, spouse co-head, and any other adult family members;
  2. A rental history check of all adult family members;
  3. A criminal background check on all adult household members, including live-in aides at no cost to the applicant. This check will be made through State or local law enforcement or court records in those cases where the household member has lived in the local jurisdiction for the last three years. Where the individual has lived outside the local area, the LaGrange Housing Authority may contact law enforcement agencies where the individual had lived or request a check through the FBI's National Crime Information Center (NCIC). This criminal background check will proceed after each adult household member has signed a consent form designed by the LHA.

The information received as a result of the criminal background check shall be used solely for screening, lease enforcement and eviction purposes. The information derived from the criminal background check shall be shared only with employees of the LHA who have a job-related need to have access the information. The information shall be maintained confidentially, not misused for improperly disseminated, and destroyed once the purposes (s) for which it was requested has been accomplished and the period for filing a challenge to the LHA's action has expired without a challenge or final disposition of any litigation has occurred;

4. A home visit. The home visit provides the opportunity for the family to demonstrate their ability to maintain their home in a safe and sanitary manner. This inspection considers cleanliness and care of rooms, appliances, and appurtenances. The inspection may also consider any evidence of criminal activity; and
5. A check of the State's lifetime sex offender registration program for each adult household member, including live-in aides. No household with an individual registered under a State sex offender registration will be admitted to public housing. The LHA will check with our State registry and if the applicant has resided in another State(s), with that State(s)'s list.
6. A check of ability to have utility service in name of head of household.

If an applicant is about to be denied housing based on either the criminal check or the sex offender registration program, the applicant will be informed of this fact and given an opportunity to dispute the accuracy of the information before the denial or eviction occurs.

#### **8.4 GROUND S FOR DENIAL**

The LaGrange Housing Authority is not required or obligated to assist applicants who:

- A. Do not meet any one or more of the eligibility criteria;
- B. Do not supply information or documentation required by the application process;
- C. Have failed to respond to a written request for information or a request to declare their continued interest in the program;
- D. Have a history of not meeting financial obligations, especially rent;
- E. Do not have the ability to maintain (with assistance) their housing in a decent and safe condition where such habits could adversely affect the health, safety, or welfare of other tenants;
- F. Have a history of criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well being of other tenants or staff or cause damage to the property;
- G. Have a history of disturbing neighbors or destruction of property;
- H. Currently owes rent or other amounts to any housing authority or other debt owed to LaGrange Housing Authority including community service in connection with

their public housing or Section 8 programs. Former applicants will be ineligible for a period of 3 years from date of application for readmission effective October 1, 2006;

- I. Have committed fraud, bribery or any other corruption in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from;
- J. Were evicted from assisted housing within the past ten years because of drug-related criminal activity or banned by LHA. The ten-year limit is based on the date of such eviction, not the date the crime was committed.

However, the LaGrange Housing Authority may admit the household if the PHA determines:

1. The evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program approved by the LaGrange Housing Authority; or
2. The circumstances leading to the eviction no longer exist (for example, the criminal household member is imprisoned or has died).

- K. Are currently engaging in the illegal use of a controlled substance. For purposes of this section, a member is “currently engaged in” the criminal activity if the person has engaged in this behavior recently enough to justify a reasonable belief that the behavior is current.;
- L. The LaGrange Housing Authority determines that it has reasonable cause to believe that a household member’s illegal use or pattern of illegal use of a drug may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents;
- M. With respect to criminal activity described in paragraphs J, K, L, and M of this section, LHA may require an applicant to exclude a household member in order to be admitted to public housing where that household member has participated in or been culpable for actions described in paragraphs J, K, L and M that warrants denial.
- N. Have engaged in or threatened abusive or violent behavior towards any LaGrange Housing Authority staff, contractor, subcontractor, residents or agents of the housing authority involved in the housing operation;
- O. Fugitive felons, parole violators, and persons fleeing to avoid prosecution or custody or confinement after conviction for a crime, or attempt to commit a crime, that is a felony under the laws of the place from which the individual flees;

- P. Has unacceptable police record where applicant or any member of the household who has attained the age of 18 within the past five years been convicted of a crime that would jeopardize the health, safety and welfare of the community. Examples of unacceptable behavior includes, but is not limited to violent behavior, grossly unsanitary or hazardous housekeeping, history of disturbance of neighbors, destruction of property or other disruptive or dangerous behavior of any family member regardless of age.
- Q. **Denied for Life:** If any family member has been convicted of manufacturing or producing any controlled substances including methamphetamine (speed), cocaine, or marijuana in a public housing development or in a Section 8 assisted property or on the premises of other federally assisted housing.
- R. **Denied for Life:** Has a lifetime registration under a State sex offender registration program. The housing authority will perform the necessary criminal history background checks in the state where the housing is located and in other states where the household members are know to have resided.
- S. **Denied for Life:** Resident or resident family evicted or banned from LaGrange Housing Authority for drug related activity of illegal drugs or crimes of violence.

Before the LHA denies admission to the LHA's public housing program on the the basis of a criminal record, the LHA must notify the household of the proposed action and must provide the person with the criminal record (i.e., a child) and the applicant (head of household) with a copy of the criminal record and an opportunity to dispute the accuracy and relevance of that record. The applicant will have 7 calendar days to dispute the accuracy and relevance of the record in writing. If the LHA does not receive the dispute within the allotted time, the applicant will be denied.

## 8.5 ***INFORMAL REVIEW***

- A. If the LaGrange Housing Authority determines that an applicant does not meet the criteria for receiving public housing assistance, the LaGrange Housing Authority will promptly provide the applicant with written notice of the determination. The notice must contain a brief statement of the reason(s) for the decision and state that the applicant may request an informal review of the decision within 10 business days of the denial. The LaGrange Housing Authority will describe how to obtain the informal review.

The informal review may be conducted by any person designated by the LaGrange Housing Authority, other than a person who made or approved the decision under review or subordinate of this person. The applicant must be given the opportunity to present written or oral objections to the LaGrange Housing Authority's decision. The LaGrange Housing Authority must notify the applicant

of the final decision within 14 calendar days after the informal review, including a brief statement of the reasons for the final decision.

- B. The participant family may request that the LaGrange Housing Authority provide for an Informal Hearing after the family has notification of an INS decision on their citizenship status on appeal, or in lieu of request of appeal to the INS. This request must be made by the participant family within 30 days of receipt of the Notice of Denial or Termination of Assistance, or within 30 days of receipt of the INS appeal decision.

For the participant families, the Informal Hearing Process above will be utilized with the exception that the participant family will have up to 30 days of receipt of the Notice of Denial or Termination of Assistance, or of the INS appeal decision.

## **9.0 MANAGING THE WAITING LIST**

### ***9.1 OPENING AND CLOSING THE WAITING LIST***

Opening of the waiting list will be announced with a public notice stating that applications for public housing 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 by any available minority media. The public notice will state any limitations to who may apply.

The notice will state that applicants already on waiting lists for other housing programs must apply separately for this program and such applicants will not lose their place on other waiting lists when they apply for public housing. The notice will include the Fair Housing logo and slogan and will be in compliance with Fair Housing requirements.

Closing of the waiting list will also be announced with a public notice. The public notice will state the date the waiting list will be closed and for what bedroom sizes. The public notice will be published in a local newspaper of general circulation and also by any available minority media.

### ***9.2 ORGANIZATION OF THE WAITING LIST***

The waiting list will be maintained in accordance with the following guidelines:

- A. The application will be a permanent file;
- B. All applications will be maintained in order of bedroom size, preference, and then in order of date and time of application; and
- C. Any contacts between the LaGrange Housing Authority and the applicant will be documented in the applicant file.

### **9.3 FAMILIES NEARING THE TOP OF THE WAITING LIST**

When a family appears to be within three (3) months of being offered a unit, the family will be invited to an interview and resident orientation. If the family no longer qualifies to be near the top of the list, the family's name will be returned to the appropriate spot on the waiting list.

The LaGrange Housing Authority must notify the family in writing of this determination and give the family the opportunity for an informal review.

### **9.4 PURGING THE WAITING LIST**

Should the applicant fail to provide required verification documentation within the time frame established by the LHA, their incomplete file will be withdrawn and applicant will be required to complete a new application.

The LaGrange Housing Authority will update and purge its waiting list at least annually to ensure that the pool of applicants reasonably represents the interested families for whom the LaGrange Housing Authority has current information, i.e. applicant's address, family composition, income category, and preferences.

### **9.5 REMOVAL OF APPLICANTS FROM THE WAITING LIST**

The LaGrange Housing Authority will not remove an applicant's name from the waiting list unless:

- A. The applicant requests in writing that the name be removed;
- B. The applicant is housed.
- C. The applicant does not meet either the eligibility or suitability criteria for the program.
- D. The applicant fails to respond to a written request for information or a request to declare their continued interest in the program within the time frame established by the LHA.
- E. The applicant refused three unit offers of appropriate size and type within a 12 month period.
- F. The applicant missed two appointments for good cause. Refer to section 9.6.

## **9.6 MISSED APPOINTMENTS**

All applicants who fail to keep a scheduled appointment with the LaGrange Housing Authority will be sent a notice of termination of the process for eligibility.

The LaGrange Housing Authority will allow the family to reschedule for good cause. Generally, no more than one opportunity will be given to reschedule without good cause, and no more than two opportunities will be given for good cause. When good cause exists for missing an appointment, the LaGrange Housing Authority 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.

## **9.7 NOTIFICATION OF NEGATIVE ACTIONS**

Any applicant whose name is being removed from the waiting list will be notified by the LaGrange Housing Authority, in writing, that they have ten (10) calendar 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 timeframe specified. The LaGrange Housing Authority system of removing applicant names from the waiting list will not violate the rights of persons with disabilities. If an applicant claims that their failure to respond to a request for information or updates was caused by a disability, the LaGrange Housing Authority will verify that there is in fact a disability and the disability caused the failure to respond, and provide a reasonable accommodation. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of the original application.

# **10.0 TENANT SELECTION AND ASSIGNMENT PLAN**

## **10.1 PREFERENCES**

LaGrange Housing Authority (LHA) selects applicants by local preferences within each bedroom size and category. Other applications are selected by date and time of application.

LaGrange Housing Authority has three (3) preferences:

### **1. Involuntarily displaced**

- A. A disaster, such as fire or flood, has made the unit uninhabitable
- B. Code enforcement or development program activated by a U.S agency, a state or local governmental agency
- C. The housing owner has taken an action that forces the applicant to vacate its unit:

1. The action was beyond the applicant's ability to control or prevent
2. The action occurred despite the applicant's having met all previously imposed conditions of occupancy
3. The action was not a rent increase

Verification must be certified by code enforcement agency

**2. Domestic violence**

Families who are victims of domestic violence means actual or threatened physical violence directed against one or more members of the applicant family by a spouse or other member of the applicant's household. The violence must have occurred recently or is of a continuing nature.

Verification of such violence must be certified by law enforcement and or service agencies for domestic violence victims.

**3. Working families and or single working persons employed 6 continuous months with a minimum of 30 hours per week.**

Employer must certify verifications.

The date of application will be noted and utilized to determine the sequence within the above prescribed preferences.

Notwithstanding the above, families who are elderly, disabled, or displaced will be offered housing before other single persons.

**Accessible Units:** Accessible units will be first offered to families who may benefit from the accessible features. Applicants for these units will be selected utilizing the same preference system as outlined above. If there are no applicants who would benefit from the accessible features, the units will be offered to other applicants in the order that their names come to the top of the waiting list. Such applicants, however, must sign a release form stating they will accept a transfer (at their own expense) if, at a future time, a family requiring an accessible feature applies. Any family required to transfer will be given a 30-calendar day notice.

**10.2 ASSIGNMENT OF BEDROOM SIZES**

The following guidelines will determine each family's unit size without overcrowding or over-housing:

Number of Bedrooms	Number of Persons	
	Minimum	Maximum

1	1	2
2	2	4
3	3	6
4	4	8

These standards are based on the assumption that each bedroom will accommodate no more than two (2) persons. Two adults will share a bedroom unless related by blood.

In determining bedroom size, the LaGrange Housing Authority will include the presence of children to be born to a pregnant woman, children who are in the process of being adopted, children whose custody is being obtained, children who are temporarily away at school, or children who are temporarily in foster-care.

In addition, the following considerations may be taken in determining bedroom size:

- A. Children of the same sex will share a bedroom.
- B. Children of the opposite sex, both under the age of 3 will share a bedroom.
- C. Adults and children over the age of 3 will not be required to share a bedroom.
- D. Foster – adults and/or foster - children will not be required to share a bedroom with family members unless they are brothers and sisters.
- E. Live-in aides will get a separate bedroom.
- F. Space may be provided for a child who is away at school but who lives with the family during school recesses.
- G. Persons of the opposite sex (other than spouses) will not be required to share a bedroom.
- H. Adults and children of different generations will not be required to share a bedroom.

Exceptions to normal bedroom size standards include the following:

- A. Units smaller than assigned through the above guidelines – A family may request a smaller unit size than the guidelines allow. The LaGrange Housing Authority will allow the smaller size unit so long as generally no more than two (2) people per bedroom are assigned. In such situations, the family will sign a certification

stating they understand they will be ineligible for a larger size unit for 3 years or until the family size changes, whichever may occur first.

- B. Units larger than assigned through the above guidelines – A family may request a larger unit size than the guidelines allow. The LaGrange Housing Authority will allow the larger size unit if the family provides a verified medical need that the family be housed in a larger unit.
- C. If there are no families on the waiting list for a larger size, smaller families may be housed if they sign a release form stating they will transfer (at the family's own expense) to the appropriate size unit when an eligible family needing the larger unit applies. The family transferring will be given a 30-day notice before being required to move.
- D. Larger units may be offered in order to improve the marketing of a development suffering a high vacancy rate.
- E. In no event will a single person who is not an elderly person or a displaced person, or a person with disabilities be provided with a unit that is larger than one-bedroom.

### ***10.3 SELECTION FROM THE WAITING LIST***

The LaGrange Housing Authority shall follow the statutory requirement that at least 40% of newly admitted families in any fiscal year be families whose annual income is at or below 30% of the area median income. To insure this requirement is met we shall quarterly monitor the incomes of newly admitted families and the incomes of the families on the waiting list. If it appears that the requirement to house extremely low-income families will not be met, we will skip higher income families on the waiting list to reach extremely low-income families.

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.

### ***10.4 DECONCENTRATION POLICY***

It is LaGrange Housing Authority's policy to provide for deconcentration of poverty and encourage income mixing by bringing higher income families into lower income developments and lower income families into higher income developments. Toward this end, we will skip families on the waiting list to reach other families with a lower or higher income. We will accomplish this in a uniform and non-discriminating manner.

The LaGrange Housing Authority will affirmatively market our housing to all eligible income groups. Lower income residents will not be steered toward lower income

developments and higher income people will not be steered toward higher income developments.

Prior to the beginning of each fiscal year, we will analyze the income levels of families residing in each of our developments, the income levels of census tracts in which our developments are located, and the income levels of the families on the waiting list. Based on this analysis, we will determine the level of marketing strategies and deconcentration incentives to implement.

#### ***10.5 DECONCENTRATION INCENTIVES***

The LaGrange Housing Authority may offer one or more incentives to encourage applicant families whose income classification would help to meet the deconcentration goals of a particular development.

Various incentives may be used at different times, or under different conditions, but will always be provided in a consistent and nondiscriminatory manner.

#### ***10.6 OFFER OF A UNIT***

When the LaGrange Housing Authority discovers that a unit will become available, we will contact the first family on the waiting list who has the highest priority for this type of unit or development and whose income category would help to meet the deconcentration goal and/or the income targeting goal.

The LaGrange Housing Authority will contact the family first by telephone to make the unit offer. If the family cannot be reached by telephone, the family will be notified of a unit offer via first class mail. The family will be given five (5) business days from the date the letter was mailed to contact the LaGrange Housing Authority regarding the offer.

The family will be offered the opportunity to view the unit. After the opportunity to view the unit, the family will have two (2) business days to accept or reject the unit. This verbal offer and the family's decision must be documented in the tenant file. If the family rejects the offer of the unit, the LaGrange Housing Authority will send the family a letter documenting the offer and the rejection.

#### ***10.7 REJECTION OF UNIT***

If in making the offer to the family the LaGrange Housing Authority skipped over other families on the waiting list in order to meet their deconcentration goal or offered the family any other deconcentration incentive and the family rejects the unit, the family will not lose their place on the waiting list and will not be otherwise penalized.

If the LaGrange Housing Authority did not skip over other families on the waiting list to reach this family, did not offer any other deconcentration incentive, and the family rejects the unit without good cause, the family will forfeit their application's date and time. The

family will keep their preferences, but the date and time of application will be changed to the date and time the unit was rejected.

