

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.

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Streamlined 5-Year Plan for Fiscal Years 2005 - 2009

Streamlined Annual Plan for Fiscal Year 2008

HOUSING AUTHORITY OF THE CITY OF LINCOLN, NEBRASKA

Approved by LHA Board of Commissioners
01/10/2008

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 Lincoln, Nebraska

PHA Number: NE002

PHA Fiscal Year Beginning: 04/2008

PHA Programs Administered:

- Public Housing and Section 8** **Section 8 Only** **Public Housing Only**
Number of public housing units: 320 Number of S8 units: Number of public housing units:
Number of S8 units: 2,884

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 2005 - 2009

[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)

It is the mission of the Lincoln Housing Authority to provide safe, sanitary and decent housing to qualifying families currently undergoing financial stress in a manner which affords applicants and tenants dignity and minimal intrusion, within the limits of prudent fiscal management.

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)
 - ✓ *Maximize existing federal dollars to assist the maximum number of Section 8 households as allowed by allocated federal funds.*
 - ✓ *Maximize use of existing Low Rent Public Housing units by maintaining a 98% lease-up rate.*
 - ✓ *Through the use of the Lincoln Housing Authority's non-profit affiliates, leverage private and public funds to create additional quality housing opportunities.*
 - ✓ *Provide additional housing opportunities for disabled families/individuals through the creation of a Section 8 project-based voucher RFP and program.*

PHA Goal 2: 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)
 - ✓ *Maintain Public Housing high performer status.*
 - ✓ *Achieve SEMAP score that ensures designation as high performer Section 8 program operation.*
 - ✓ *Maintain high quality of Section 8 units through enforcement of HUD Housing Quality Standards.*
 - ✓ *Update and implement annual and five-year public housing capital improvement programs for improvements to units.*
 - ✓ *Encourage mix of incomes in new low income tax credit developments.*

PHA Goal 3: 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)
 - ✓ *Conduct outreach efforts to encourage potential participation by landlords in the Section 8 Voucher program.*
 - ✓ *Monitor current effectiveness of voucher payment standards and adjust as needed.*

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

PHA Goal 4: 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)
 - ✓ *Keep units drug free.*
 - ✓ *Encourage developers/landlords to provide for mixed income housing developments.*
 - ✓ *Ensure public housing units are maintained to high community standards and expectations.*
 - ✓ *Provide opportunities for LHA residents to participate in public/private programs offered by the Carol M. Yoakum Family Resource Center and other Lincoln Housing Authority facilities.*

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

- PHA Goal 5: 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)
 - ✓ *Seek to eliminate each family's barriers to seeking employment and educational betterment.*
 - ✓ *Collaborate with other social service agencies to ensure access to needed social/employment services to enrich recipients' opportunity for meaningful employment.*

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

- PHA Goal 6: 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)

HUD Strategic Goal: Implement the Violence Against Women Act (VAWA):

- PHA Goal 7: Serve the needs of victims of domestic violence, dating violence, sexual assault or stalking
- Objectives:
- Provide victims of domestic violence with housing preference
 - Work with domestic violence shelters to provide housing opportunities to victims of domestic violence
 - Ensure policies do not discriminate against an applicant, public housing resident, or program participant on the basis of the rights or privileges provided under the Violence Against Women Act.

Other PHA Goals and Objectives: (list below)

Streamlined Annual PHA Plan PHA Fiscal Year 2008

[24 CFR Part 903.12(b)]

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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.

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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.

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

**Lincoln Needs Assessment
 2008 Agency Plan**

Population Demographic Trends

In 2000, the city of Lincoln consisted of 225,442 persons. This reflects a 17% increase (or 33,470 persons) since 1990. Migration and a fairly aggressive annexation policy impacted this growth. Annexation resulted in a slight increase in the relative size of Lincoln of the County population.

TABLE 1: LINCOLN CITY AND LANCASTER COUNTY (1990-2000)

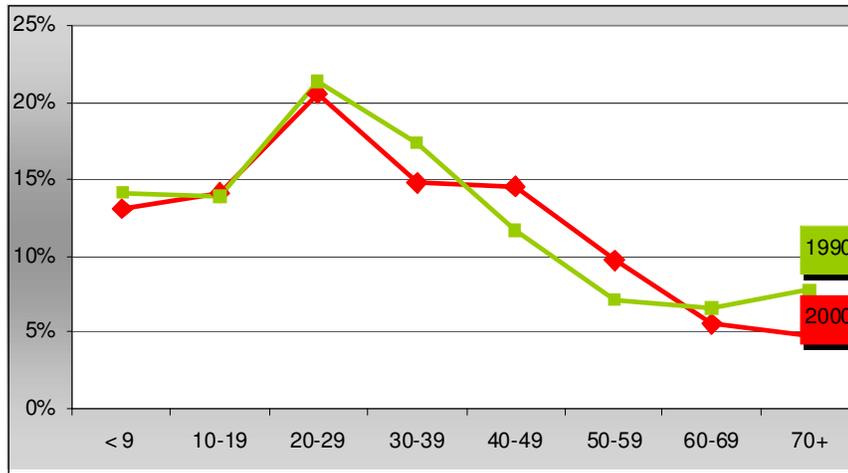
	<u>1990</u>	<u>2000</u>	<u>Change</u>	
Lincoln City	191,972	225,442	33,470	17.4%
Lancaster County	213,641	250,291	36,650	17.2%
City of County	89.9%	90.1%	91.3%	
Source: 1990, 2000 Census				GP&R, Inc.