If the family rejects with good cause any unit offered, they will not lose their place on the waiting list. Good cause includes reasons related to health, proximity to work, school, and childcare (for those working or going to school). The family will be offered the right to an informal review of the decision to alter their application status.

## **10.8 ACCEPTANCE OF UNIT**

The family will be required to sign a lease that will become effective no later than three (2) business days after the date of acceptance or the business day after the day the unit becomes available, whichever is later.

Prior to signing the lease all families (head of household) and other adult family members will be required to attend the Lease and Occupancy Orientation when they are initially accepted for occupancy. The family will not be housed if they have not attended the orientation. Applicants who provide prior notice of an inability to attend the orientation will be rescheduled. Failure of an applicant to attend the orientation, without good cause, may result in the cancellation of the occupancy process.

The applicant will be provided a copy of the resident handbook. This documents will be explained in detail. The applicant will sign a certification that they have received this documents and that it was reviewed them with Housing Authority personnel. The certification will be filed in the tenant's file.

The signing of the lease and the review of financial information are to be privately handled. The head of household and all adult family members will be required to execute the lease prior to admission. One executed copy of the lease will be furnished to the head of household and the LaGrange Housing Authority will retain the original executed lease in the tenant's file. A copy of the grievance procedure will be attached to the resident's copy of the lease.

The family will pay a security deposit and pro rata rent, if applicable, at the time of lease signing. The security deposit will be equal to:

A. \$125.00

In exceptional situations, the LaGrange Housing Authority reserves the right to allow a new resident to pay their security deposit in up to three (3) payments. One half shall be paid in advance, one fourth with their second rent payment, and one fourth with their third rent payment. This shall be at the sole discretion of the Housing Authority.

In the case of a move within public housing, the security deposit for the first unit will be transferred to the second unit. Additionally, if the security deposit for the second unit is

greater than that for the first, the difference will be collected from the family. Conversely, if the security deposit is less, the difference will be refunded to the family.

In the event there are costs attributable to the family for bringing the first unit into condition for re-renting, the family shall be billed for these charges.

## **11.0 INCOME, EXCLUSIONS FROM INCOME, AND DEDUCTIONS FROM INCOME**

To determine annual income, the LaGrange Housing Authority counts the income of all family members, excluding the types and sources of income that are specifically excluded. Once the annual income is determined, the LaGrange Housing Authority subtracts all allowable deductions (allowances) to determine the Total Tenant Payment.

### **11.1 INCOME**

Annual income means all amounts, monetary or not, that:

- A. Go to (or on behalf of) the family head or spouse (even if temporarily absent) or to any other family member; or
- B. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
- C. Are not specifically excluded from annual income.

If it is not feasible to anticipate a level of income over a 12-month period (e.g. seasonal or cyclic income), or the LaGrange Housing Authority believes that past income is the best available indicator of expected future income, the LaGrange Housing Authority may annualize the income anticipated for a shorter period, subject to a redetermination at the end of the shorter period.

Annual income includes, but is not limited to, the amounts specified in the federal regulations currently found in 24CFR 5.609:

- A. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services.
- B. The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line

depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession is included in income, except to the extent the withdrawal is a reimbursement of cash or assets invested in the operation by the family.

- C. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from an investment is included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income includes the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD.
- D. The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount. (However, deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts are excluded.)
- E. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay. (However, lump sum additions such as insurance payments from worker's compensation are excluded.)
- F. Welfare assistance.
  - 1. Welfare assistance payments
    - a. Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) program are included in annual income only to the extent such payments:
      - i. Qualify as assistance under the TANF program definition at 45 CFR 260.31; and
      - ii. Are not otherwise excluded under paragraph Section 11.2 of this Policy.
    - b. If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of

shelter and utilities, the amount of welfare assistance income to be included as income consists of:

- i. The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
- ii. The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this requirement is the amount resulting from one application of the percentage.

2. Imputed welfare income

- a. A family's annual income includes the amount of imputed welfare income (because of specified welfare benefits) reductions resulting from either welfare fraud or the failure to comply with economic self-sufficiency requirements, as specified in notice to the LaGrange Housing Authority by the welfare agency) plus the total amount of other annual income.
- b. At the request of the LaGrange Housing Authority, the welfare agency will inform the LaGrange Housing Authority in writing of the amount and term of any specified welfare benefit reduction for a family member, and the reason for such reduction, and will also inform the LaGrange Housing Authority of any subsequent changes in the term or amount of such specified welfare benefit reduction. The LaGrange Housing Authority will use this information to determine the amount of imputed welfare income for a family.
- c. A family's annual income includes imputed welfare income in family annual income, as determined at an interim or regular reexamination of family income and composition during the term of the welfare benefits reduction (as specified in information provided to the LaGrange Housing Authority by the welfare agency).
- d. The amount of the imputed welfare income is offset by the amount of additional income a family receives that commences after the time the sanction was imposed. When such additional income from other sources is at least equal to the imputed welfare income, the imputed welfare income is reduced to zero.

- e. The LaGrange Housing Authority will not include imputed welfare income in annual income if the family was not an assisted resident at the time of the sanction.
- f. If a resident is not satisfied that the LaGrange Housing Authority has calculated the amount of imputed welfare income in accordance with HUD requirements, and if the LaGrange Housing Authority denies the family's request to modify such amount, then the LaGrange Housing Authority shall give the resident written notice of such denial, with a brief explanation of the basis for the LaGrange Housing Authority's determination of the amount of imputed welfare income. The LaGrange Housing Authority's notice shall also state that if the resident does not agree with the determination, the resident may grieve the decision in accordance with our grievance policy. The resident is not required to pay an escrow deposit for the portion of the resident's rent attributable to the imputed welfare income in order to obtain a grievance hearing.

3. Relations with welfare agencies

- a. The LaGrange Housing Authority will ask welfare agencies to inform it of any specified welfare benefits reduction for a family member, the reason for such reduction, the term of any such reduction, and any subsequent welfare agency determination affecting the amount or term of a specified welfare benefits reduction. If the welfare agency determines a specified welfare benefits reduction for a family member, and gives the LaGrange Housing Authority written notice of such reduction, the family's annual incomes shall include the imputed welfare income because of the specified welfare benefits reduction.
- b. The LaGrange Housing Authority is responsible for determining the amount of imputed welfare income that is included in the family's annual income as a result of a specified welfare benefits reduction as determined by the welfare agency and specified in the notice by the welfare agency to the housing authority. However, the LaGrange Housing Authority is not responsible for determining whether a reduction of welfare benefits by the welfare agency was correctly determined by the welfare agency in accordance with welfare program requirements and procedures, nor for providing the opportunity for review or hearing on such welfare agency determinations.
- c. Such welfare agency determinations are the responsibility of the welfare agency, and the family may seek appeal of such determinations through the welfare agency's normal due process

procedures. The LaGrange Housing Authority shall rely on the welfare agency notice to the LaGrange Housing Authority of the welfare agency's determination of a specified welfare benefits reduction.

- G. Periodic and determinable allowances, such as alimony, child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling.
- H. All regular pay, special pay, and allowances of a member of the Armed Forces. (Special pay to a member exposed to hostile fire is excluded.)

## ***11.2 ANNUAL INCOME***

Annual income does not include the following amounts specified in the federal regulations currently found in 24 CFR 5.609:

- A. Income from employment of children (including foster children) under the age of 18 years;
- B. Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);
- C. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses;
- D. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
- E. Income of a live-in aide;
- F. The full amount of student financial assistance paid directly to the student or to the educational institution;
- G. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- H. The amounts received from the following programs:
  - 1. Amounts received under training programs funded by HUD;
  - 2. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);

3. Amounts received by a participant in other publicly assisted programs that are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, childcare, etc.) and that are made solely to allow participation in a specific program;
4. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the Housing Authority or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the LaGrange Housing Authority governing board. No resident may receive more than one such stipend during the same period of time;
5. Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the employment training program;
6. Temporary, nonrecurring or sporadic income (including gifts);
7. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
8. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
9. Adoption assistance payments in excess of \$480 per adopted child;
10. The incremental earnings due to employment during a cumulative 12-month period following date of the initial hire shall be excluded. This exclusion (paragraph 11) will not apply for any family who concurrently is eligible for exclusion #10. Additionally, this exclusion is only available to the following families:
  - a. Families whose income increases as a result of employment of a family member who was previously unemployed for one or more years.
  - b. Families whose income increases during the participation of a

family member in any economic self-sufficiency or other job training program.

- c. Families who are or were, within 6 months, assisted under a State TANF or Welfare-to-Work program.

During the second cumulative 12-month period after the date of initial hire, 50% of the increased income shall be excluded from income.

The disallowance of increased income of an individual family member is limited to a lifetime 48-month period. It only applies for 12 months of the 100% exclusion and 12 months of the 50% exclusion.

(While HUD regulations allow for the housing authority to offer an escrow account in lieu of having a portion of their income excluded under this paragraph, it is the policy of this housing authority to provide the exclusion in all cases.)

- 11. Deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts;
- 12. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;
- 13. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or
- 14. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits. These exclusions include:
  - a. The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017(b));
  - b. Payments to Volunteers under the domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058);
  - c. Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c));
  - d. Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e);

- e. Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f));
- f. Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b); (effective July 1, 2000, references to Job Training Partnership Act shall be deemed to refer to the corresponding provision of the Workforce Investment Act of 1998 (29 U.S.C. 2931);
- g. Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub. L. 94-540, 90 Stat. 2503-04);
- h. The first \$2000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U.S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407-1408);
- i. Amounts of scholarships funded under title IV of the Higher Education Act of 1965, including awards under Federal work-study program or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu);
- j. Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f));
- k. Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in *In Re Agent*-product liability litigation, M.D.L. No. 381 (E.D.N.Y.);
- l. Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721);
- m. The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q);
- n. Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j));
- o. Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L. 95-433);

- p. Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d));
- q. Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran (38 U.S.C. 1805);
- r. Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602); and
- s. Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 (29 U.S.C. 2931).

The LaGrange Housing Authority will not provide exclusions from income in addition to those already provided for by HUD.

### ***11.3 DEDUCTIONS FROM ANNUAL INCOME***

The following deductions will be made from annual income:

- A. \$480 for each dependent;
- B. \$400 for any elderly family or disabled family;
- C. The sum of the following, to the extent the sum exceeds three percent of annual income:
  - 1. Unreimbursed medical expenses of any elderly family or disabled family; and
  - 2. Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed, but this allowance may not exceed the earned income received by family members who are 18 years of age or older who are able to work because of such attendant care or auxiliary apparatus.
- D. Reasonable childcare expenses for children 12 and younger necessary to enable a member of the family to be employed or to further his or her education. This deduction shall not exceed the amount of employment income that is included in

annual income.

#### **11.4 RECEIPT OF A LETTER OR NOTICE FROM HUD CONCERNING INCOME**

- A. If a public housing resident receives a letter or notice from HUD concerning the amount or verification of family income, the letter shall be brought to the person responsible for income verification within thirty (30) calendar days of receipt by the resident.
- B. The tenant selector, occupancy specialist or designee shall reconcile any difference between the amount reported by the resident and the amount listed in the HUD communication. This shall be done as promptly as possible.
- C. After the reconciliation is complete, the LaGrange Housing Authority shall, if appropriate, adjust the resident's rent beginning at the start of the next month. If the reconciliation is completed during the final five (5) calendar days of the month, the new rent shall take effect on the first day of the second month following the end of the current month. In addition, if the resident had not previously reported the proper income, the LaGrange Housing Authority shall do one of the following:
  - 1. Immediately collect the back rent due to the agency;
  - 2. Establish a repayment plan for the resident to pay the sum due to the agency;
  - 3. Terminate the lease and evict for failure to report income; or
  - 4. Terminate the lease, evict for failure to report income, and collect the back rent due to the agency.

#### **11.5 COOPERATING WITH WELFARE AGENCIES**

The LaGrange Housing Authority will make its best efforts to enter into cooperation agreements with local welfare agencies under which the welfare agencies will agree:

- A. To target assistance, benefits and services to families receiving assistance in the public housing and Section 8 tenant-based assistance program to achieve self-sufficiency; and
- B. To provide written verification to the LaGrange Housing Authority concerning welfare benefits for families applying for or receiving assistance in our housing assistance programs.

## ***11.6 COOPERATING WITH LAW ENFORCEMENT AGENCIES***

The LaGrange Housing Authority will comply, on a case-by case basis, with information requests from federal, state or local law enforcement officers regarding possible fugitive felons and/or a parole or probation violators. The LHA Authority will supply upon legitimate request (1) the current address, (2) household composition, and (3) photograph (if available) of any recipient of assistance.

A. The federal, state or local enforcement officer must submit a request that is (1) written, (2) on law enforcement agency letterhead, and (3) is signed by the requesting office and his or her immediate supervisor. The request for information must provide the name of the fugitive felon and/or parole or probation violator being sought may include other personal information used for identification. The request should also comply with the following information.

B. The law enforcement agency shall notify LHA that the fugitive felon and/or parole or probation violator (i) is fleeing to avoid prosecution, custody or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, is high misdemeanor; or (ii) is violating a condition of probation or parole imposed under federal or state law; or (iii) has that is necessary for the officer to conduct his/her official duties;

C. The request is made in the proper exercise of the law enforcement agency's official duties.

D. Appropriate forms will be presented for key requests.

## **12.0 VERIFICATION**

The LaGrange Housing Authority will verify information related to waiting list preferences, eligibility, admission, and level of benefits prior to admission. Periodically during occupancy, items related to eligibility and rent determination shall also be reviewed and verified. Income, assets, and expenses will be verified, as well as disability status, need for a live-in aide and other reasonable accommodations; full-time student status of family members 18 years of age and older; Social Security numbers; and citizenship/eligible non-citizen status. Age and relationship will only be verified in those instances where needed to make a determination of level of assistance.

### ***12.1 ACCEPTABLE METHODS OF VERIFICATION***

Age, relationship, U.S. citizenship, and Social Security numbers will generally be verified with documentation provided by the family. Verification of these items will include photocopies of the Social Security cards and other documents presented by the family, the INS SAVE approval code, and forms signed by the family.

Other information will be verified by the following five verification methods acceptable to HUD, in order of preference indicated:

### **1. Up-front Income Verifications (UIV)**

UIV is the verification of income through an independent source that systematically maintains income information in computerized form for a large number of individuals.

Current UIV resources include the following:

- a. Tenant Assessment Subsystem (TASS) – HUD’s on line system for Social Security and Supplemental Security Income information.
- b. State Wage Information Collection Agencies
- c. State systems for the Temporary Assistance for Needy Families program
- d. Credit Bureau Information credit reports
- e. Internal Revenue Service Letter 1722
- f. Private sector databases

The LHA will use additional UIV resources as they become available.

### **2. Third-Party Written Verifications**

This type of verification includes written documentation, with forms sent directly to and received from a source, not passed through the hands of the family. It may also be a report generated automatically by another government agency, i.e., Department of Welfare, Veterans Administration, etc.

Third-party written verification may also be used to supplement Up-front Income Verification.

Third party verification of SS and SSI benefits shall be obtained by getting a copy of an official Social Security Administration letter of benefits from the person receiving the benefits and verification from HUD’s on-line systems. If either of these forms of verifications are not obtainable, then the file shall be documented as to why third party verification was not used.

The LHA will allow 2 business weeks for the return of third party written verifications prior to continuing on to the next type of verification.

### **3. Third-Party Oral Verifications**

This type of verification includes direct contact with the source, in person or by telephone. When this method is used, staff members will be required to document in writing with whom they spoke, the date of the conversation and the facts obtained.

The LHA will allow 2 calendar weeks for the return of third party oral verifications prior to continuing on to the next type of verification.

**4. Review of Documents**

When UIV, written and oral third party verifications are not available within the two week period allowed in paragraphs 2 and 3 above, the LHA will use the information received by the family, provided that the documents provide complete information. Photocopies of the documents, excluding government checks, provided by the family will be maintained in the file. In cases in which documents are viewed and cannot be photocopied, staff reviewing the documents will complete a written statement as to the contents of the document(s).

**5. Self-Certification and Self-Declaration**

When UIV, written and oral third party verifications are not available within the within the two week period allowed in paragraphs 2 and 3 above, and hand –carried verification cannot be obtained, the LHA will accept a statement detailing information needed, signed by the head, spouse, co-head, or other adult family member.

Verification forms and reports received will be contained in the applicant/tenant file. Oral third party documentation will include the same information as if the documentation had been written, i.e. name, date of contact, amount received, etc.

When any verification method other than Up-Front Income Verification is utilized, the LHA will document the reason for the choice of the verification methodology in the applicant/resident’s file.