Population Age Structure

The 2000 Lincoln population consists of a majority (71%) of persons in their working age (16 to 64 years old). The young and the old populations (under 16 years and over 64 years old) consist of 19% and 10%, respectively, of the population. The population growth during the past ten years was mostly a result of migration. It contributed to growth in the number of persons in two age groups: 5 to 24 years and 35-44 years old. Changes in fertility patterns among migrants resulted in growth among the young population under 5 years old (growth was in absolute numbers, but not in relative terms).

Changes in the age structure during the past ten years reflect aging of the ‘baby boomers’ (who were 36-54 years old in 2000), and a slight decrease (by 1%) in the relative size of the population under 5 years old and over 65 years old. However, the age structure that exhibits the relative size of age groups should not be misleading – both of the latter age groups experienced growth in absolute numbers (by 10% and 19%, respectively).

Lincoln City Age Structure (1990-2000)



Population Ethnic Composition

Lincoln’s population is predominantly White Caucasian (not Hispanic or Latino origin). This group consists of 197,951 persons (87.8% of the population). The rest of the population consists of 6,876 persons of African-American origin (3.1%), 6,866 persons of Asian origin (3.0%), and others. Diversification of the ethnic composition is probably among the most significant demographic changes that took place during the past decade. As specified in the table below, the growth rate among minority groups ranged from 55% (African-American) to 122% among ‘other’ category, which mostly refers to persons of Hispanic or Latino origin. The table presents a comparison between 1990 and 2000 ethnic composition. In reviewing the data, one should note that persons of Hispanic/Latino origin are included in two major ethnic groups: ‘Other’ (consists of 47% of Hispanic/Latino population) and White (38% of Hispanic). All other persons of Hispanic/Latino origin are distributed among other ethnic groups.

	1990	2000	1990-2000 Change		2000 Percent Hispanic
White	179,302	201,150	21,848	12.2%	1.6%
African American	4,439	6,876	2,437	24.9%	2.1%
American Indian	1,033	1,824	791	76.6%	8.6%
Asian/Hawaiian	3,261	6,866	3,605	110.5%	2.8%
Other Race	3,937	8,726	4,789	121.6%	93.5%
Total	191,972	225,442	33,470	17.4%	

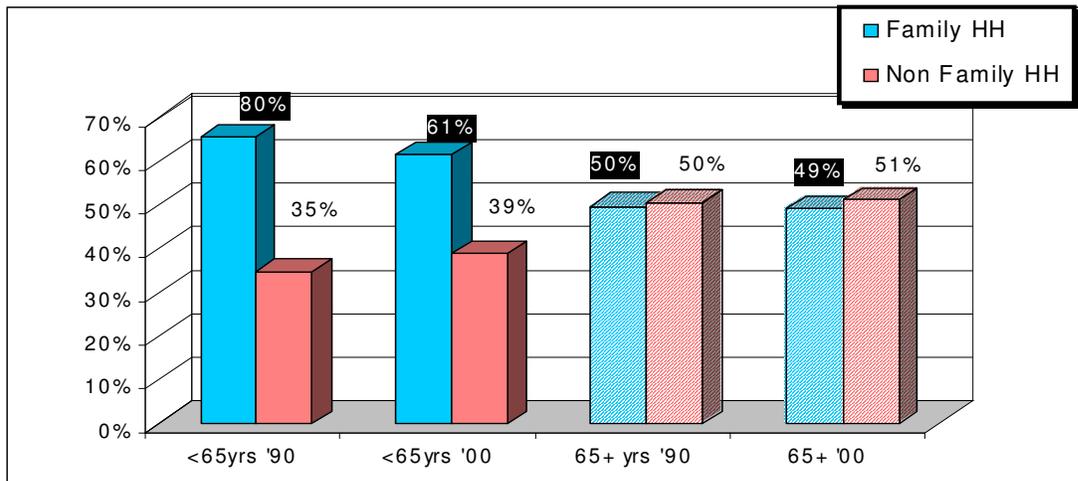
GP&R, Inc.

Households and Household Population

From 1990 to 2000, Lincoln gained 32,797 households (a 20% increase), reaching a total of 90,485 households. The number of persons living in households also increased, but at a slightly lower rate (18% growth rate). Consequently, the average household size decreased from 2.4 persons in 1990 to 2.36 persons in 2000.

Beyond this growth, the city experienced a significant change in the proportions between family and non-family households. The number of family households (59% of households) has gone up, but at a lower rate compared with non-family households. The result was an increase in the relative size of non-family households, especially among the non-elderly population. Indeed, the non-family households aged 0-64 years old gained 10,751 persons (a 36% increase), compared with a gain of 909 non-family elderly households (13% growth). The chart below illustrates the proportional sizes of family and non-family households among elderly and non-elderly households.