**12.2 TYPES OF VERIFICATION**

The chart below outlines the factors that may be verified and gives common examples of the verification that will be sought. To obtain written third party verification, the LaGrange Housing Authority will send a request form to the source along with a release form signed by the applicant/tenant via first class mail or facsimile.

Verification Requirements for Individual Items		
Item to Be Verified	3 <sup>rd</sup> party verification	Hand-carried verification
<b>General Eligibility Items</b>		
Social Security Number	Letter from Social Security,	Social Security card or a third

Verification Requirements for Individual Items		
Item to Be Verified	3 <sup>rd</sup> party verification	Hand-carried verification
	electronic reports	party document stating the Social Security Number
Citizenship	N/A	Signed certification, voter's registration card, birth certificate, etc.
Eligible immigration status	INS SAVE confirmation #	INS card
Disability	Letter from medical professional, SSI, etc	Proof of SSI or Social Security disability payments
Full time student status (if >18)	Letter from school	For high school and/or college students, any document evidencing enrollment
Need for a live-in aide	Letter from doctor or other professional knowledgeable of condition	N/A
Childcare costs	Letter from care provider	Bills and receipts
Disability assistance expenses	Letters from suppliers, care givers, etc.	Bills and records of payment
Medical expenses	Letters from providers, prescription record from pharmacy, medical professional's letter stating assistance or a companion animal is needed	Bills, receipts, records of payment, dates of trips, mileage log, receipts for fares and tolls
Value of and Income from Assets		
Savings, checking accounts	Letter from institution	Passbook, most current statements
CDS, bonds, etc	Letter from institution	Tax return, information brochure from institution, the CD, the bond
Stocks	Letter from broker or holding company	Stock or most current statement, price in newspaper or through Internet

Verification Requirements for Individual Items		
Item to Be Verified	3 <sup>rd</sup> party verification	Hand-carried verification
Real property	Letter from tax office, assessment, etc.	Property tax statement (for current value), assessment, records or income and expenses, tax return
Personal property	Assessment, bluebook, etc	Receipt for purchase, other evidence of worth
Cash value of whole life insurance policies	Letter from insurance company	Current statement
Assets disposed of for less than fair market value	N/A	Original receipt and receipt at disposition, other evidence of worth
<b>Income</b>		
Earned income	Letter from employer	Multiple pay stubs
Self-employed	N/A	Tax return from prior year, books of accounts
Regular gifts and contributions	Notarized letter from source (if individual), letter from organization receiving gift (i.e., if grandmother pays day care provider, the day care provider could so state)	Bank deposits, other similar evidence
Alimony/child support	Court order, letter from source (notarized if from individual), letter from Human Services	Record of deposits, divorce decree
Periodic payments (i.e., social security, welfare, pensions, workers compensation, unemployment)	Letter or electronic reports from the source	Award letter, letter announcing change in amount of future payments
Training program participation	Letter from program provider indicating - whether enrolled or completed - whether training is HUD-funded - whether Federal, State, local gov., or local program	N/A

Verification Requirements for Individual Items		
Item to Be Verified	3 <sup>rd</sup> party verification	Hand-carried verification
	<ul style="list-style-type: none"> <li>- whether it is employment training</li> <li>- whether it has clearly defined goals and objectives</li> <li>- whether program has supportive services</li> <li>- whether payments are for out-of-pocket expenses incurred in order to participate in a program</li> <li>- date of first job after program completion</li> </ul>	Evidence of job start

### **12.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NONCITIZEN STATUS**

The citizenship/eligible non-citizen status of each family member regardless of age must be determined.

Prior to being admitted, or at the first reexamination, all citizens and nationals will be required to sign a declaration under penalty of perjury. They will be required to show proof of their status by such means as a birth certificate, military ID, or military DD 214 Form.

Prior to being admitted or at the first reexamination, all eligible non-citizens who are 62 years of age or older will be required to sign a declaration under penalty of perjury. They will also be required to show proof of age.

Prior to being admitted or at the first reexamination, all eligible non-citizens must sign a declaration of their status and a verification consent form and provide their original INS documentation. The LaGrange Housing Authority will make a copy of the individual's INS documentation and place the copy in the file. The LaGrange Housing Authority will also verify their status through the INS SAVE system. If the INS SAVE system cannot confirm eligibility, the LaGrange Housing Authority will mail information to the INS in order that a manual check can be made of INS records.

Family members who do not claim to be citizens, nationals, or eligible non-citizens must be listed on a statement of non-eligible members and the list must be signed by the head of the household.

Non-citizen students on student visas, though in the country legally, are not eligible to be admitted to public housing. If they are members of families that include citizens, the rent must be pro-rated.

Any family member who does not choose to declare their status must be listed on the

statement of non-eligible members.

If no family member is determined to be eligible under this section, the family's eligibility will be denied.

The family's assistance will not be denied, delayed, reduced, or terminated because of a delay in the process of determining eligible status under this section, except to the extent that the delay is caused by the family.

If the LaGrange Housing Authority determines that a family member has knowingly permitted an ineligible non-citizen (other than any ineligible non-citizens listed on the lease) to permanently reside in their public housing unit, the family will be evicted. Such family will not be eligible to be readmitted to public housing for a period of 24 months from the date of eviction or termination.

#### ***12.4 VERIFICATION OF SOCIAL SECURITY NUMBERS***

Prior to admission, each family member who has a Social Security number and who is at least 6 years of age must provide verification of their Social Security number. New family members at least 6 years of age must provide this verification prior to being added to the lease. Children in assisted households must provide this verification at the first regular reexamination after turning six.

The best verification of the Social Security number is the original Social Security card. If the card is not available, the LaGrange Housing Authority will accept letters from the Social Security Agency that establishes and states the number. Documentation from other governmental agencies will also be accepted that establishes and states the number. Driver's licenses, military IDs, passports, or other official documents that establish and state the number are also acceptable.

If an individual states that they do not have a Social Security number, they will be required to sign a statement to this effect. The LaGrange Housing Authority will not require any individual who does not have a Social Security number to obtain a Social Security number.

If a member of an applicant family indicates they have a Social Security number, but cannot readily verify it, the family cannot be housed until verification is provided.

If a member of a tenant family indicates they have a Social Security number, but cannot readily verify it, they shall be asked to certify to this fact and shall have up to thirty (30) calendar days to provide the verification. If the individual fails to provide the verification within the time allowed, the family will be evicted.

## **12.5 TIMING OF VERIFICATION**

Verification information must be dated within ninety (90) calendar days of certification or reexamination. If the verification is older than this, the source will be contacted and asked to provide information regarding any changes.

When an interim reexamination is conducted, the Housing Authority will verify and update all information related to family circumstances and level of assistance. (Or, the Housing Authority will only verify and update those elements reported to have changed.)

## **12.6 FREQUENCY OF OBTAINING VERIFICATION**

Household composition will be verified annually.

For each family member, citizenship/eligible non-citizen status will be verified only once unless the family member is an eligible immigrant in a transitional stage of admission. In this situation, their status must be updated until they are admitted for permanent residency. This verification will be obtained prior to admission. If the status of any family member was not determined prior to admission, verification of their status will be obtained at the next regular reexamination. Prior to a new member joining the family, their citizenship/eligible non-citizen status will be verified.

For each family member age 6 and above, verification of Social Security number will be obtained only once. This verification will be accomplished prior to admission. When a family member who did not have a Social Security number at admission receives a Social Security number, that number will be verified at the next regular reexamination. Likewise, when a child turns six, their verification will be obtained at the next regular reexamination.

## **13.0 DETERMINATION OF TOTAL TENANT PAYMENT AND TENANT RENT**

### **13.1 FAMILY CHOICE**

At admission and each year in preparation for their annual reexamination, each family is given the choice of having their rent determined under the income method or having their rent set at the flat rent amount.

- A. Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they would otherwise undergo. Their family composition must still be reviewed annually.
- B. Families who opt for the flat rent may request to have a reexamination and return to the income based method at any time for any of the following reasons:

1. The family's income has decreased.
  2. The family's circumstances have changed increasing their expenses for childcare, medical care, etc.
  3. Other circumstances creating a hardship on the family such that the income method would be more financially feasible for the family.
- C. Families have only one choice per year except for financial hardship cases. In order for families to make informed choices about their rent options, the LHA will provide them with the following information whenever they have to make rent decisions:
1. The LaGrange Housing Authority will furnish a Rent Choice Letter.
  2. The dollar amount of tenant rent for the family under each option. If the family chose a flat rent for the previous year, the LaGrange Housing Authority will provide the amount of income-based rent for the subsequent year only the year the LaGrange Housing Authority conducts an income reexamination or if the family specifically requests it and submits updated income information.

### **13.2 THE INCOME METHOD**

The total tenant payment is equal to the highest of:

- A. 10% of the family's monthly income;
- B. 30% of the family's adjusted monthly income; or
- C. The minimum rent of \$50.00.

### **13.3 MINIMUM RENT**

The LaGrange Housing Authority has set the minimum rent at \$50.00. If the family requests a hardship exemption, however, the LaGrange Housing Authority will suspend the minimum rent beginning the month following the family's request until the Housing Authority can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature.

- A. A hardship exists in the following circumstances:
  1. When the family has lost eligibility (does not include sanction) for or is waiting an eligibility determination for a Federal, State, or local assistance program, including a family that includes a member who is a non-citizen

lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for title IV of the Personal Responsibility and Work Opportunity Act of 1996;

2. When the family would be evicted because it is unable to pay the minimum rent;
  3. When the income of the family has decreased because of changed circumstances, including loss of employment; and
  4. When a death has occurred in the immediate family.
- B. No hardship. If the Housing Authority determines there is no qualifying hardship, the minimum rent will be reinstated, including requiring back payment of minimum rent for the time of suspension.
- C. Temporary hardship. If the Housing Authority reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will be not be imposed for a period of 90 calendar days from the beginning of the suspension of the minimum rent. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. The Housing Authority will offer a repayment agreement in accordance with Section 19 of this policy for any rent not paid during the period of suspension. During the suspension period the Housing Authority will not evict the family for nonpayment of the amount of tenant rent owed for the suspension period.
- D. Long-term hardship. If the Housing Authority determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists.
- E. Appeals. The family may use the grievance procedure to appeal the Housing Authority's determination regarding the hardship. No escrow deposit will be required in order to access the grievance procedure.

#### **13.4 THE FLAT RENT**

The LaGrange Housing Authority has set a flat rent for each public housing unit. In doing so, it considered the size and type of the unit, as well as its age, condition, amenities, services, and neighborhood. The LaGrange Housing Authority determined the market value of the unit and set the rent at the market value. The amount of the flat rent will be reevaluated annually and adjustments applied. Affected families will be given a 30-day notice of any rent change. Adjustments are applied at the end of the annual lease (for more information on flat rents, see Section 15.3).

The LaGrange Housing Authority will post the flat rents at each of the developments and at the central office. Flat rents are incorporated in this policy upon approval by the Board of Commissioners.

There is no utility allowance for families paying a flat rent because the LaGrange Housing Authority has already factored who pays for the utilities into the flat rent calculation..

### **13.5 RENT FOR FAMILIES UNDER THE NONCITIZEN RULE**

A mixed family will receive full continuation of assistance if all of the following conditions are met:

- A. The family was receiving assistance on June 19, 1995;
- B. The family was granted continuation of assistance before November 29, 1996;
- C. The family's head or spouse has eligible immigration status; and
- D. The family does not include any person who does not have eligible status other than the head of household, the spouse of the head of household, any parent of the head or spouse, or any child (under the age of 18) of the head or spouse.

The family's assistance is prorated in the following manner:

- A. Determine the 95<sup>th</sup> percentile of gross rents (tenant rent plus utility allowance) for the LaGrange Housing Authority. The 95<sup>th</sup> percentile is called the maximum rent.
- B. Subtract the family's total tenant payment from the maximum rent. The resulting number is called the maximum subsidy.
- C. Divide the maximum subsidy by the number of family members and multiply the result times the number of eligible family members. This yields the prorated subsidy.
- D. Subtract the prorated subsidy from the maximum rent to find the prorated total tenant payment. From this amount subtract the full utility allowance to obtain the prorated tenant rent.

### **13.6 UTILITY ALLOWANCE**

The LaGrange Housing Authority shall establish a utility allowance for all check-metered utilities and for all tenant-paid utilities. The allowance will be based on a reasonable consumption of utilities by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful environment. In setting the allowance, the LaGrange Housing Authority will review the actual consumption of tenant families as well as changes made or anticipated due to modernization (weatherization efforts, installation of energy-efficient appliances, etc). Allowances will be evaluated at least annually as well as any time utility rate changes by 10% or more

since the last revision to the allowances.

The utility allowance will be subtracted from the family's income-based rent to determine the amount of the Tenant Rent. The Tenant Rent is the amount the family owes each month to the LaGrange Housing Authority. The amount of the utility allowance is then still available to the family to pay the cost of their utilities. Any utility cost above the allowance is the responsibility of the tenant. Any savings resulting from utility costs below the amount of the allowance will be paid directly to the utility companies.

Utility allowance revisions based on rate changes shall be effective retroactively to the first day of the month following the month in which the last rate change took place. Revisions based on changes in consumption or other reasons shall become effective at each family's next annual reexamination.

Families with high utility costs are encouraged to contact the LaGrange Housing Authority for an energy analysis. The analysis may identify problems with the dwelling unit that once corrected will reduce energy costs. The analysis can also assist the family in identifying ways they can reduce their costs.

Requests for relief from surcharges for excess consumption from payment of utility supplier billings in excess of the utility allowance for tenant-paid utility costs may be granted by the LaGrange Housing Authority on reasonable grounds. Requests shall be granted to families that include an elderly member or a member with disabilities. Requests by the family shall be submitted under the Reasonable Accommodation Policy. Families shall be advised of their right to individual relief at admission to public housing and at time of utility allowance changes.

### **13.7 PAYING RENT**

Rent and other charges are due and payable on the first day of the month. All rents should be paid at the housing authority offices. A drop box is available for check/money order payments. Reasonable accommodations for this requirement will be made for persons with disabilities. As a safety measure, no cash shall be accepted as a rent payment. Checks or money orders will be accepted for nonpayment of rent, payment of rent and payment of charges. When a check is accepted by the housing authority and returned by the bank for insufficient funds, only a money order or cashier check will be accepted in payment of a dispossessory warrant.

If the rent is not paid by the fifth operating day of the month, a 14 day notice of termination of dwelling lease letter is issued including a late charge of \$10.00 will be assessed to the tenant. If rent is paid by a personal check and the check is returned for insufficient funds, this shall be considered a non-payment of rent and will incur the late charge. Checks returned for insufficient funds will be charged a processing cost.

When two checks returned for insufficient funds within a 12 month period, payment must be made by cashier check or money order.

### **13.8 RENT CREDITS**

Any monies remaining monthly will be sent to the utility supplier in payment of utility services.

## **14.0 COMMUNITY SERVICE**

### **14.1 GENERAL**

***IT IS THE POLICY OF LAGRANGE HOUSING AUTHORITY (LHA) TO ENHANCE AND PROMOTE ECONOMIC AND SOCIAL SELF-SUFFICIENCY.***

The Quality Housing and Work Responsibility Act of 1998 requires that all non-exempt (see definitions) public housing adult residents (18 or older) contribute eight (8) hours per month of community service (volunteer work) or participate in eight (8) hours of training, counseling, classes or other activities that help an individual toward self sufficiency and economic independence. This is a requirement of the public housing lease.

### **14.2 VOLUNTEER OPPORTUNITIES**

Community service includes performing work or duties in the public benefit that serve to improve the quality of life and/or enhance resident self-sufficiency, and/or increase the self-responsibility of the resident within the community. Community Service does not include political activities.

An economic self sufficiency program is one that is designed to encourage, assist, train or facilitate the economic independence of participants and their families or to provide work for participants. These programs may include programs for job training, work placement, basic skills training, education, English proficiency, work fare, financial or household management, apprenticeship, and any program necessary to ready a participant to work (such as substance abuse or mental health treatment).

The LaGrange Housing Authority will coordinate with local social service agencies and local schools in identifying a list of volunteer community service positions.

Together with the resident advisory council, the LaGrange Housing Authority may create volunteer positions such as litter patrols, monitoring in the after school programs and supervising and record keeping for volunteers.

### **14.3 NOTIFICATION OF THE REQUIREMENT**

The LaGrange Housing Authority shall identify all adult family members who are apparently not exempt from the community service requirement.

The LaGrange Housing Authority shall notify all such family members of the community service requirement and of the categories of individuals who are exempt from the

requirement. The notification will provide the opportunity for family members to claim and explain an exempt status. The LaGrange Housing Authority shall verify such claims.