Household Composition By Age and Family Type (1990 & 2000)



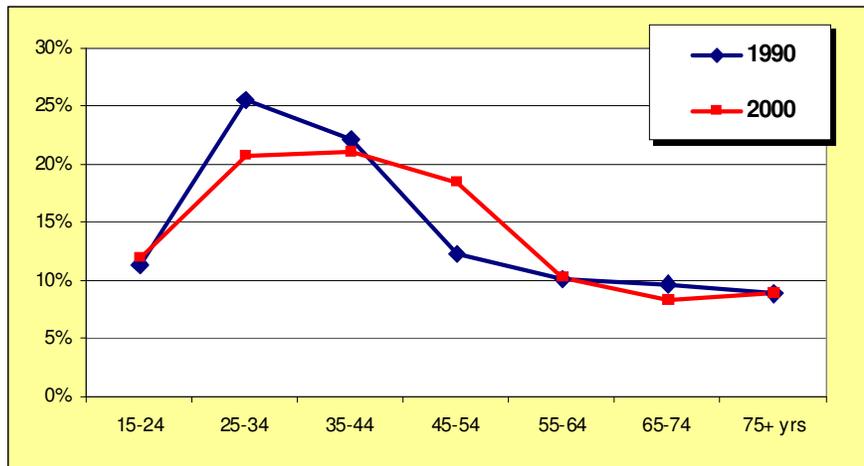
Typically in Nebraska, increase in non-family households resulted in a decrease in the overall average household size and an increase in the average size of the non-family households. In many communities, a decrease in fertility rate further resulted in a declining size of the average family size. Lincoln, however, deviates from this rule. Because a large number of minority households are families with a relatively high fertility rate, the average family (non-elderly) household in Lincoln has gone up during the past ten years. Additional characteristics that appear to be associated with minority households include an increase in the traditional (married) household type and in households consisting on relatives. The table on the following page summarizes the data relevant to households.

Lincoln Households (1990 & 2000)

	<u>1990</u>	<u>2000</u>	<u>Change</u>	
<u>Households Total</u>	75,230	90,485	15,255	20%
Family	46,963	53,580	6,617	14%
Non-Family	28,267	36,905	8,638	31%
<u>Population In Household</u>	181,141	213,938	32,797	18%
In Family Household	144,467	165,411	20,944	14%
In Non-family Households	36,674	48,421	11,747	32%
		40.8%		
<u>Household Size</u>	2.40	2.36	(0)	-1%
Family	3.08	3.09	0	0%
Non-Family	1.30	1.31	0	1%

The ten-year trend among households' age structure is consistent with the population age structure previously presented.

Household Age Structure (1990 & 2000)



Household Ethnic Structure

The vast majority of households (92.5%) are of White ethnic origin. Minorities (a total of 7.5%) consist of Black, Asian, and other mixed races, including households of Hispanic/Latino origin. This represents a change from 1990, when White Caucasian households consisted of 95.4% and minority households consisted of 4.6%. All ethnic groups experienced growth during the past ten years. Growth was especially felt among households of Asian origin (105.3% growth) and of Hispanic/Latino origin (320% growth).

Households by Ethnic Origin (2000)

	<u>Households</u>	<u>Percent</u>
White Alone	83,719	92.5%
Black/African American	2,181	2.4%
American Indian	495	0.5%
Asian Pacific, Hawaiian	1,971	2.2%
Other Race	2,119	2.3%
<u>Total</u>	90,485	100.0%
Source: 2000 Census (SF1 & SF3)		GP&R, Inc.

The 2000 household structure varies somewhat between ethnic groups. Generally, the most prevalent type of household is ‘family household – married couples’ category. This household type, however, is more prevalent among the White population. Non-family households living alone are also more prevalent among the White. However, minority populations have a high proportion (compared with White) of single-parent family households and non-family households that do not live alone. Analysis of different ethnic groups and census tracts shows that Hispanic origin and geographic location are major factors that distinguish between household structure of different ethnic groups.

Household Type (White vs. Minorities), (2000)

	<u>White</u>	<u>Minorities</u>
Married-couple family	47.6%	43.1%
Male householder, no wife present	3.1%	5.1%
Female householder, no husband present	8.7%	17.1%
Non-Family Householder living alone	30.9%	23.6%
Non-Family Householder not living alone	9.7%	11.0%
Total	100.0%	100.0%
Source: 2000 Census (SF1 & SF3)		GP&R, Inc.

Group Quarters

Excluded for the household population are about 11,504 persons living in group quarters. About 85% of persons in group quarters are of White Caucasian ethnic origin. Persons in group quarters fall into two major categories: students living in dormitories (61% of group quarters) and persons in correctional institutions (23%). The rest are in nursing homes (8.2%) and other non-institutions (including homeless).

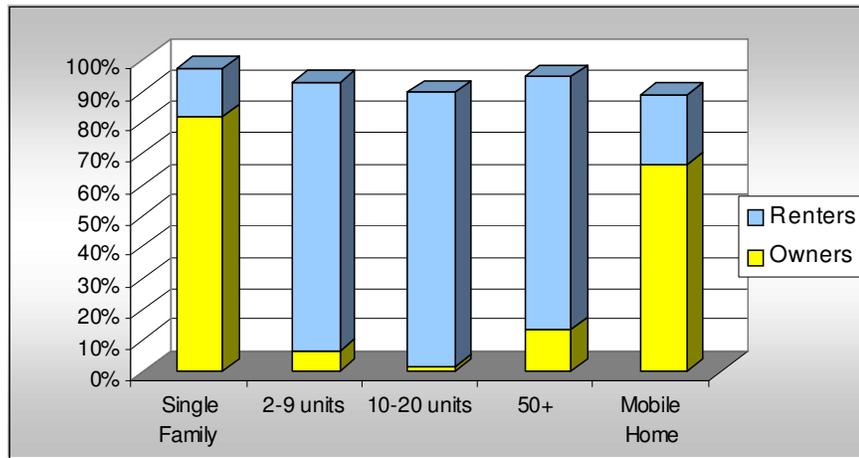
Housing Market and Tenure

In 2000, the housing stock consisted of 95,188 units. This represents a 20% increase (16,144 units) from 1990, which is slightly higher than the increase in households. Accordingly, the vacancy rate increased from 4.6% of the housing stock in 1990 to 5.0% in 2000.

About twenty percent of the housing stock was built in the past ten years. A similar spurt in construction (19% of the housing stock) took place in the 1970s, while construction in the 1980s, 1960s, and 1950s contribute about 11% (for each decade) of the housing stock. As expected, the construction during the 1940 was limited.

The housing stock consists of primarily single-family detached homes (63% of the housing stock). These homes (including mobile homes) are mostly occupied by their owners, as illustrated in the figure below and specified in the table following the figure.

Building Size and Tenure (2000)



Building Size and Tenure (2000)

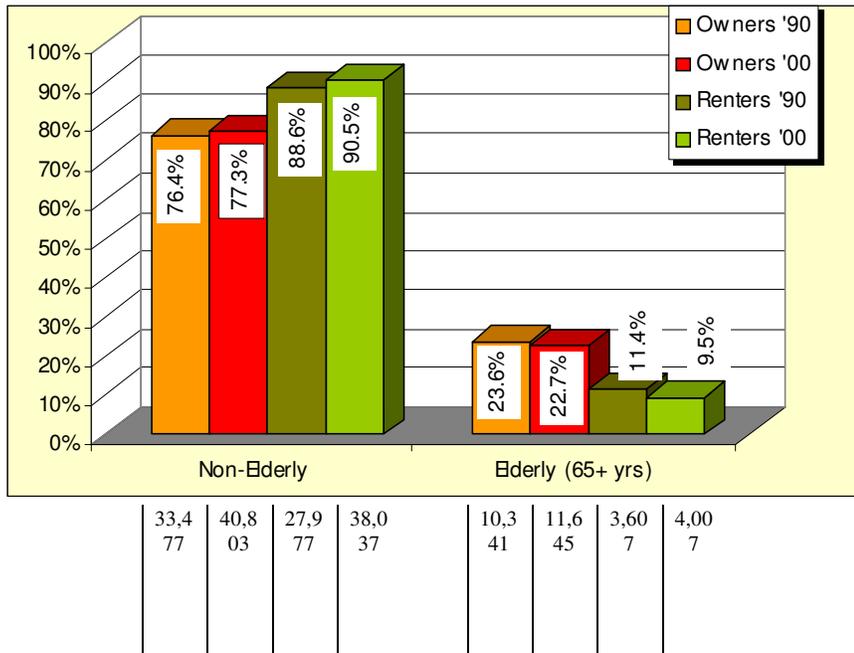
	Total Units		Occupied			Total
	Total	%	Total	Owners	Renters	
Single Family	60,082	63.1%	58,416	84%	16%	100%
2-9 Units	13,888	14.6%	12,916	7%	93%	100%
10-49 Units	14,788	15.5%	13,202	2%	98%	100%
50+ Units	4,094	4.3%	3,868	14%	86%	100%
Mobile Home	2,329	2.4%	2,076	75%	25%	100%
Boat, van, etc.	7	0.01%	7	100%	0%	100%
Total Units	95,188	100%	90,485			

Source: Census 2000 (SF3) GP&R, Inc.

Over half (57.9%) of the occupied units are owner occupied. In 2000, they consisted of 52,448 households. Renter households (42.1%) consisted of 38,037 households. Available information concerning building permits issued since the 2000 Census suggests that the 2000 owner/renter ratio has not changed. From 1990 to 2000, the number of both owner and renter occupied units increased by about 20%. The market gained 8,630 homeowners (19.7% growth rate) and 6,453 renters (20.4% growth rate).

Analysis of tenure structure among different age groups shows that renters are more likely to be under 65 years old (non-elderly) and elderly (65 years and older) are more likely to be homeowners. During the past decade, the proportion of non-elderly homeowners and renters increased compared with elderly homeowners and renters, as illustrated below. Further, Married-couples are more likely to be homeowners, although the number of homeowners who are single-parents or single-person household increased significantly since 1990 (especially among the non-elderly population).

Tenure Structure by Age (1990 & 2000)



Source: Census 1990 & 2000 (SF3)

Tenure and Ethnicity

Households of White ethnic origin (83,719 households) consist of the majority of homeowners and renters, although in 2000, their rate of renter households was low compared with homeowners (87.5% of renters vs. 95.8% of homeowners). Further, households of White ethnic origin tend to be homeowners (60% homeownership rate). Contrary to this ethnic group, all minority households have a significantly higher percentage of renter households. Households of Asian origin have the highest ownership among minority populations (about 40%, compared with 30% and less among all other minority ethnic groups).