The notification will advise families that their community service obligation will begin upon the effective date of their first annual reexamination on or after 10/1/99. For family's paying a flat rent, the obligation begins on the date their annual reexamination would have been effective had an annual reexamination taken place. It will also advise them that failure to comply with the community service requirement will result in ineligibility for continued occupancy at the time of any subsequent annual reexamination.

#### **14.4 DEFINITIONS**

**A. Community Service -** volunteer work, which includes, but is not limited to:

- Work at a local institution including but not limited to: school, child care center, hospital, hospice, recreation center, senior center, adult day care center, homeless shelter, indigent feeding program, cooperative food bank, etc
- Work with a non-profit organization that serves public housing residents or children such as Boy Scouts, Girl Scouts, Boy or Girls clubs, 4-H program, garden centers, community clean-up programs, beautification programs, other youth or senior organizations.
- Work at the housing authority to help improve physical conditions
- Work at the housing authority to help with children's programs
- Work at the housing authority to help with senior programs
- Helping neighborhood groups with special projects
- Working through resident organization to help other residents with problems, serving as an officer in a resident organization, serving on the Resident Advisory Board
- Caring for the children of other residents so they may volunteer, work, or attend school

**B. Self-Sufficiency Activities -** activities that include, but are not limited to:

- Job readiness programs
- Job training programs
- GED classes
- Substance abuse or mental health counseling
- English proficiency or literacy (reading classes)
- Apprenticeships
- Budgeting and credit counseling
- Any kind of class that helps a person toward economic independence
- Full-time student status any school, college or vocational school

**C. Exempt Adult -** an adult member (age 18 and over) of the family who

- Is under 62 years of age or older
- Is a blind or disabled individual as defined under the Social Security Act
- Is a primary caretaker of a blind or disabled individual
- Is a full-time student

- Is engaged in a work activity of 22 hours or more weekly
- Is participating in a state welfare-to-work program
- Is receiving assistance under a state program and in compliance with such a program

**D. Change in status**

- Non-exempt to Exempt

If, during the (12) twelve-month period, a non-exempt person becomes exempt, it is his/her responsibility to report this to the Authority and provide documentation.

- Exempt to Non-exempt

If, during the (12) twelve-month period, an exempt person becomes non-exempt, it is his/her responsibility to report this to the Authority. The Authority will provide the person with the Recording/Certification documentation form and a list of agencies in the community that provide volunteer and/or training opportunities.

The family will be asked to sign certification of status. Documentation of status will also be required and verified.

**14.5 THE PROCESS**

At the first annual reexamination on or after October 1, 1999, and each annual reexamination thereafter, the LaGrange Housing Authority to the greatest extent possible and practicable will do the following:

- A. Provide names and contacts at agencies that can provide opportunities for residents, including disabled, to fulfill their Community Service obligations. *(According to the Quality Housing and Work Responsibility Act, a disabled person who is otherwise able to be gainfully employed is not necessarily exempt from the Community Service Requirement)* and provide in-house opportunities for volunteer work of self-sufficiency programs
- B. Provide a volunteer time sheet to the family member for completion by the authorized agency representative. Instructions for the time sheet require the family member to date and sign the form.
- C. Assign family members to a volunteer coordinator who will assist the family members in identifying appropriate volunteer positions and in meeting their responsibilities. The volunteer coordinator will track the family member's progress monthly and will meet with the family member as needed to best encourage compliance.

- D. Thirty (30) days before the family's next lease anniversary date, the volunteer coordinator will advise the LaGrange Housing Authority whether each applicable adult family member is in compliance with the community service requirement.
- E. The housing authority will make the final determination as to whether or not a family member is exempt from the Community Service Requirement

#### **14.6 NOTIFICATION OF NON-COMPLIANCE WITH COMMUNITY SERVICE REQUIREMENT**

- a) At least thirty (30) days prior to annual re-examination and/or lease expiration, the housing authority will begin reviewing the exempt or non-exempt status and compliance of family members
- b) If the housing authority finds a family member to be in noncompliance, the housing authority will enter into an agreement with the noncompliance member and the head of household to make up the deficient hours over the next twelve (12) month period
- c) If any applicable family member does not accept the terms of the agreement, does not fulfill their obligation to participate in an economic self-sufficiency program, or falls behind in their obligation under the agreement to perform community service, the LaGrange Housing Authority shall take action to terminate the lease.
- d) If at the next annual re-examination, the family member still is not compliant, the lease will not be renewed and the entire family will have to vacate, unless the noncompliance member agrees to move out of the apartment

#### **14.7 PROHIBITION AGAINST REPLACEMENT OF AGENCY EMPLOYEES**

In implementing the service requirement, the LaGrange Housing Authority may not substitute community service or self-sufficiency activities performed by residents for work ordinarily performed by its employees or replace a job at any location where residents perform activities to satisfy the service requirement.

#### **15.0 RECERTIFICATIONS**

At least annually, the LaGrange Housing Authority will conduct a reexamination of family income and circumstances. The results of the reexamination determine (1) the rent the family will pay, and (2) whether the family is housed in the correct unit size.

##### **15.1 GENERAL**

The LaGrange Housing Authority will send a notification letter to the family letting them know that it is time for their annual reexamination, giving them the option of selecting either the flat rent or income method, and scheduling an appointment if they are currently

paying an income rent. If the family thinks they may want to switch from a flat rent to an income rent, they should request an appointment. At the appointment, the family can make their final decision regarding which rent method they will choose. The letter also includes, for those families paying the income method, forms for the family to complete in preparation for the interview. The letter includes instructions permitting the family to reschedule the interview if necessary.

During the appointment, the LaGrange Housing Authority will determine whether family composition may require a transfer to a different bedroom size unit, and if so, the family's name will be placed on the transfer list.

### **15.2 MISSED APPOINTMENTS**

If the family fails to respond to the letter and fails to attend the interview, a second letter will be mailed. The second letter will advise of a new time and date for the interview, allowing for the same considerations for rescheduling and accommodation as above. The letter will also advise that failure by the family to attend the second scheduled interview will result in the LaGrange Housing Authority taking eviction actions against the family.

### **15.3 FLAT RENTS**

The annual letter to flat rent payers regarding the reexamination process will state the following:

- A. Each year at the time of the annual reexamination, the family has the option of selecting a flat rent amount in lieu of completing the reexamination process and having their rent based on the income amount.
- B. The amount of the flat rent.
- C. A fact sheet about income rents that explains the types of income counted, the most common types of income excluded, and the categories of allowances that can be deducted from income.
- D. Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they otherwise would undergo.
- E. Families who opt for the flat rent may request to have a reexamination and return to the income based method at any time for any of the following reasons:
  - 1. The family's income has decreased.
  - 2. The family's circumstances have changed increasing their expenses for childcare, medical care, etc.

3. Other circumstances creating a hardship on the family such that the income method would be more financially feasible for the family.
- F. The dates upon which the LaGrange Housing Authority expects to review the amount of the flat rent, the approximate rent increase the family could expect, and the approximate date upon which a future rent increase could become effective.
  - G. The name and phone number of an individual to call to get additional information or counseling concerning flat rents.
  - H. A certification for the family to sign accepting or declining the flat rent.

Each year prior to their anniversary date, LaGrange Housing Authority will send a reexamination letter to the family offering the choice between a flat rent or an income rent. The opportunity to select the flat rent is available only at this time. At the appointment, the LaGrange Housing Authority may assist the family in identifying the rent method that would be most advantageous for the family.

#### **15.4 THE INCOME METHOD**

During the interview, the family will provide all information regarding income, assets, deductions (eligible expenses), and other information necessary to determine the family's share of rent. The family will sign the HUD consent form and other consent forms that later will be mailed to the sources that will verify the family circumstances.

Upon receipt of verification, the LaGrange Housing Authority will determine the family's annual income and will calculate their rent as follows.

The total tenant payment is equal to the highest of:

- A. 10% of the family's monthly income;
  - B. 30% of the family's adjusted monthly income;
- or
- D. The minimum rent.

The family shall be informed of the results of the rent calculation under both the Income Method and the Flat Rent and given their choice of which rent to pay.

#### **15.5 EFFECTIVE DATE OF RENT CHANGES FOR ANNUAL REEXAMINATIONS**

The new rent will generally be effective upon the anniversary date with thirty (30) calendar days notice of any rent increase to the family.

If the rent determination is delayed due to a reason beyond the control of the family, then

any rent increase will be effective the first of the month after the month in which the family receives a 30-day notice of the amount. If the new rent is a reduction and the delay is beyond the control of the family, the reduction will be effective as scheduled on the anniversary date.

If the family caused the delay, then any increase will be effective on the anniversary date. Any reduction will be effective the first of the month after the rent amount is determined.

## **15.6 INTERIM REEXAMINATIONS**

During an interim reexamination, only the information affected by the changes being reported will be reviewed and verified.

Families are required to report the following changes to the LaGrange Housing Authority between regular reexaminations. If the family's rent is being determined under the income method, these changes will trigger an interim reexamination. The family shall report these changes within ten (10) calendar days of their occurrence.

- A. A member has been added to the family through birth or adoption or court-awarded custody.
- B. A household member is leaving or has left the family unit.

In order to add a household member other than through birth, adoption, or court-awarded custody, the family must request that the new member be added to the lease. Before adding the new member to the lease, the individual must complete an application form stating their income, assets, and all other information required of an applicant. The individual must provide their Social Security number if they have one and must verify their citizenship/eligible immigrant status. (Their housing will not be delayed due to delays in verifying eligible immigrant status other than delays caused by the family.) The new family member will go through the screening process similar to the process for applicants. The LaGrange Housing Authority will determine the eligibility of the individual before adding them to the lease. If the individual is found to be ineligible or does not pass the screening criteria, they will be advised in writing and given the opportunity for an informal review. If they are found to be eligible and do pass the screening criteria, their name will be added to the lease. At the same time, if the family's rent is being determined under the income method, the family's annual income will be recalculated taking into account the circumstances of the new family member. The effective date of the new rent will be in accordance with Section 15.8.

A resident requesting a live-in-aide will be required to provide verification of the need for a live-in-aide. In addition, before approval of the live-in-aide, the individual (live-in-aide) must complete an application form for purposes of determining citizenship/eligible immigrant status and the live-in-aide will go through the screening process similar to the process for applicants. The LaGrange Housing Authority will determine the eligibility of the live-in-aide before approval can be granted. If the individual is found to be ineligible

or does not pass the screening criteria, the resident will be advised in writing and given the opportunity for an informal review. Under no circumstances will the live-in-aide be added to the lease or be considered the last remaining member of a tenant family.

C. Families experience an income increase by a new source for any member.

D. Families experience an income increase from the same source of income 10% or above.

Families are not required to, but may at any time, request an interim reexamination based on a decrease in income, an increase in allowable expenses, or other changes in family circumstances. Upon such request, the LaGrange Housing Authority will take timely action to process the interim reexamination and recalculate the tenant's rent.

### ***15.7 SPECIAL REEXAMINATIONS***

If a family's income is too unstable to project for twelve (12) months, including families that temporarily have no income (0 renters) or have a temporary decrease in income, the LaGrange Housing Authority may schedule special reexaminations/interviews every 90 days until the income stabilizes and an annual income can be determined.

### ***15.8 EFFECTIVE DATE OF RENT CHANGES DUE TO INTERIM OR SPECIAL REEXAMINATIONS***

Unless there is a delay in reexamination processing caused by the family, any rent increase will be effective the first of the second month after the month in which the family receives notice of the new rent amount. If the family causes a delay, then the rent increase will be effective on the date it would have been effective had the process not been delayed (even if this means a retroactive increase).

If the new rent is a reduction and any delay is beyond the control of the family, the reduction will be effective the first of the month after the interim reexamination should have been completed.

If the new rent is a reduction and the family caused the delay or did not report the change in a timely manner, the change will be effective the first of the month after the rent amount is determined.

### ***15.9 HOUSING AUTHORITY MISTAKES IN CALCULATING RENT***

If the LHA makes a mistake in calculating a resident's rent contribution and overcharges the resident, the resident shall receive a refund for the amount of the mistake going back a maximum of twelve (12) months. The refund shall be given to the resident as soon as practical or credited to the resident's account, whichever the resident desires unless the resident owes the LHA money in which case the debt shall be offset to the degree possible before the resident chooses between the two refund methods.

## 16.0 UNIT TRANSFERS

Reassignment or transfers to other dwelling units shall be made without regard to race, color, or national origin.

### 16.1 Objectives of the Transfer Policy

- a. To fully utilize available housing resources while avoiding overcrowding by insuring that each family occupies the appropriately sized unit.
- b. To facilitate human relocation when required for modernization or other management purposes.
- c. To eliminate vacancy loss and other expense due to unnecessary transfers.+

### 16.2 Types of Transfers

- a. Authority Initiated- The Housing Authority may at its discretion transfer residents because of an uninhabitable unit, major repairs, or other actions initiated by management for the following reasons. A resident shall not be transferred to a unit that is not decent, safe, and sanitary or that has not met Housing Quality Standards. Additionally, a resident may refuse a proposed transfer for cause, such as the long distance from his/her employer.
  - (i) In the event of a fire, accident or natural disaster that results in the dwelling unit becoming uninhabitable, the resident will be offered alternative accommodations within the neighborhood if a rentable unit in the appropriate size is available. If the appropriate size is not available, the family may be overhoused but placed on the transfer list with the transfer being accomplished at the appropriate time. If no unit is available within the neighborhood, the family may be transferred to an appropriate unit available at another Housing Authority-owned neighborhood. If the move is to a site where residents purchase all or some utilities, the resident will pay the cost of any deposit required by the utility company.
  - (ii) When a resident is transferred because the unit has become uninhabitable, the management of the Housing Authority shall determine the cause of the condition of the unit for the purpose of deciding whether relocation assistance may be offered to the resident and whether the transfer shall be considered permanent. Based on this determination, the following actions will be taken:
    - (a) If the condition of the unit is the fault of the Housing Authority, the resident shall be provided with relocation assistance such as the cartage of household goods, the cost and methods of which are to be determined by management. The resident will normally be offered the opportunity to return to his original unit at his own expense, assuming that the unit can be rehabilitated and is still the appropriate size for the family.

- (b) If the condition of the unit is the fault of neither the Housing Authority nor the resident, as in the case of a natural disaster, the Housing Authority may provide such relocation assistance as management deems appropriate. A transfer to correctly sized apartment will be considered permanent.
- (c) If the condition of the unit was caused by the resident, his family or guests, no relocation assistance will be provided and the resident may be charged for all damages to Housing Authority property. A transfer to a correctly sized apartment will be considered permanent.
- (iii) If a site requires modernization type work that necessitates vacating apartments, the affected resident will be relocated at the Housing Authority's expense in available vacant units within the Housing Authority. If determined feasible by management, the Housing Authority will attempt to relocate affected residents into vacant units within the site. Other decisions related to modernization transfers will be made by the PHA Board of Commissioners and the Executive Director or his/her designee. The Housing Authority may suspend normal transfer procedures to facilitate modernization type activities.

b. Transfers for Approved Medical Reasons

A resident who desires to relocate on advice of a physician may request a transfer with the PHA, however, the resident must provide the PHA with verification from an approved physician. The PHA will offer the unit size specified by the physician, if applicable. If the resident does not accept this unit size, the Authority has met its obligation.

c. Transfers to Appropriately Sized Unit

If a tenant's family composition NO LONGER conforms to the Housing Authority's Occupancy standards for the unit occupied, the PHA may require the tenant to move into a unit of appropriate size. This section establishes both that the Housing Authority has an obligation to transfer residents to the appropriately sized unit and that residents are obligated to accept such transfers. These will be made in accordance with the following principles:

- (i) Determination of the correctly sized apartment shall be in accordance with the Housing Authority's occupancy Standards.
- (ii) Transfers into the appropriately sized unit will be made within the same neighborhood unless that size unit does not exist on the site.
- (iii) The PHA may, at its discretion, separate a single household into multiple households if sufficiently large units are not available or if management and the family determine this to be in the interest of both the family and the neighborhood. Based on the selection criteria for new admissions. Management shall determine that each

smaller family unit is eligible by HUD definition and contains a leaseholder capable of discharging lease obligations.

- (iv) The number of units offered to a family transferring will be one (1) unless there is a hardship situation as determined by PHA. If the resident refuses the dwelling unit offered, the lease may be terminated by management.
- (v) Families with children in school being transferred outside their current neighborhood will not be required to move until the current school year is finished if the Housing Authority determined that a transfer would cause a hardship top the family.
- (vi) Transfers shall be made to correct occupancy standards and shall take precedence over new admissions.
- (vii) Upon redetermination , the resident will be notified of any transfer to another dwelling unit and that such dwelling is available by receipt of a Notice of Termination from PHA with at least (15) days following the notice to transfer to the new dwelling.

d. Transfers for Non-handicapped families living in handicapped designated units.

- (i) The dwelling lease states what type of unit the resident family is residing in. If the unit leased is a handicapped designated unit and the tenant family occupying the unit is not a family with disabled individuals, the tenant agrees to transfer to a non-handicapped unit if and when the ;uni9t is needed for a handicapped family.
- (ii) The PHA may from time to time have an excess of handicapped accessible units. In an effort to get the best use of all units the PHA may from time to time rent a handicapped designated unit to a family that has no disabled members. The PHA will advise the family of the requirements to transfer if and when a handicapped designated family is determined eligible. If the family selected for the unit decides not to accept the unit because of the requirement to move at some date in the future, the refusal shall not count against the family.
- (iii) This section establishes both that the Housing Authority has an obligation to transfer non-handicapped residents residing in handicapped designated units to non-handicapped designated units and that the non-handicapped families are obligated to accept such transfers. These will be made in accordance with the following principles:
  - (a) Transfers into a non-handicapped designated unit will be made within the same neighbor hood unless that size unit does not exist on the site.
  - (b) Transfers to a non-handicapped designated unit may be made outside of the same neighborhood with tenant consent or unless no vacancies are expected within the same neighborhood within the next thirty (30) days.

- (c) Management may, at its discretion, separate a single household into multiple households if sufficiently large units are not available or if management and to family determine this to be in the interest of both the family and the neighborhood. Based on the selection criteria for new admissions, management shall determine that each smaller family unit is eligible by HUD definition and contain a legal leaseholder capable of discharging lease obligations.
- (d) The non-handicapped family may be provided with relocation assistance such as cartage of household goods and relocation expenses, the costs and methods of which are to be determined by management.
- (e) For the purposes of determining the priorities for transfers, this type of transfer shall be considered a Housing Authority initiated transfer.

e. Convenience Transfers:

Convenience transfers shall be granted within the following parameters:

- (i) The reason for the transfer must be based on employment, proximity to schools, proximity to medical services, or other validated need.
- (ii) The family will be given two weeks notice of anticipated nit availability; however,
- (iii) The move must be accomplished within two (2) calendar days of the actual availability of a unit or the family will lose the unit.
- (iv) The family must agree to pay any charges assessed as the result of repairs/redecoration (other than “normal wear and tear”) on the first of the second month following the month the family is notified of such charges, and
- (v) All moving costs associated with convenience transfers are to be borne by the family.

The resident shall not be transferred to a dwelling unit of equal size either within a complex or between complexes. Except for alleviating hardships as determined by the Executive Director or his/her designee. Convenience Transfers will be approved only if:

- (i) The resident has a positive rental history;
- (ii) The resident has no lease violations;
- (iii) All utilities are turned on;
- (iv) The resident’s history of written complaints or disturbances are minimal;

- (v) The resident has a history of good housekeeping.
- (vi) If applicable, the resident is on schedule with their work requirement.

### 16.3. Priorities for Transfers

- a. Within the eligible types of transfers, transfers shall be performed according to the following priorities:
  - (i) Housing Authority initiated transfers;
  - (ii) Residents who are underhoused by two bedrooms;
  - (iii) Medical transfers;
  - (iv) Residents who are overhoused by two bedrooms;
  - (v) Residents who are underhoused by one bedroom;
  - (vi) Residents who are overhoused b one bedroom; and
  - (vii) Convenience transfers
- b. The first three priorities always have priority over new move-ins.

The remainder shall be prioritized based on the need established by the PHA. In the case of and involuntary transfer, the date will be that on which management verifies that the change occurred. Management reserves the right to immediately transfer any family who has misrepresented family circumstances or composition. Whenever feasible, transfers will be made within a resident's current dwelling area.

### 16.4 Transfer Procedures

- a. The PHA staff:
  - (i) Prepare and prioritize a transfer list for each neighborhood monthly.
  - (ii) Notify residents by letter of their pending transfers or approval of transfer request.
  - (iii) Determine whether a vacancy is used for transfer or move-in,
  - (iv) Maintain transfer logs and records for audit.
  - (v) Notify residents with pending transfers as their name approaches the top of the list.

- (vi) Conduct home visits at the current dwelling unit for housekeeping.
  - (vii) Counsel with residents experiencing problems with transfers, assisting hardship cases to find assistance.
  - (viii) Participate in evaluation of requests for transfer based on approved medical reasons.
  - (ix) Issue final offer of vacant apartment as soon as vacant apartment is identified.
  - (x) Issue notice to transfer as soon as vacant apartment is available for occupancy.
  - (xi) Process transfer documents to appropriate PHA staff.
  - (xii) Participate in planning and implementation of special transfer systems for modernization and other similar programs.
  - (xiii) Inspect both apartment involved in the transfer, charging for any resident abuse.
  - (xiv) Family pays all outstanding charges due the PHA. The resident's security deposit may be transferred to the new dwelling unit provided the PHA does not claim all or any part of the security deposit. The resident shall pay all or any part of the security deposit from the original dwelling unit, or any balance remaining after any claims are made by the PHA.
  - (xv) Family signs new lease.
- b. Only one offer of an apartment will be made to each resident being transferred within his or her own neighborhood. A resident being transferred outside his or her own neighborhood will be allowed to refuse one offer only. In the case of a family being transferred from a unit which is uninhabitable, incorrectly sized, or scheduled for major repairs, failure to accept the unit offered, or the second unit offered in the case of a transfer outside the neighborhood, will be grounds for termination of the lease. When a person has requested a transfer for approved medical reasons declines the offer of such an apartment, the Housing Authority is not obligated to make any subsequent offers. The Housing Authority will notify the resident in such cases that the Housing Authority has discharged its obligations to the resident, that he remains in the apartment at his own risk, and that the Housing Authority assumes no liability for his condition.
- c. Any resident aggrieved by any action or inaction of the PHA relative to his/her transfer request may file a request for a hearing in accordance with the grievance procedure.

16.5. Right of Management to make Exceptions

This policy is to be used as a guide to insure fair and impartial means of assigning units for transfer. It is not intended that this policy shall create a property right or any other type of right for a resident

to transfer or refuse transfer. Management reserves the right to make exceptions to this policy as circumstances require, consistent with applicable regulations of the Department of Housing and Urban Development. Transfer disputes are subject to the grievance procedure. The Executive Director approves all transfers.

## **17.0 INSPECTIONS**

An authorized representative of the LaGrange Housing Authority and an adult family member will inspect the premises prior to commencement of occupancy. A written statement of the condition of the premises will be made, all equipment will be provided, and the statement will be signed by both parties with a copy retained in the LaGrange Housing Authority file and a copy given to the family member. An authorized LaGrange Housing Authority representative will inspect the premises at the time the resident vacates and will furnish a statement of any charges to be made provided the resident turns in the proper notice under State law. The resident's security deposit can be used to offset against any LaGrange Housing Authority damages to the unit.

### ***17.1 MOVE-IN INSPECTIONS***

The LaGrange Housing Authority and an adult member of the family will inspect the unit prior to signing the lease. Both parties will sign a written statement of the condition of the unit. A copy of the signed inspection will be given to the family and the original will be placed in the tenant file.

### ***17.2 ANNUAL INSPECTIONS***

The LaGrange Housing Authority will inspect each public housing unit annually to ensure that each unit meets the LaGrange Housing Authority's housing standards. Work orders will be submitted and completed to correct any deficiencies.

### ***17.3 PREVENTATIVE MAINTENANCE INSPECTIONS***

This is generally conducted along with the annual inspection. This inspection is intended to keep items in good repair. It checks weatherization; checks the condition of the smoke detectors, water heaters, furnaces, automatic thermostats and water temperatures; checks for leaks; and provides an opportunity to change furnace filters and provide other minor servicing that extends the life of the unit and its equipment.

### ***17.4 SPECIAL INSPECTIONS***

A special inspection may be scheduled to enable HUD or others to inspect a sample of the housing stock maintained by the LaGrange Housing Authority.

### **17.5 HOUSEKEEPING INSPECTIONS**

Generally, at the time of annual reexamination, or at other times as necessary, the LaGrange Housing Authority will conduct a housekeeping inspection to ensure the family is maintaining the unit in a safe and sanitary condition.

### **17.6 NOTICE OF INSPECTION**

For inspections defined as annual inspections, preventative maintenance inspections, special inspections, and housekeeping inspections, the LaGrange Housing Authority will give the tenant at least two (2) calendar days written notice.

### **17.7 EMERGENCY INSPECTIONS**

If any employee and/or agent of the LaGrange Housing Authority has reason to believe that an emergency exists within the housing unit, the unit can be entered without notice. The person(s) that enters the unit will leave a written notice to the resident that indicates the date and time the unit was entered and the reason why it was necessary to enter the unit.

### **17.8 PRE-MOVE-OUT INSPECTIONS**

When a tenant gives notice that they intend to move, the LaGrange Housing Authority will offer to schedule a pre-move-out inspection with the family. The inspection allows the LaGrange Housing Authority to help the family identify any problems which, if left uncorrected, could lead to vacate charges. This inspection is a courtesy to the family and has been found to be helpful both in reducing costs to the family and in enabling the LaGrange Housing Authority to ready units more quickly for the future occupants.

### **17.9 MOVE-OUT INSPECTIONS**

The LaGrange Housing Authority conducts the move-out inspection after the tenant vacates to assess the condition of the unit and determine responsibility for any needed repairs. When possible, the tenant is notified of the inspection and is encouraged to be present. This inspection becomes the basis for any claims that may be assessed against the security deposit.

## **18.0 PET POLICY**

### **18.1 EXCLUSIONS**

This policy does not apply to animals that are used to assist persons with disabilities. Assistive animals are allowed in all public housing facilities with no restrictions other

than those imposed on all tenants to maintain their units and associated facilities in a decent, safe, and sanitary manner and to refrain from disturbing their neighbors.

## **18.2 PETS IN PUBLIC HOUSING**

The LaGrange Housing Authority allows for pet ownership in its developments with the written pre-approval of the Housing Authority. Residents are responsible for any damage caused by their pets, including the cost of fumigating or cleaning their units. In exchange for this right, resident assumes full responsibility and liability for the pet and agrees to hold the LaGrange Housing Authority harmless from any claims caused by an action or inaction of the pet.

## **18.3 APPROVAL**

Residents must have the prior written approval of the Housing Authority before moving a pet into their unit. Residents must request approval on the Authorization for Pet Ownership Form that must be fully completed before the Housing Authority will approve the request. Residents must give the Housing Authority a picture of the pet so it can be identified if it is running loose.

## **18.4 TYPES AND NUMBER OF PETS**

The LaGrange Housing Authority will allow only common household pets. This means only domesticated animals such as a dog, cat, bird, rodent (including a rabbit), fish in aquariums or a turtle will be allowed in units. Common household pets do not include reptiles (except turtles). If this definition conflicts with a state or local law or regulation, the state or local law or regulation shall govern.

All dogs and cats must be spayed or neutered before they become six months old. A licensed veterinarian must verify this fact.

1. Any animal deemed to be potentially harmful to the health or safety of others, including attack or fight trained dogs, will not be allowed.

No animal may exceed 25 pounds in weight projected to full adult size.

## **18.5 INOCULATIONS**

In order to be registered, pets must be appropriately inoculated against rabies, distemper and other conditions prescribed by state and/or local ordinances. They must comply with all other state and local public health, animal control, and anti-cruelty laws including any licensing requirements. A certification signed by a licensed veterinarian or state or local official shall be annually filed with the LaGrange Housing Authority to attest to the

inoculations.

#### **18.6 PET DEPOSIT**

A pet deposit of \$125.00 is required at the time of registering a pet. The deposit is refundable when the pet or the family vacates the unit, less any amounts owed due to damage beyond normal wear and tear. A separate deposit is required for each pet.

#### **18.7 FINANCIAL OBLIGATION OF RESIDENTS**

Any resident who owns or keeps a pet in their dwelling unit will be required to pay for any damages caused by the pet. Also, any pet-related insect infestation in the pet owner's unit will be the financial responsibility of the pet owner and the LaGrange Housing Authority reserves the right to exterminate and charge the resident.

#### **18.8 NUISANCE OR THREAT TO HEALTH OR SAFETY**

The pet and its living quarters must be maintained in a manner to prevent odors and any other unsanitary conditions in the owner's unit and surrounding areas.

Repeated substantiated complaints by neighbors or LaGrange Housing Authority personnel regarding pets disturbing the peace of neighbors through noise, odor, animal waste, or other nuisance may result in the owner having to remove the pet or move him/herself.

Pets who make noise continuously and/or incessantly for a period of 10 minutes or intermittently for one half hour or more to the disturbance of any person at any time of day or night shall be considered a nuisance.

#### **18.9 DESIGNATION OF PET AREAS**

Pets must be kept in the owner's apartment or on a leash at all times when outside the unit (no outdoor cages may be constructed). Pets will be allowed only in designated areas on the grounds of the property if the LaGrange Housing Authority designates a pet area for the particular site. Pet owners must clean up after their pets and are responsible for disposing of pet waste.

With the exception of assistive animals no pets shall be allowed in the community room, community room kitchen, laundry rooms, public bathrooms, lobby, beauty shop, hallways or office in any of our sites.

To accommodate residents who have medically certified allergic or phobic reactions to dogs, cats, or other pets, those pets may be barred from certain wings (or floors) in our development(s)/building(s). This shall be implemented based on demand for this service.

### **18.10 MISCELLANEOUS RULES**

Pets may not be left unattended in a dwelling unit for over **8** hours. If the pet is left unattended and no arrangements have been made for its care, the HA will have the right to enter the premises and take the uncared for pet to be boarded at a local animal care facility at the total expense of the resident.

Residents must take appropriate actions to protect their pets from fleas and ticks.

All dogs must wear a tag bearing the resident's name and phone number and the date of the latest rabies inoculation.

Pets cannot be kept, bred or used for any commercial purpose.

Residents owning cats shall maintain waterproof litter boxes for cat waste. Refuse from litter boxes shall not accumulate or become unsightly or unsanitary. Litter shall be disposed of in an appropriate manner.

A pet owner shall physically control or confine his/her pet during the times when Housing Authority employees, agents of the Housing Authority or others must enter the pet owner's apartment to conduct business, provide services, enforce lease terms, etc.

If a pet causes harm to any person, the pet's owner shall be required to permanently remove the pet from the Housing Authority's property within 24 hours of written notice from the Housing Authority. The pet owner may also be subject to termination of his/her dwelling lease.

A pet owner who violates any other conditions of this policy may be required to remove his/her pet from the development within 10 calendar days of written notice from the Housing Authority. The pet owner may also be subject to termination of his/her dwelling lease.

The Housing Authority's grievance procedures shall be applicable to all individual grievances or disputes arising out of violations or alleged violations of this policy.

### **18.11 VISITING PETS**

No visitor or guest will be allowed to bring pets on the premises at anytime. Residents will not be allowed to Pet Sit or House a Pet without fully complying with this policy.

Feeding or caring for stray animals is prohibited and will be considered keeping a pet without permission

## **18.12 REMOVAL OF PETS**

The LaGrange Housing Authority, or an appropriate community authority, shall require the removal within 48 hours of any pet from a project if the pet's conduct or condition is determined to be a nuisance or threat to the health or safety of other occupants of the project or of other persons in the community where the project is located.

In the event of illness or death of pet owner, or in the case of an emergency which would prevent the pet owner from properly caring for the pet, the LaGrange Housing Authority has permission to call the emergency caregiver designated by the resident or the local Pet Law Enforcement Agency to take the pet and care for it until family or friends would claim the pet and assume responsibility for it. Any expenses incurred will be the responsibility of the pet owner.

## **19.0 REPAYMENT AGREEMENTS**

When a resident owes the LaGrange Housing Authority back charges and is unable to pay the balance by the due date, the resident may request that the LaGrange Housing Authority allow them to enter into a Repayment Agreement. The LaGrange Housing Authority has the sole discretion of whether to accept such an agreement. All Repayment Agreements must assure that the full payment is made within a period not to exceed four (4) months. All Repayment Agreements must be in writing and signed by both parties. Failure to comply with the Repayment Agreement terms may subject the resident to eviction procedures.

## **20.0 COLLECTION POLICY**

Most residents pay all of their charges when due and your cooperation is appreciated. Some residents, however, have been tardy in paying their debts to the Authority. Failure to pay the Authority in full and on time is causing problems for the Authority. Collection policies are effective as of January 1, 1984.