Tenure Status by Ethnic Origin (2000)

			<u>Owners</u>	<u>Renters</u>	<u>Total</u>
White Alone	83,719	92.5%	60.2%	39.8%	100%
Black/African American	2,181	2.4%	23.3%	76.6%	100%
American Indian	495	0.5%	34.3%	65.7%	100%
Asian Pacific, Hawaiian	1,971	2.2%	40.1%	59.9%	100%
Other Race	2,119	2.3%	28.4%	71.6%	100%
Total	90,485	100.0%	<u>58.0%</u>	<u>42.0%</u>	<u>100%</u>

Source: 2000 Census (SF1 & SF2) GP&R, Inc.

Vacancies

The overall housing vacancy rate was at 5% (4,714 units) in year 2000. This represents an increased from 1990, when the vacancy rate was 4.6% (and 3,653 units). The majority of vacant units (57%) were available for rent, about 18% were for sale, and about 14% area available for occasional use. 10% of the units were vacant but are, to a certain extent, off the active market.

Vacancies (2000)

<u>Total:</u>	<u>Units</u>	<u>Percent</u>
For rent	2,706	57.4%
For sale only	857	18.2%
Rented or sold, not occupied	470	10.0%
For seasonal, recreational, or occasional use	283	6.0%
Other vacant	398	8.4%
For migrant workers	0	0.0%
Total	4,714	100.0%

Source: Census 2000 (SF3) GP&R, Inc.

Analysis of the 2000 vacancy pattern by unit type shows that vacancy rate is the lowest among the single-family units and is the highest among building with 10 to 50 units. A brief analysis of vacancies by census tract suggests that there is a positive correlation between vacancy rate, location, and building finance type. However, a more thorough analysis is required in order to establish this correlation.

Vacancies by Building Size (2000)

<u>Building Size</u>	<u>Units</u>	<u>Vacant Units</u>	
1, detached	54,483	1,433	2.6%
1, attached	5,599	230	4.1%
2	4,658	355	7.6%
3 or 4	3,564	272	7.6%
5 to 9	5,666	345	6.1%
10 to 19	7,822	889	11.4%
20 to 49	6,966	711	10.2%
50+	4,094	226	5.5%
Mobile Home	2,329	253	10.9%
Boat, RV, van, etc.	7	0	
<u>Total units</u>	<u>95,188</u>	<u>4,728</u>	<u>5.0%</u>
Source: Census 2000 (SF3)		GP&R, Inc.	

Affordable Housing Inventory

Based on an extensive count of 2000 rent-assisted housing units, the City's pool of affordable housing consists of 6,141 housing units. There are additional 300 units for persons with disabilities and about 2,200 elderly and disabled households that enjoy Homestead exemption.

Analysis of the rents indicate that about 2,150 units are available to household with income up to 30% of the Area Median Income (AMI), 2,970 units for household with income of 30%-50% of the AMI, and 1,021 units for households with income at 51%-80 of AMI.

Household Income

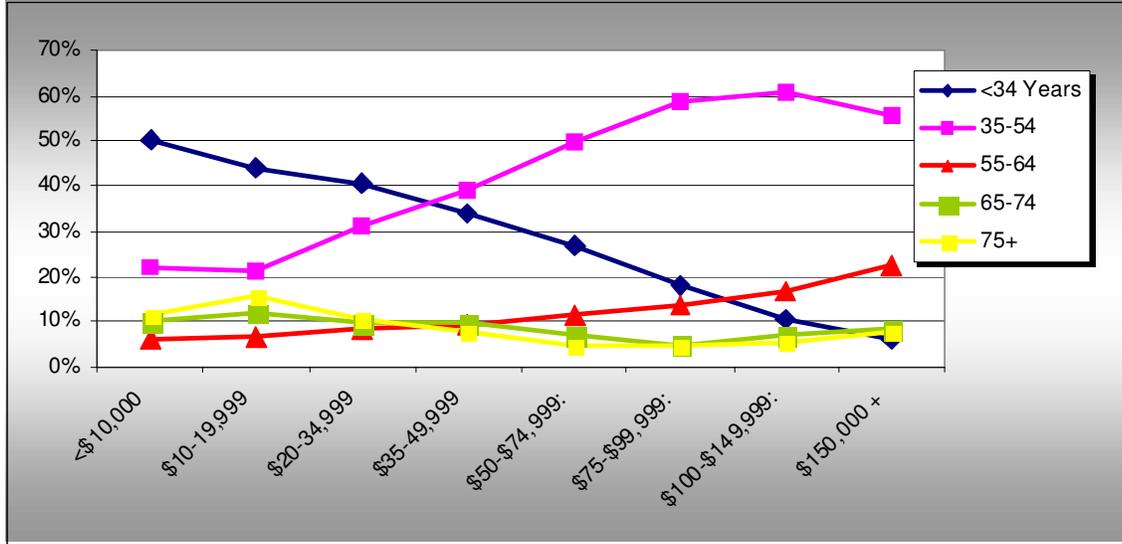
According to the Census, the Median Household Income (MHI) for 2000 was \$40,605 for the City as a whole. The MHI varies with age of householder. Households with a householder that is below 25 years old had a MHI of \$21,293. MHI increased with age, reaching a peak of \$57,749 at age 45-54 years, and decreased to \$27,422 for households with householders 75 years and older.

Median Household Income by Age (2000)

Total	\$ 40,605
Householder under 25 years	\$ 21,293
Householder 25 to 34 years	\$ 38,999
Householder 35 to 44 years	\$ 48,337
Householder 45 to 54 years	\$ 57,749
Householder 55 to 64 years	\$ 51,750
Householder 65 to 74 years	\$ 34,387
Householder 75 years and over	\$ 27,422
Source: Census 2000 (SF3)	GP&R, Inc.

The chart below illustrates the income distribution among households of different age groups.

Income Distribution Among Households By Age (2000)



Source: 2000 Census (SF3)

Based on the MHI for the population as a whole, the Census data shows that, in 2000, a total of 32,474 households had income at 80% and below the Median Household Income. These households consist of 35.9% of the households. More specific analysis shows that the rate of elderly households of low to moderate incomes (also referred to as LMI) was high compared with non-elderly households (49% elderly vs. 33% non-elderly).

About twenty percent (or 19,103 households) of the total LMI households had income at or below \$20,303, which is about 50% of the Median Household Income. These households consisted of 14,232 non-elderly and 4,871 elderly households.

Household Income Distribution by Age (2000)

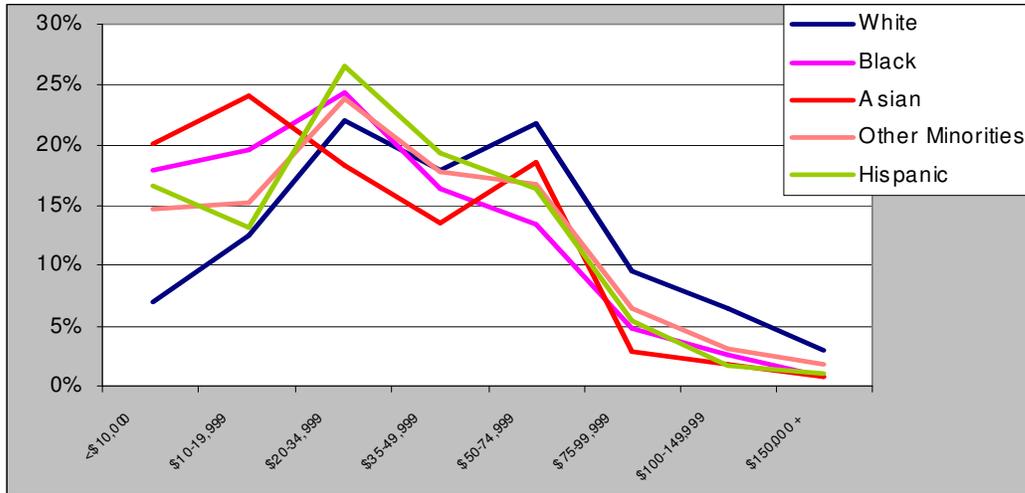
Income	TOTAL	NE<65	65+
<30% of HMI	9,467	7,225	2,242
30-50% of HMI	9,636	7,007	2,629
50-80% of HMI	13,371	10,580	2,791
Total Low/Moderate Income	32,474	24,812	7,662
Income \$100,000 and above	8,020	6,946	1,074
Percent of total Households	8.9%	9.3%	6.8%

Source: 2000 Census (SF3) GP&R, Inc.

Income Distribution and Ethnic Composition

Income is unevenly distributed among ethnic groups. The median income for households of White Caucasian only origin is in the range of \$40,000 to \$45,000. This median income is high by \$10,000 to \$25,000 compared with other ethnic groups. Specifically, the median income for groups of African American and Asian origin is \$20,000 to \$25,000, and the median income for groups of Hispanic/Latino origin and other ethnic groups is \$25,000 to \$30,000.

Income Distribution Among Households By Ethnic Origin (2000)



The uneven income distribution is manifested in the proportion of households with low and moderate incomes among the different ethnic groups. As presented below, nearly half of the minority households have low and moderate incomes, compared with about 35% among the White Caucasian households. Further, while minority households consist of 9% of the total population, minority households with low and moderate incomes consist of over 12% of the households with these incomes.

Household Income Distribution by Ethnic Origin (2000)

Income	Total	White Alone	Minorities	Hispanic	Black	Asian
<30% of Median	9,467	7,856	1,611	464	496	283
30-50% of Median	9,636	8,536	1,100	260	384	202
50-80% of Median	13,371	12,062	1,309	435	358	255
Total LMI households	32,474	28,453	4,020	1,159	1,238	740
% LMI of Total Households	35.9%	34.5%	49.4%	48.4%	53.8%	56.5%
% LMI of Total LMI	100%	87.6%	12.4%	3.6%	3.8%	2.3%
% Race of Total Households	100%	91.0%	9.0%	2.6%	2.5%	2.1%