### **A. Rent Policy**

1. Rent and other charges are due and payable on the first day of the month. All rents should be paid at the housing authority offices. A drop box is available for check/money order payments. Reasonable accommodations for this requirement will be made for persons with disabilities. As a safety measure, only cash \$20.00 or under shall be accepted as a rent payment. Checks or money orders will be accepted for nonpayment of rent, payment of rent and payment of charges. When a check is accepted by the housing authority and returned by the bank for insufficient funds, only a money order or cashier check will be accepted in payment of a dispossession warrant.
2. If the rent is not paid by the fifth operating day of the month, a 14 day notice of dwelling lease letter is issued including a late charge of \$10.00 will be assessed to the resident. If rent is paid by a personal check and the check is returned for

insufficient funds, this shall be considered a non-payment of rent and will incur the late charge. Checks returned for insufficient funds will be charged a processing cost. When two checks are returned for insufficient funds within a 12 month period, payment must be made by a cashier check or money order.

B. Eviction Policy for Non-Payment of Rent

1. Eviction action will require you to pay all rent due plus court charges for you to remain in the unit. If an eviction action is taken against you and you desire to remain in the unit, you must pay all the rent plus the court charges.
2. Eviction action taken against you twice in a 12 month period will result in your eviction even if you desire to pay the rent owed.

C. Work Order Policy

1. Work order charges should be paid 15 days from date of notice following the month in which the charge was made.
2. Failure to pay the work order charges after the 5<sup>th</sup> of the month following notice will result in a 30 day notice of termination of your lease.
3. Failure to move or failure to pay the charges in full by the end of the 2<sup>nd</sup> month period will result in a three day notice of our demand for possession of your unit.
4. Failure to move or pay the work order charges in full during the three day notice period will result in eviction proceedings being taken against you.

D. Eviction Policy for Non-Payment of Work Order Charges

1. Eviction action will require you to pay all work order and court charges to remain in your unit.
2. Eviction action taken against you twice in a 12 month period will result in your eviction even if you desire to pay the work order charges owed.

E. Move –out Payments

If one moves out or is evicted, they are still to pay charges owed. Failure to pay these charges in full within 30 days of your move will force the Authority to pursue collection through all legal means.

## **21.0 TERMINATION**

### **21.1 TERMINATION BY TENANT**

The tenant may terminate the lease at any time upon submitting a 30-day written notice. If the tenant vacates prior to the end of the thirty (30) calendar days, they will be

responsible for rent through the end of the notice period or until the unit is re-rented, whichever occurs first.

## **21.2 TERMINATION BY THE HOUSING AUTHORITY**

Twelve months after the LaGrange Housing Authority has implemented the mandated Community Service Requirement, it will not renew the lease of any non-exempt family that is not in compliance with the Community Service Requirement or approved Agreement to Cure. If they do not voluntarily leave the property, eviction proceedings will begin.

The LaGrange Housing Authority will terminate the lease for serious or repeated violations of material lease terms. Such violations include, but are not limited to, the following:

- A. Nonpayment of rent or other charges;
- B. A history of late rental payments;
- C. Failure to provide timely and accurate information regarding family composition, income circumstances, or other information related to eligibility or rent;
- D. Failure to allow inspection of the unit;
- E. Failure to maintain the unit in a safe and sanitary manner;
- F. Assignment or subletting of the premises;
- G. Use of the premises for purposes other than as a dwelling unit (other than for housing authority approved resident businesses);
- H. Destruction of property;
- I. Acts of destruction, defacement, or removal of any part of the premises or failure to cause guests to refrain from such acts;
- J. Any violent or drug-related criminal activity on or off the premises, not just on or near the premises. This includes any tenant, member of the tenant's household or guest, and any such activity engaged in on the premises by any other person under the tenant's control. This includes but is not limited to the manufacture of methamphetamine on the premises of the LaGrange Housing Authority or on the premises of any other federally assisted housing;
- K. Non-compliance with Non-Citizen Rule requirements;

- L. Permitting persons not on the lease to reside in the unit more than fourteen (14) calendar days each year without the prior written approval of the Housing Authority;
- M. Any activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents or employees of the Authority by the resident, household members, or guests of the resident or threatens the health, safety, or right to peaceful enjoyment of their residences by persons residing in the immediate vicinity of the premises is grounds for termination of tenancy;
- N. Alcohol abuse that the LaGrange Housing Authority determines interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents;
- O. Failure to perform required community service or be exempted therefrom;
- P. The LaGrange Housing Authority will take immediate action to evict any household that includes an individual who is subject to a lifetime registration requirement under a State sex offender registration program;
- Q. Determination that a household member is illegally using a drug or when the LaGrange Housing Authority determines that a pattern of illegal use of a drug interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents;
- R. Criminal activity as shown by a criminal record. In such cases the LaGrange Housing Authority will notify the household of the proposed action to be based on the information and will provide the subject of the record and the tenant with a copy of the criminal record before the LaGrange Housing Authority grievance hearing or court trial concerning the termination of tenancy or eviction. The tenant will be given an opportunity to dispute the accuracy and relevance of that record in the grievance hearing or court trial; and
- S. Three dispossessory warrants within a twelve (12) month period even if you desire to pay.
- T. Other good cause.

### **22.3 TERMINATIONS FOR CRIMINAL ACTIVITY**

All LaGrange Housing Authority (LHA) is private property and in each community, “No Trespassing” signs are posted. The public housing communities were built and are maintained for public housing residents and their guests, as defined in our dwelling lease, which is signed by

each resident and by a LaGrange Housing Authority (LHA) representative. All other individuals, other than LHA staff, maybe considered trespassers and will be banned from LHA property for trespassing. Police Officers and LHA staff will ban individual(s) that are creating a disturbance and/or loitering in a public housing community. The individual(s) will be issued a Ban slip. This slip, which contains the individual(s) name, date of birth, race, sex, social security number, address, telephone number, date, and time is provided in triplicate. In addition to the individual(s) receipt of a copy of the Ban slip, a letter of notification will be sent first class via U.S. Mail Service to the address provided by the individual(s) at the time of banning. Any resident that allows a person on Housing Authority property who is banned from LHA property will be in violation of LHA policy and his/her lease may be terminated.

#### **A. List of Persons Banned From LHA Property**

A copy of each Ban slip is filed and entered in the LPD computer system. From this information a complete list of persons banned from LHA property is provided to the LHA executive director or designee. A list of all adult persons banned from LHA property will appear in the LHA monthly newsletter and will be distributed authority wide.

#### **B. Time Frame For Individuals Banned From LHA Property**

Code of Conduct – First Offense – If an individual is banned for trespassing and this is the first offense and no criminal activity was involved (i.e. loud music, loitering, etc.), the individual is banned for a period of (three) 3 years.

2<sup>nd</sup> Offense for Criminal Trespass – If the individual that is banned returns to LHA property; he/she will be arrested for criminal trespassing. If there is no other criminal activity that threatens the health, safety, and welfare of residents or employees of LHA, the ban will be extended by three (3) years. Each time there is a criminal trespass offense by the same individual, the ban period will be increased by an additional three (3) years.

Resident Evicted – for Drug-related criminal activity. If a resident is evicted for drug-related criminal activity, the ban will be for a period of life.

Criminal Activity – An individual that is involved with criminal activity that threatens the health, safety, and welfare of residents or employees of LHA will be banned from LHA property for a period of life.

Criminal Activity Involving Illegal Drugs or Crimes of Violence – Any individual involved in any drug-related criminal activity, such as the use, possession of drugs or drug paraphernalia and/or crimes of violence such as aggravated assault, etc. will be banned for life.

Drug Trafficking – Any individual involved in drug trafficking will be banned from LHA property for life.

Manufacturing Methamphetamine – Any individual involved in manufacturing methamphetamine on LHA property will be banned for life.

Child Molestation/Sexual Assault – Any individual involved in child molestation and/or sexual assault on LHA property will be banned for life.

Murder – Any individual committing murder on LHA property will be banned for life.

Note – The ban will expire when the time frame expires on the ban list. Once the time period has expired the individual's name will be removed from the active ban list by LHA staff. However, their name is placed in an inactive file of individuals previously banned from LHA property.

### **C. Ban for Family Violence or Physical Abuse**

When an applicant is applying for housing within LHA and family violence or physical abuse is involved the prospective resident must sign a statement that authorizes the Housing Authority to ban the person involved with the abuse from all Housing Authority property. This policy also covers individuals who are victims of physical abuse who are residents of public housing.

### **D. For life threatening situations such as sickness or death of an immediate family member,**

permission for a visit maybe granted by the executive director or designee. The individual may be asked to provide proof of the emergency to be verified by a third party.

### **E. Ban Letter for Code of Conduct**

The enclosed Housing Authority Notice of Criminal Trespassing states that you are hereby banned from all communities from \_\_\_\_\_ to \_\_\_\_\_. Please be advised that if you violate this Notice of Trespassing, you will be arrested for criminal trespassing.

Also, please be advised that you name has been added to our trespassing list. This list is published monthly in the newsletter. The list is also posted in the Housing Authority community centers and has been provided to the City of LaGrange Police Department.

### **F. Ban Letter for Criminal Activity Evictions**

When a resident is evicted for criminal activity or vacates the premises after being arrested for criminal activity (either by court order or voluntary) the resident will be issued a ban letter. The letter will be sent first class via U.S. Mail Service to the resident's public housing address prior to the final eviction actions. The length of the ban will be based on LHA Ban Policy. The letter should contain the following information: Date, Address, Name.

The purpose of this letter is to inform you that you are banned from all LaGrange Housing Authority (LHA) property because of your criminal activity and eviction from

public housing. The ban is for a period of \_\_\_\_\_ and if you violate this ban you will be arrested for criminal trespassing.

The ban is effective \_\_\_\_\_ and expires on \_\_\_\_\_. Your name has been added to our ban list and the list has been provided to the LaGrange Police Department, and will be included in the LHA monthly newsletter.

**G. Ban Letter for 2<sup>nd</sup> Offense for Criminal Trespass**

The enclosed LaGrange Housing Notice of Criminal Trespassing stated that your ban is hereby extended from all LaGrange Housing Authority communities from \_\_\_\_\_ to \_\_\_\_\_. Please be advised that if you violate this Notice of Trespassing, you will be arrested for criminal trespassing.

Also, please be advised that you name has been added to our trespassing list. This list is published monthly in the LaGrange Housing Authority newsletter. The list is also posted in all Housing Authority community centers and has been provided to the City of LaGrange Police Department.

**H. Ban letter for Juvenile (ages 10 to 17)**

Housing Authority of the City of LaGrange hereby bans you son/daughter, from all Housing Authority communities from \_\_\_\_\_ to \_\_\_\_\_. Please be advised that if he violates this Notice of Trespassing, he will be arrested for criminal trespassing.

Also be advised that you son's name has been added to our trespassing list which is provided to the LaGrange Police Department. Because of his juvenile status, his name will not be published in our monthly newsletter or posted in our community centers.

**I. Ban letter for convicted Drug-related Criminal Activity (Convictions identified by police)**

**NOTICE OF LIFE BAN**

Pursuant to O.C.G.A. § 8-3-36 and the pertinent regulations of the Housing Authority of City of LaGrange; you are prohibited from entering, loitering, and remaining upon the properties of the Housing Authority of City of LaGrange, to wit: Lucy Morgan Homes and/or Benjamin Harvey Hill Homes effective upon service of this Notice upon you because: \_\_\_\_\_ for: \_\_\_\_\_

You will be subject to arrest and prosecution for Criminal Trespass if you violate this notice. Also, please be advised that you name has been added to our trespassing list.

This list is published monthly in the LaGrange Housing Authority newsletter. The list is also posted in all Housing Authority community centers.

The term “due process determination” means a determination by HUD that law covering the LaGrange Housing Authority’s jurisdiction requires that residents must be given the opportunity for a hearing in court which provides the basic elements of due process before eviction from the dwelling unit.

HUD has issued a due process determination that the law of this State requires that residents be given the opportunity for a hearing in a court that provides the basic elements of due process before eviction from a dwelling unit. The LaGrange Housing Authority has therefore determined that this Grievance Procedure shall not be applicable to any termination of tenancy or eviction for:

1. Any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the LaGrange Housing Authority’s public housing premises by other residents or employees of the Housing Authority;
2. Any violent or drug-related criminal activity on or off such premises; or
3. Any activity resulting in a felony conviction.

## **22.0 ABANDONMENT**

The LaGrange Housing Authority will consider a unit to be abandoned when a resident has both fallen behind in rent AND has clearly indicated by words or actions an intention not to continue living in the unit.

When a unit has been abandoned, a LaGrange Housing Authority representative may enter the unit and remove any abandoned property. It will be stored in a reasonably secure place. A notice will be mailed to the resident stating where the property is being stored and when it will be sold. If the LaGrange Housing Authority does not have a new address for the resident, the notice will be mailed to the unit address so it can be forwarded by the post office.

Any money raised by the sale of the property goes to cover money owed by the family to the LaGrange Housing Authority such as back rent and the cost of storing and selling the goods. If there is any money left over and the family’s forwarding address is known the LaGrange Housing Authority will mail it to the family. If the family’s address is not known, the LaGrange Housing Authority will keep it for the resident for one year. If it is not claimed within that time, it belongs to the LaGrange Housing Authority.

## **22.1 RETURN OF SECURITY DEPOSIT**

After a family moves out, the LaGrange Housing Authority will return the security deposit within 30 days or give the family a written statement of why all or part of the security deposit is being kept. The rental unit must be restored to the same conditions as

when the family moved in, except for normal wear and tear. Deposits will not be used to cover normal wear and tear or damage that existed when the family moved in.

If State law requires the payment of interest on security deposits, it shall be complied with.

The LaGrange Housing Authority will be considered in compliance with the above if the required payment, statement, or both, are deposited in the U.S. mail with first class postage paid within 30 days.

### **23.0 SUPPORT FOR OUR ARMED FORCES**

A major and important component of our armed forces are the part-time military personnel that serve in various Reserve and National Guard units. The LaGrange Housing Authority is very supportive of these men and women. An unfortunate fact of service in both the Reserves and National Guard is that from time to time their personnel are activated to full-time status and asked to serve our country in a variety of ways and circumstances. Whenever the Federal Government activates Reserve and/or National Guard personnel, the LaGrange Housing Authority wants to support these brave warriors in the following manners:

- A. If a family finds it necessary for another adult to temporarily move into a unit solely to serve as a temporary guardian for children residing in the unit, the income received by the temporary guardian will not be counted in determining family income.
- B. Although typically a criminal background check is required before anyone can move into a public housing unit, this requirement will be waived for a temporary guardian. Instead, the background check will occur after the person moves in. If the results of the check dictate that the person is ineligible for public housing, the family shall be given a reasonable time to find a replacement temporary guardian.
- C. Recognizing that activation in the Reserves or National Guard can be very disruptive to a family's income, the LaGrange Housing Authority will expeditiously re-evaluate a resident's rent if requested to do so and will exercise reasonable restraint if the activated resident has trouble paying their rent.
- D. Typically a unit cannot be held by a family that is not residing in it as their primary residence. If all members of a military family are temporarily absent from the unit because a member of the family has been called to active duty, the family can retain control of the unit by paying the required rent and returning to the unit within 30 calendar days of the conclusion of the active duty service.

**24.0 ANTI-FRAUD POLICY**

The LaGrange Housing Authority is fully committed to combating fraud in its public housing program. It defines fraud as a single act or pattern of actions that include false statements, the omission of information, or the concealment of a substantive fact made with the intention of deceiving or misleading the LaGrange Housing Authority. It results in the inappropriate expenditure of public housing funds and/or a violation of public housing requirements.

Although there are numerous different types of fraud that may be committed, the two most common are the failure to fully report all sources of income and the failure to accurately report who is residing in the residence. The LaGrange Housing Authority shall aggressively attempt to prevent all cases of fraud.

When a fraudulent action is discovered, the LaGrange Housing Authority shall take action. It shall do one or more of the following things depending on circumstances and what it determines appropriate:

- A. Require the resident to immediately repay the amount in question;
- B. Require the resident to enter into a satisfactory repayment agreement as set forth in a previous section of this Policy;
- C. Terminate the resident’s tenancy;
- D. Refer the case for criminal prosecution; or
- E. Take such other action as the LaGrange Housing Authority deems appropriate.

**25.0 FLAT RENT SCHEDULE (EFFECTIVE: DECEMBER 1, 2006)**

BEDROOM SIZE	FLAT RENT
1 Bedroom	239.00
2 Bedrooms	281.00

3 Bedrooms	352.00
4 Bedrooms	394.00

**26.0 UTILITY ALLOWANCE SCHEDULE (EFFECTIVE: DECEMBER 1, 2006)**

Bedroom Size	Benjamin Harvey Hill	Lucy Morgan
1 bedroom	88.00	85.00
2 bedrooms	100.00	98.00
3 bedrooms	116.00	112.00
4 bedrooms	129.00	124.00

**PUBLIC HOUSING GRIEVANCE PROCEDURE**

---

**1.0 RIGHT TO A HEARING**

Upon the filing of a written request as provided in these procedures, a resident shall be entitled to a hearing before a Hearing Officer/Panel under regulatory requirements set forth in 24 CFR 966.50-57.