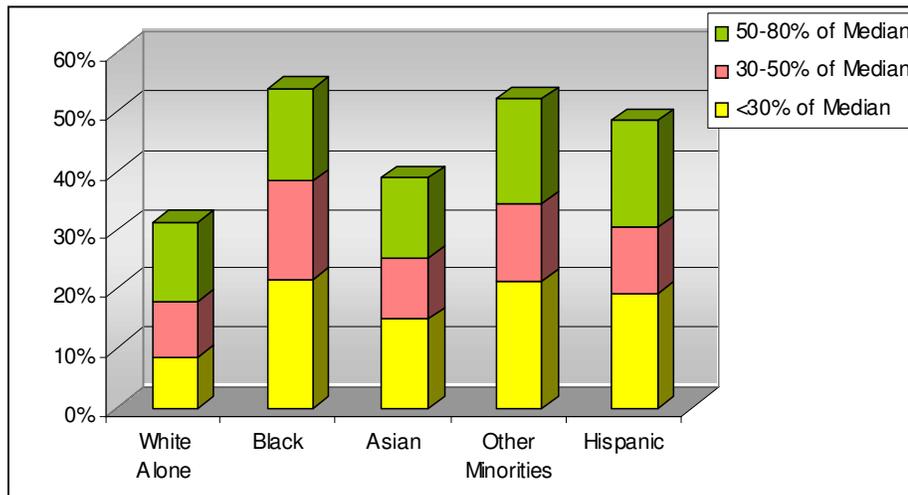
GP&R, Inc.

Source: 2000 Census (SF3)

Analysis of the differences between ethnic groups shows that the largest ethnic groups among the households with low and moderate incomes are of African America, Asian, and Hispanic/Latino origins.

The figure below illustrates the proportion of households with low and moderate incomes of the total household in each ethnic group. Note that only the latter three groups are specified. All other groups are included in the category 'other group'. As shown, there is a significant difference between the White Caucasian households and all minority households. The differences are apparent in the total number of households with low and moderate income as well as in the proportion of households with very low income (below 30% of the Area Median Income). Minority groups have a high proportion of households with very low income compared with the White Caucasian population. Although not shown here, the Census data suggests that ethnic groups also differ in the age of households with low and moderate incomes. On an average, minority households with low and moderate incomes tend to be about seven years younger than White Caucasian households with low and moderate incomes.

Households by Major Ethnic Origin and Income (2000)



Income Distribution and Tenure

Renter households are more likely to have households with low and moderate incomes, and these LMI households are more likely to

experience housing cost overburden. The data presented below shows that about 22% (11,637 households) of homeowner households have low and moderate incomes. Of these households, 48.3% (or 4,928 households) experience housing cost overburden (their housing related expenses are above 30% of their income). Renter households consist of about 64% households with low and moderate incomes (22,276 households). Of these households, nearly 60% (13,129 households) experience cost overburden.

Household Tenure by Income and Cost Burden (2000)

Income Category	Owners		Renters		% Cost Burden of LMI	
	Total	Cost Burden	Total	Cost Burden	Owners	Renters
<30% of HMI	1,547	910	7,920	6,152	18.5%	46.9%
30-50% of HMI	2,807	1,343	6,829	4,722	27.3%	36.0%
50-80% of HMI	5,844	2,675	7,527	2,255	54.3%	17.2%
Total LMI	10,198	4,928	22,276	13,129	100%	100%
Total Households	52,448		38,037			

GP&R, Inc.

Source: 2000 Census (SF3)

Further analysis shows that the proportion of minority households of low and moderate incomes that experience cost overburden is higher than their proportion of the total population. The total of minority

households who experience cost overburden (4,202 households) consists of 23.3% of all such households. This is significantly higher than the proportion of all minority households of the total population (7.5%).

Income Category	LMI Households	Total Minorities Households	Total Cost Overburden Households	Cost Overburden Minorities		
				Total	Homeowners	Renters
<30% of Median	9,467	1,611	7,062	1,154	149	1,005
30-50% of Median	9,636	1,100	6,065	1,052	107	944
50-80% of Median	13,371	1,309	4,930	944	268	677
	32,474	4,020	18,057	3,150	524	2,626

Source: Census 2000 (SF3) GP&R, Inc.

Housing Needs

Housing needs estimates are based on the cost overburden. Cost overburden information is based on Census 2000 (SF3). The assessment assumes that households enjoying homestead exemptions did not surface in the Census count as experiencing cost overburden. The assessment further assumes that all rent-assisted units are occupied by households with low to moderate incomes. Therefore, these households are not counted by the Census as experiencing cost overburden. Finally, since the Census data applies to year 2000, additional affordable units that were developed since April of 1999 were not counted for the needs assessment. This approach is consistent with the discussion thus far, which is based on 2000 Census.

As presented on the following page, Lincoln has a large number of households that experience housing cost overburden. These households consist of nearly 20% of the total population and over half (55.6%) of the populations with low and moderate incomes. Cost overburden is negatively correlated with income – the lower the household income the higher the number of households experiencing cost overburden. Cost overburden is further related to tenure status. As a rule, renter households are more likely to experience housing cost overburden. Nearly two thirds (78%) of renter households with incomes up to 30% of the Area Median Income (AMI) experience cost overburden. The proportion of cost overburden households decreases with income (69% of renter households with incomes at 30%-50% of the AMI and 30% of households with incomes at 51%-80% of the AMI). Cost overburden among homeowners is slightly lower than among renters. Households experiencing cost overburden consist of 59%, 48% and 46% of homeowners with incomes up to 30%, 30%-50%, and 51%-80% of the AMI (respectively). The differences between renters and homeowners are related to age and ethnic origin of households. The elderly, who are more likely to be homeowners and among the LMI homeowners in particular, tend to experience low cost overburden (e.g., mortgage is paid off and Homestead Exemption result in low cost overburden for Census purposes).¹ Minority households with a high proportion of households with low and moderate incomes and renters tend to impact the rental market. Also, cost overburden figures in the rental market are affected by the affordable housing supply, which tends to target households at 60% and higher of the AMI.