## 2.0 DEFINITIONS

For the purpose of this Grievance Procedure, the following definitions are applicable:

- A. **"Grievance"** shall mean any dispute which a resident may have with respect to the LaGrange Housing Authority's action or failure to act in accordance with the individual resident's lease or Authority regulations which adversely affect the individual resident's rights, duties, welfare or status.
- B. **"Grievance Procedures"** is an administrative method prescribed by HUD to deal with resident complaints.
- C. **"Complainant"** shall mean any resident whose grievance is presented to the LaGrange Housing Authority or at the development management office in accordance with sections 4.0 and 5.0 of this procedure.
- D. **"Elements of Due Process"** shall mean an eviction action or a termination of tenancy in a State or local court in which the following procedural safeguards are required:
  - 1. Adequate notice to the resident of the grounds for terminating the tenancy and for eviction;
  - 2. Right of the resident to be represented by counsel;
  - 3. Opportunity for the resident to refute the evidence presented by the Authority including the right to confront and cross examine witnesses and to present any affirmative legal or equitable defense which the resident may have; and
  - 4. A decision on the merits.
- E. **"Hearing Officer"** shall mean a person selected in accordance with section 4.0 of these procedures to hear grievances and render a decision with respect thereto.
- F. **"Hearing Panel"** shall mean three (3) persons selected in accordance with section 4.0 of these procedures to hear grievances and render a decision with respect thereto.
- G. **"Resident"** shall mean the adult person (or persons) other than a live-in aide:

1. Who resides in the unit and who executed the lease with the LaGrange Housing Authority as lessee of the premises, or, if no such person now resides in the premises,
  2. Who resides in the unit and who is the remaining head of household of the resident family residing in the unit.
- H. **"Resident Organization"** includes a resident management corporation.
- I. **"Promptly"** (as used in section 4.0, and 5.0 (D)), shall mean within the time period indicated in a notice from LaGrange Housing Authority of a proposed action which would provide the basis for a grievance if the resident has received a notice of a proposed action from the agency.

### **3.0 APPLICABILITY**

The grievance procedure is applicable only to individual resident issues relating to LaGrange Housing Authority. Class grievances are not subject to the grievance procedure and the grievance procedure is not to be used as a forum for initiating or negotiating policy changes of LaGrange Housing Authority.

There are three types of terminations that are not subject to the grievance procedure. These are terminations for:

1. Any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the Authority's public housing premises by other residents or employees of the Authority;
2. Any violent or drug-related criminal activity on or off such premises;
3. Any criminal activity that resulted in felony conviction of a household member.

### **4.0 PROCEDURES PRIOR TO A HEARING**

The first step in the grievance process is to attempt an informal settlement. The grievance procedure request for an informal settlement will be accepted at the main office. The resident will have fourteen (14) calendar days to file a grievance for an informal hearing.

At the informal stage, the grievance will be reviewed to ensure that the grievance is not a matter excluded from the grievance process. Then the grievance may be referred to the department or office responsible for the activity being grieved. The resident will be contacted and a meeting arranged at a mutually agreeable time.

The notice to the resident of the informal hearing will state the authority and the resident will have ten (10) working days to set the meeting date and time. At the informal hearing, the resident will present the grievance and the authority staff person responsible for the area will attempt to settle the grievance.

Within five (5) working days LaGrange Housing Authority will provide the resident with a written summary of the informal hearing. The summary will include:

- the names of the participants,
- the dates(s) of the meeting(s),
- the nature of the hearing, and
- the reasons for the proposed disposition and
- the procedures for obtaining a formal hearing if the complainants is not satisfied.

A copy of the summary shall be given to the resident and placed in the resident's file.

Allegations of discrimination or harassment will be handled the same as disputes of operations.

## **5.0 PROCEDURES TO OBTAIN A HEARING**

### **5.1 *REQUEST FOR HEARING***

When a resident is not satisfied with the results of the informal hearing, the complainant shall submit a written request for a formal grievance hearing within five (5) days after receipt of the summary of the informal hearing pursuant to section 4.0.

The written request shall specify:

- A. The reason(s) for the grievance;
- B. The action or relief sought from the authority; and
- C. Request of several specify dates and times the complainant can attend a grievance hearing.

### **5.2 *SELECTION OF A HEARING OFFICER***

A grievance hearing shall be conducted by an impartial person or persons appointed by the LaGrange Housing Authority other than a person who made or approved the action under review or a subordinate of such person.

The LaGrange Housing Authority shall annually submit a list of prospective hearing officers. This list shall be provided to any existing resident organization(s) for such organization's comments or recommendations. The LaGrange Housing Authority shall consider any comments or recommendations by a resident organization. From this list, a hearing officer/panel shall be selected.

Nominees are informed that they are the authority's official grievance hearing committee and the authority can select members in random order to serve as hearing officers or hearing panel members.

Occasionally a member of the official grievance hearing committee may be called to hear a grievance in which he or she is involved, either personally or professionally. When this occurs, the committee member should ask to be excused from the hearing that particular grievance. Any grievance hearing committee member who does not request to be removed in such a situation may be removed from the committee.

### **5.3 *FAILURE TO REQUEST A HEARING***

If the resident does not request a hearing in accordance with this section within five (5) days, then the LaGrange Housing Authority's disposition of the grievance under section 4.0 shall become final. However, failure to request a hearing does not constitute a waiver by the resident of the right thereafter to contest the LaGrange Housing Authority's action in disposing of the complaint in an appropriate judicial proceeding.

### **5.4 *HEARING PREREQUISITE***

All grievances shall be promptly presented in person, either orally or in writing, pursuant to the informal procedure prescribed in section 4.0 as a condition precedent to a hearing under this Section. However, if the resident can show good cause why there was failure to proceed in accordance with section 4.0 to the Hearing Officer, the provisions of this subsection may be waived by the Hearing Officer.

### **5.5 *ESCROW DEPOSIT***

Before a hearing is scheduled in any grievance involving the amount of rent as defined in the lease which the LaGrange Housing Authority claims is due, the resident shall pay to the LaGrange Housing Authority an amount equal to the amount of the rent due and payable as of the first of the month preceding the month in which the act or failure to act took place. The resident shall thereafter deposit monthly the same amount of the monthly rent in an escrow account held by the LaGrange Housing Authority until the complaint is resolved by decision of the Hearing Officer. Amounts deposited into the escrow account shall not be considered as acceptance of money for rent during the period in which the grievance is pending. In extenuating circumstances, the LaGrange Housing Authority may waive these requirements. Unless so waived, the failure to make such payments shall result in a termination of the grievance procedure. However, failure to make payment

shall not constitute a waiver of any right the resident may have to contest the LaGrange Housing Authority's disposition of his grievance in any appropriate judicial proceeding.

LaGrange Housing Authority will waive this requirement if the resident is paying minimum rent and the grievance is based on a request for hardship.

## **5.6 SCHEDULING OF HEARINGS**

Upon the resident's compliance with this section the Hearing Officer/Panel shall promptly schedule a hearing for a time within ten (10) working days of receiving the request for a formal hearing) and place reasonably convenient to both the resident and the LaGrange Housing Authority. A written notification specifying the time, place and the procedures governing the hearing shall be delivered to the resident and the appropriate LaGrange Housing Authority officials.

If the authority uses a hearing panel method, and only one panel member is available to meet on all dates named by the complainant, the grievance procedure may state that the single panel member shall serve as the hearing officer. This is an important policy to ensure that the grievance process does not drag on too long.

## **6.0 PROCEDURES GOVERNING THE HEARING**

The resident shall be afforded a fair hearing, which shall include:

- A. The opportunity to examine before the grievance hearing any Authority documents, including records and regulations that are directly relevant to the hearing.
- B. The resident shall be provided a copy of any such document at the resident's expense.
- C. If the LaGrange Housing Authority does not make the document available for examination upon request by the resident, the LaGrange Housing Authority may not rely on such document at the grievance hearing.
- D. The right to be represented by counsel or other person chosen as the resident's representative and to have such person make statements on the resident's behalf;
- E. The right to a private hearing unless the resident requests a public hearing;
- F. The right to present evidence and arguments in support of the resident's complaint, to controvert evidence relied on by the Authority or development management, and to confront and cross examine all witnesses upon whose testimony or information the LaGrange Housing Authority or development management relies; and

G. A decision based solely and exclusively upon the facts presented at the hearing.

The Hearing Panel or Officer may render a decision without holding a hearing if the Hearing Panel or Officer determines that the issue has been previously decided at another hearing.

At the hearing, the resident first shall demonstrate that she or he is entitled to the relief sought and LaGrange Housing Authority shall justify its action or failure to act on the issue on which the grievance was filed.

The hearing should be conducted informally, with both oral and written evidence being permitted. While the hearing is conducted informally, all participants, including LaGrange Housing Authority, complainant, counsel and spectators shall conduct themselves in an orderly fashion or the hearing officer/panel may exclude the disorderly party from the proceedings and grant or deny relief as appropriate. The rules of evidence of a judicial proceeding do not apply to the grievance hearing.

Both LaGrange Housing Authority and the complainant should provide the Hearing Officer with specific information on the regulation or policy on which LaGrange Housing Authority based its action or demonstrates LaGrange Housing Authority's failure to act. Either the complainant or LaGrange Housing Authority may arrange, in advance, for a transcript of the hearing to be made. The cost of the transcript will be paid by the party requesting the transcript. Any person may purchase a copy of the transcript.

If either the resident or Authority fails to appear at a scheduled hearing, the Hearing Officer may postpone the hearing for up to five business days or determine that the missing party has waived their right to a hearing. Both the LaGrange Housing Authority and the resident shall be notified of the Hearing Officer's decision. This decision shall not waive a resident's right to contest the disposition of the grievance in an appropriate judicial proceeding.

The following accommodation will be made for persons with disabilities:

- A. The LaGrange Housing Authority shall provide reasonable accommodations for persons with disabilities to participate in the hearing. Reasonable accommodations may include qualified sign language interpreters, readers, accessible locations, or attendants.
- B. If the resident is visually impaired, any notice to the resident that is required by these procedures shall be in an accessible format.

## **7.0 INFORMAL HEARING PROCEDURES FOR DENIAL OF ASSISTANCE ON THE BASIS OF INELIGIBLE IMMIGRATION STATUS**

The participant family may request that the LaGrange Housing Authority provide for an informal hearing after the family has notification of the INS decision on appeal, or in lieu of request of appeal to the INS. The participant family shall make this request within 30 days of receipt of the *Notice of Denial or Termination of Assistance*, or within 30 days of receipt of the INS appeal decision.

## **8.0 DECISION OF THE HEARING OFFICER**

The Hearing Officer shall prepare a written decision, together with the reasons therefor, within ten (10) calendar days after the hearing. A copy of the decision shall be sent to the resident and the LaGrange Housing Authority. The Authority shall retain a copy of the decision in the resident's folder. A copy of such decision with all names and identifying references deleted shall also be maintained on file by the LaGrange Housing Authority and made available for inspection by a prospective complainant, his or her representative, or the Hearing Officer.

Format for the written decision:

1. Introduction:
  - a. Include the name of the complainant
  - b. Name(s) of the hearing officer/panel
  - c. Date of the hearing,
  - d. Time of the hearing
  - e. Location of hearing
  - f. Name of other participants, including counsel or complainant's representative and witnesses
  - g. Include a brief summary of the grievance (preferably quoting the complainant's letter requesting the hearing)
  - h. Date on which the informal hearing was held
  - i. Who held the informal hearing
  - j. Summary of the results of the informal hearing (preferably quoting the summary letter)
  - k. Include the date on which the complainant requested a formal hearing
2. Hearing summary:
  - a. Summarize the oral and written evidence presented by the complainant
  - b. Summarize the oral and written evidence presented by the authority
3. Decision:
  - a. In making the determination, cite the policy or regulation provided by the complainant or the authority that supports the decision made by the hearing officer/panel

The decision of the Hearing Officer shall be binding on the LaGrange Housing Authority who shall take all actions, or refrain from any actions, necessary to carry out the decision unless the LaGrange Housing Authority's Board of Commissioners determines within reasonable time, and promptly notifies the complainant of its determination, that:

- A. The grievance does not concern LaGrange Housing Authority action or failure to act in accordance with or involving the resident's lease or Authority regulations, which adversely affect the resident's rights, duties, welfare or status;
- B. The decision of the Hearing Officer is contrary to applicable Federal, State, or local law, Authority regulations, or requirements of the Annual Contributions Contract between the Authority and the U.S. Department of Housing and Urban Development.

A decision by the Hearing Officer or Board of Commissioners in favor of the LaGrange Housing Authority or which denies the relief requested by the resident in whole or in part shall not constitute a waiver of, nor affect in any manner whatsoever, any rights the resident may have to a trial do novo or judicial review in any judicial proceedings, which may thereafter be brought in the matter.

## **28.0 GLOSSARY**

**50058 Form:** The HUD form that housing authorities are required to complete for each assisted household in public housing to record information used in the certification and re-certification process and, at the option of the housing authority, for interim reexaminations.

**1937 Housing Act:** The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (24 CFR 5.100)

**Adjusted Annual Income:** The amount of household income, after deductions for specified allowances, on which tenant rent is based. (24 CFR 5.611)

**Adult:** A household member who is 18 years or older or who is the head of the household, or spouse, or co-head. In the anti-drug portions of this policy, it also refers to a minor who has been convicted of a crime as an adult under any Federal, State or tribal law.

**Allowances:** Amounts deducted from the household's annual income in determining adjusted annual income (the income amount used in the rent calculation). Allowances are given for elderly families, dependents, medical expenses for elderly and disabled families, disability expenses, and childcare expenses for children under 13 years of age. Other allowance can be given at the discretion of the housing authority.

**Annual Contributions Contract (ACC):** The written contract between HUD and a housing authority under which HUD agrees to provide funding for a program under the 1937 Act, and the housing authority agrees to comply with HUD requirements for the program. (24 CFR 5.403)

**Annual Income:** All amounts, monetary or not, that:

- A. Go to (or on behalf of) the family head or spouse (even if temporarily absent) or to any other family member; or
- B. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
- C. Are not specifically excluded from annual income.

Annual Income also includes amounts derived (during the 12-month period) from assets to which any member of the family has access. (1937 Housing Act; 24 CFR 5.609)

**Applicant (applicant family):** A person or family that has applied for admission to a program but is not yet a participant in the program. (24 CFR 5.403)

**As-Paid States:** States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs. Currently, the four as-paid States are New Hampshire, New York, Oregon, and Vermont.

**Assets:** The 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 property such as furniture and automobiles are not counted as assets. (Also see "net family assets.")

**Asset Income:** Income received from assets held by family members. If assets total more than \$5,000, income from the assets is "imputed" and the greater of actual asset income and imputed asset income is counted in annual income. (See "imputed asset income" below.)

**Assistance applicant:** A family or individual that seeks admission to the public housing program.

**Business Days:** Days the housing authority is open for business.

**Ceiling Rent:** Maximum rent allowed for some units in public housing developments under the income method of calculating rent.

**Certification:** The examination of a household's income, expenses, and family composition to determine the family's eligibility for program participation and to calculate the family's share of rent.

**Child:** For purposes of citizenship regulations, a member of the family other than the family head or spouse who is under 18 years of age. (24 CFR 5.504(b))

**Childcare Expenses:** Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for childcare. In the case of childcare necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income. (24 CFR 5.603(d))

**Citizen:** A citizen or national of the United States. (24 CFR 5.504(b))

**Community service:** The performance of voluntary work or duties that are a public benefit and that serve to improve the quality of life, enhance resident self-sufficiency, or increase resident self-responsibility in the community. Community service is not employment and may not include political activities.

**Consent Form:** Any consent form approved by HUD to be signed by assistance applicants and participants for the purpose of obtaining income information from employers and SWICAs, return information from the Social Security Administration, and return information for unearned income from the Internal Revenue Service. The consent forms may authorize the collection of other information from assistance applicants or participant to determine eligibility or level of benefits. (24 CFR 5.214)

**Covered Families:** Families who receive welfare assistance or other public assistance benefits ("welfare benefits") from a State or other public agency ("welfare agency") 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 such assistance.

**Covered Person:** For purposes of the anti-drug provisions of this policy, a covered person is a tenant, any member of the tenant's household, a guest or another person under the tenant's control.

**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.

**Decent, Safe, and Sanitary:** Housing is decent, safe, and sanitary if it satisfies the applicable housing quality standards.

**Department:** The Department of Housing and Urban Development. (24 CFR 5.100)

**Dependent:** A member of the family (except foster children and foster adults), other than the family head or spouse, who is under 18 years of age or is a person with a disability or is a full-time student. (24 CFR 5.603(d))

**Dependent Allowance:** An amount, equal to \$480 multiplied by the number of dependents, that is deducted from the household's annual income in determining adjusted annual income.

**Disability Assistance Expenses:** Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source. (24 CFR 5.603(d))

**Disability Assistance Expense Allowance:** In determining adjusted annual income, the amount of disability assistance expenses deducted from annual income for families with a disabled household member.

**Disabled Family:** A family whose head, spouse, or sole member is a person with disabilities; two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides. (24 CFR 5.403(b)) (Also see "person with disabilities.")

**Disabled Person:** See "person with disabilities."

**Displaced Family:** A family in which each member, or whose sole member, is a person displaced by governmental action (such as urban renewal), or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. (24 CFR 5.403(b))

**Displaced Person:** A person 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 pursuant to Federal disaster relief laws. [1937 Act]

**Drug:** means a controlled substance as defined in section 102 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.

**Economic self-sufficiency program:** Any program designed to encourage, assist, train or facilitate the economic independence of HUD-assisted families or to provide work for such families. These programs include programs for job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, and any program necessary to ready a participant for work (including a substance abuse or mental health treatment program), or other work activities.

**Elderly Family:** A family whose head, spouse, or sole member is a person who is at least 62 years of age; 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. (24 CFR 5.403)

**Elderly/Disabled Family Allowance:** For elderly families, an allowance of \$400 is deducted from the household's annual income in determining adjusted annual income.

**Elderly Person:** A person who is at least 62 years of age. (1937 Housing Act)

**Extremely low-income families:** Those families whose incomes do not exceed 30% of the median income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 30% of the median income for the area if HUD finds that such variations are necessary because of 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.). (24 CFR 5.100)

**Family** includes but is not limited to:

- A. A family with or without children;
- B. An elderly family;
- C. A near-elderly family;
- D. A disabled family;
- E. A displaced family;
- F. The remaining member of a tenant family; and

- G. A single person who is not an elderly or displaced person, a person with disabilities, or the remaining member of a tenant family. (24 CFR 5.403)

**Family Members:** All members of the household other than live-in aides, foster children, and foster adults. All family members permanently reside in the unit, though they may be temporarily absent. All family members are listed on the lease.

**Family Self-Sufficiency Program (FSS Program):** The program established by a housing authority to promote self-sufficiency among participating families, including the coordination of supportive services. (24 CFR 984.103(b))

**Flat Rent:** A rent amount the family may choose to pay in lieu of having their rent determined under the income method. The flat rent is established by the housing authority set at the lesser of the market value for the unit or the cost to operate the unit. Families selecting the flat rent option have their income evaluated once every three years, rather than annually.

**Full-Time Student:** A person who is attending school or vocational training on a full-time basis as defined by the institution.

**Guest:** Means a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

**Head of Household:** The adult member of the family who is the head of the household for purposes of determining income eligibility and rent. (24 CFR 5.504(b))

**Household Members:** All members of the household including members of the family, live-in aides, foster children, and foster adults. All household members are listed on the lease, and no one other than household members are listed on the lease.

**Housing Assistance Plan:** A housing plan that is submitted by a unit of general local government and approved by HUD as being acceptable under the standards of 24 CFR 570.

**Imputed Income:** For households with net family assets of more than \$5,000, the amount calculated by multiplying net family assets by a HUD-specified percentage. If imputed income is more than actual income from assets, the imputed amount is used as income from assets in determining annual income.

**Imputed welfare income:** The amount of annual income not actually received by a family, as a result of a welfare benefit reduction for welfare fraud or the failure to comply with economic self-sufficiency requirements, that is nonetheless included in the family's annual income for purposes of determining rent.

**In-Kind Payments:** Contributions other than cash made to the family or to a family member in exchange for services provided or for the general support of the family (e.g., groceries provided on a weekly basis, baby sitting provided on a regular basis).

**Income Method:** A means of calculating a family's rent based on the greatest of 10% of their monthly income, 30% of their adjusted monthly income, the welfare rent, or the minimum rent. Under the income method, rents may be capped by a ceiling rent. Under this method, the family's income is evaluated at least annually.

**Interim (examination):** A reexamination of a family income, expenses, and household composition conducted between the regular annual recertifications when a change in a household's circumstances warrants such a reexamination.

**Law enforcement agency:** The National Crime Information Center (NCIC), police departments and other law enforcement agencies that hold criminal conviction records.

**Live-In Aide:** A person who resides with one or more elderly persons, near-elderly persons, or persons with disabilities and who:

- A. Is determined to be essential to the care and well-being of the persons;
- B. Is not obligated for the support of the persons; and
- C. Would not be living in the unit except to provide the necessary supportive services. (24 CFR 5.403(b))

A live-in aide is not a party to the lease.

**Low-Income Families:** Those families whose incomes do not exceed 80% of the median income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 80% of the median for the area on the basis of HUD's findings that such variations are necessary because of unusually high or low family incomes.

**Medical Expenses:** Medical expenses (of all family members of an elderly or disabled family), including medical insurance premiums, that are anticipated during the period for which annual income is computed and that are not covered by insurance. (24 CFR 5.603(d)). These expenses include, but are not limited to, prescription and non-prescription drugs, costs for doctors, dentists, therapists, medical facilities, care for a service animals, transportation for medical purposes.

**Mixed Family:** A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status. (24 CFR 5.504(b))

**Mixed population development:** A public housing development, or portion of a development, that was reserved for elderly and disabled families at its inception (and has retained that character). If the development was not so reserved at its inception, the PHA has obtained HUD approval to give preference in tenant selection for all units in the development (or portion of development) to elderly families and disabled families. These developments were formerly known as elderly projects.

**Monthly Adjusted Income:** One twelfth of adjusted income. (24 CFR 5.603(d))

**Monthly Income:** One twelfth of annual income. (24 CFR 5.603(d))

**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. (24 CFR 5.504(b))

**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; 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. (24 CFR 5.403(b))

**Net Family Assets:**

- A. Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.
- B. In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income.
- C. In determining net family assets, housing authorities or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms. (24 CFR 5.603(d))

**Non-Citizen:** A person who is neither a citizen nor national of the United States. (24 CFR 5.504(b))

**Occupancy Standards:** The standards that a housing authority establishes for determining the appropriate number of bedrooms needed to house families of different sizes or composition.

**Other person under the tenant's control:** For the purposes of the definition of covered person it means the person, although not staying as a guest (as defined in this section) in the unit, is, or was at the time of the activity in question, on the premises (as premises is defined in this section) because of an invitation from the tenant or other member of the household who has express or

implied authority to so consent on behalf of the tenant. Absent evidence to the contrary, a person temporarily and infrequently on the premises solely for legitimate commercial purposes is not under the tenant's control.

**Participant:** A family or individual that is assisted by the public housing program.

**Permanently absent:** A person or persons not actually residing in the unit who once lived there and does not intend to return. One becomes permanently absent when one vacates the unit.

**Person with Disabilities:** A person who:

- A. Has a disability as defined in 42 U.S.C. 423
- B. Is determined, pursuant to HUD regulations, to have a physical, mental, or emotional impairment that:
  - 1. Is expected to be of long-continued and indefinite duration;
  - 2. Substantially impedes his or her ability to live independently; and
  - 3. Is of such a nature that the ability to live independently could be improved by more suitable housing conditions.
- C. Has a developmental disability as defined in 42 U.S.C. 6001.

This definition does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome.

For purposes of qualifying for low-income housing, it does not include a person whose disability is based solely on any drug or alcohol dependence.

**Premises:** for purposes of the anti-drug provisions of this policy it means the building or complex or development in which the public or assisted housing dwelling unit is located, including common areas and grounds.

**Previously unemployed:** This includes a person who has earned, in the 12 months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

**Processing Entity:** The person or entity that is responsible for making eligibility and related determinations and an income reexamination. In the Section 8 and public housing programs, the processing entity is the responsibility entity.

**Proration of Assistance:** The reduction in a family's housing assistance payment to reflect the proportion of family members in a mixed family who are eligible for assistance. (24 CFR5.520)

**Public Housing:** Housing assisted under the 1937 Act, other than under Section 8. Public housing includes dwelling units in a mixed-finance project that are assisted by a PHA with capital or operating funds.

**Public Housing Agency (PHA):** Any State, county, municipality, or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in or assist in the development or operation of low-income housing under the 1937 Housing Act. (24 CFR 5.100)

**Recertification:** The annual reexamination of a family's income, expenses, and composition to determine the family's rent.

**Remaining Member of a Tenant Family:** A member of the family listed on the lease who continues to live in the public housing dwelling after all other family members have left. (Handbook 7565.1 REV-2, 3-5b.)

**Responsible Entity:**

- A. For the public housing program, the Section 8 tenant-based assistance program (24 CFR 982), and the Section 8 project-based certificate or voucher program (24 CFR 983), and the Section 8 moderate rehabilitation program (24 CFR 882), responsible entity means the PHA administering the program under an ACC with HUD;
- B. For all other Section 8 programs, responsible entity means the Section 8 project owner.

**Self-Declaration:** A type of verification statement by the tenant as to the amount and source of income, expenses, or family composition. Self-declaration is acceptable verification only when third-party verification or documentation cannot be obtained.

**Shelter Allowance:** That portion of a welfare benefit (e.g., TANF) that the welfare agency designates to be used for rent and utilities.

**Single Person:** Someone living alone or intending to live alone who does not qualify as an elderly family, a person with disabilities, a displaced person, or the remaining member of a tenant family. (Public Housing: Handbook 7465.1 REV-2, 3-5)

**Specified Welfare Benefit Reduction:**

- A. A reduction of welfare benefits by the welfare agency, in whole or in part, for a family member, as determined by the welfare agency, because of fraud by a family member in connection with the welfare program; or because of welfare agency sanction against a family member for noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.

- B. "Specified welfare benefit reduction" does not include a reduction or termination of welfare benefits by the welfare agency:
1. at the expiration of a lifetime or other time limit on the payment of welfare benefits;
  2. because a family member is not able to obtain employment, even though the family member has complied with welfare agency economic self-sufficiency or work activities requirements; or
  3. because a family member has not complied with other welfare agency requirements.

**State Wage Information Collection Agency (SWICA):** The State agency receiving quarterly wage reports from employers in the State or an alternative system that has been determined by the Secretary of Labor to be as effective and timely in providing employment-related income and eligibility information. (24 CFR 5.214)

**Temporarily absent:** A person or persons not actually residing in a unit for a period of time while still maintaining control of the unit.

**Temporary Assistance to Needy Families (TANF):** The program that replaced the Assistance to Families with Dependent Children (AFDC) that provides financial assistance to needy families who meet program eligibility criteria. Benefits are limited to a specified time period.

**Tenant:** The person or family renting or occupying an assisted dwelling unit. (24 CFR 5.504(b))

**Tenant Rent:** The amount payable monthly by the family as rent to the housing authority. Where all utilities (except telephone) and other essential housing services are supplied by the housing authority or owner, tenant rent equals total tenant payment. Where some or all utilities (except telephone) and other essential housing services are supplied by the housing authority and the cost thereof is not included in the amount paid as rent, tenant rent equals total tenant payment less the utility allowance. (24 CFR 5.603(d))

**Third-Party (verification):** Written or oral confirmation of a family's income, expenses, or household composition provided by a source outside the household.

**Total Tenant Payment (TTP):**

- A. Total tenant payment for families whose initial lease is effective on or after August 1, 1982:
1. Total tenant payment is the amount calculated under Section 3(a)(1) of the 1937 Act which is the higher of :
    - a. 30% of the family's monthly adjusted income;

- b. 10% of the family's monthly income; or
- c. If the family is receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the portion of such payments which is so designated.

If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under section 3(a)(1) shall be the amount resulting from one application of the percentage.

- 2. Total tenant payment for families residing in public housing does not include charges for excess utility consumption or other miscellaneous charges.
  - B. Total tenant payment for families residing in public housing whose initial lease was effective before August 1, 1982: Paragraphs (b) and (c) of 24 CFR 913.107, as it existed immediately before November 18, 1996), will continue to govern the total tenant payment of families, under a public housing program, whose initial lease was effective before August 1, 1982.

**Utility Allowance:** If the cost of utilities (except telephone) and other housing services for an assisted unit is not included in the tenant rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made by a housing authority of the monthly cost 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 healthful living environment. (24 CFR 5.603)

**Utility Reimbursement:** 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. (24 CFR 5.603)

**Very Low-Income Families:** Families whose incomes do not exceed 50% of the median family income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 50% of the median for the area if HUD finds that such variations are necessary because of unusually high or low family incomes.

**Victims of Domestic Violence:** Individuals or families who have been or are being subjected to or victimized by violence by a member of the family or household. The LaGrange Housing Authority will require evidence that the family has been displaced as result of fleeing violence in the home. Individuals and families are also eligible for this preference if there is proof that the individual or family is currently living in a situation where they are being subjected to or victimized by violence in the home. Evidence or proof may include a Protection from Abuse Order, police report, or written verification that the individual or family is living in an

emergency shelter because the individual or family has been subjected to or victimized by violence by a member of the family or household. The following criteria are used to establish an individual's or a family's eligibility for this preference:

- A. Verified actual or threatened physical violence directed against the applicant or the applicant's family by a spouse or other household member who lives in the unit with the family or where the family has fled its housing to escape from an abuser.
- B. The actual or threatened violence must have occurred within the past 30 calendar days or be of a continuing nature.

An applicant who lives in a violent neighborhood or is fearful of other violence outside the household is not considered involuntarily displaced as a result of domestic violence.

The applicant must certify that the abuser will not reside with the applicant unless the Housing Authority gives prior written approval.

The Housing Authority will approve the return of the abuser to the household under the following conditions:

- A. The Housing Authority verifies that the abuser has received therapy or counseling that appears to minimize the likelihood of the recurrence of violent behavior.
- B. A counselor, therapist or other appropriate professional recommends in writing that the individual be allowed to reside with the family.

If the abuser returns to the family without approval of the Housing Authority, the Housing Authority will deny or terminate assistance for breach of the certification.

If the family requests it, the LaGrange Housing Authority will try to ensure that the new location of the family is concealed.

**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.

**Welfare Assistance:** Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State or local governments (including assistance provided under the Temporary Assistance for Needy Families (TANF) program, as that term is defined under the implementing regulations issued by the Department of Health and Human Services at 45 CFR 260.31).

45 CFR 260.31 defines the term "assistance" to include cash, payments, vouchers, and other forms of benefits designed to meet a family's ongoing basic needs (i.e., for food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses).

It includes such benefits even when they are:

- A. Provided in the form of payments by a TANF agency, or other agency on its behalf, to individual recipients; and
- B. Conditioned on participation in work experience or community service (or any other work activity under 45 CFR 261.30).

Except where excluded later in this definition, it also includes supportive services such as transportation and childcare provided to families who are not employed.

The term “assistance” excludes:

- A. Nonrecurrent, short-term benefits that:
  - 1. Are designed to deal with a specific crisis situation or episode of need;
  - 2. Are not intended to meet recurrent or ongoing needs; and
  - 3. Will not extend beyond four months.
- B. Work subsidies (i.e., payments to employers or third parties to help cover the costs of employee wages, benefits, supervision, and training);
- C. Supportive services such as child care and transportation provided to families who are employed;
- D. Refundable earned income tax credits;
- E. Contributions to, and distributions from, Individual Development Accounts;
- F. Services such as counseling, case management, peer support, childcare information and referral, transitional services, job retention, job advancement, and other employment-related services that do not provide basic income support; and
- G. Transportation benefits provided under a Job Access or Reverse Commute project, pursuant to section 404(k) of the Act, to an individual who is not otherwise receiving assistance.

**Welfare Rent:** In "as-paid" welfare programs, the amount of the welfare benefit designated for shelter and utilities.

## ACRONYMS

ACC	Annual Contributions Contract
CFR	Code of Federal Regulations
FSS	Family Self Sufficiency (program)
HCDA	Housing and Community Development Act
HQS	Housing Quality Standards
HUD	Department of Housing and Urban Development
INS	(U.S.) Immigration and Naturalization Service
NAHA	(Cranston-Gonzalez) National Affordable Housing Act
NOFA	Notice of Funding Availability
OMB	(U.S.) Office of Management and Budget
PHA	Public Housing Agency
QHWRA	Quality Housing and Work Responsibility Act of 1998
SSA	Social Security Administration
TTP	Total Tenant Payment