¹ Note that non-housing related expenses that burden the elderly income (e.g., medical bills) are not reflected in the housing cost overburden figures.

Housing Needs Assessment (2000)

	Total	Renters	Owners						
Total Households	90,485	38,037	52,448						
<30%	9,467	7,920	1,547						
31-50%	9,636	6,829	2,807						
51-80%	13,371	7,527	5,844						
Total LMI	32,474	22,276	10,198						
				Affordability	Supply	Quality	Access	Size	Location
	Households	Needs							
<30%	9,467	7,062		5	5	3	NA	3	1
31-50%	9,636	6,065		4	4	3	NA	2	1
51-80%	13,371	4,930		4	3	3	NA	1	1
Total LMI	32,474	18,057							
<u>Elderly</u>									
<30%	2,242	1,020		5	4	4	NA	3	1
31-50%	2,629	1,197		4	4	4	NA	3	1
51-80%	2,791	1,270		4	4	4	NA	3	1
Total LMI	7,662	3,487							
Total HH	15,770	-							
<u>Minorities</u>									
<30%	1,611	1,154		5	5	3	NA	4	1
31-50%	1,100	1,052		5	4	3	NA	4	1
51-80%	1,309	944		5	3	3	NA	4	1
Total LMI	4,020	3,150							
Total HH	6,767								

The waiting lists of the Lincoln Housing Authority confirm the above discussion.

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.

COMMENTS TO WAITING LIST TABLES

Data concerning waiting lists is valid to 9-30-2007. Data changes daily.

In an effort to minimize duplications and present an accurate picture of the characteristics of families and persons on waiting list, we have chosen to present two separate tables:

Table 1 – Section 8 waiting list

Table 2 – Waiting list of all public housing units

Housing Needs of Families on the Section 8			
WAITING LIST TABLE 1			
Waiting list type: (select one)			
X Section 8 Tenant-Based Assistance			
<u>Public Housing and additional income restricted units</u>			
<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 / sub-jurisdiction: _____			
	# of families	% of total families	Annual Turnover
Waiting list total	2575		
Extremely low income < 30%AMI	1981	76.94%	
Very low income > 30% to 50% AMI	568	22.06%	
Low income > 50% to 80% AMI	26	1.00%	
Families	2082	80.85%	
Elderly families	149	5.79%	
Families with Disabilities	344	13.36%	
Race			
White	1927	74.84%	
African American	462	17.94%	
Native American	70	2.72%	
Asian	50	1.94%	
Pacific Islander	9	.35%	
Multi Racial	57	2.21%	
Total	2575	100.00%	
Ethnicity			
Hispanic	158	6.14%	
Non-Hispanic	2417	93.86%	
Total	2575	100.00%	

Characteristics by Bedroom Size		# of Families	Extremely Low Income	Very Low Income	Low Income
0BR	13.24%	341	271	69	1
1BR	28.93%	745	577	158	10
2BR	41.17%	1060	800	250	10
3BR	13.59%	350	271	77	2
4BR	2.52%	65	51	12	2
5BR	.50%	13	10	2	1
5+BR	.04%	1	1	0	0
TOTAL	100%	2515	1981	568	26

Characteristics by Bedroom Size		# of Families	Race White	Black	Indian/ Alaskan	Asian/	Pacific Islander	Multi- Racial	Hispanic
0BR	13.24%	341	257	59	9	6	1	9	12
1BR	28.93%	745	610	100	14	11	3	7	26
2BR	41.17%	1060	803	175	30	20	1	31	77
3BR	13.59%	350	232	83	14	10	3	8	39
4BR	2.52%	65	22	34	3	3	1	2	4
5BR	.50%	13	3	10	0	0	0	0	0
5+BR	.04%	1	0	1	0	0	0	0	1
TOTAL	100%	2575	1927	462	70	50	9	57	158

**HOUSED TENANTS-Section 8
(Completed 10/09/07)**

Characteristics by Bedroom Size		# of Families	Race White	Black	Indian/ Alaskan	Asian/	Pacific Islander	Multi Racial	Hispanic
0BR	1.07%	31	28	2	1	0	0	0	2
1BR	28.01%	814	699	65	16	30	3	1	30
2BR	39.64%	1152	898	169	39	25	5	16	62
3BR	23.54%	684	442	163	26	42	5	6	45
4BR	7.05%	205	96	76	9	19	2	3	19
5BR	.62%	18	11	5	0	2	0	0	1
5+BR	.07%	2	2	0	0	0	0	0	1
TOTAL	100%	2906	2176	480	91	118	15	26	160

Housing Needs of Families on the PUBLIC HOUSING			
WAITING LIST TABLE 2			
Waiting list type: (select one)			
<input type="checkbox"/> Section 8 tenant-based assistance			
<input checked="" type="checkbox"/> <u>Public Housing and additional income restricted units</u>			
<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 / sub-jurisdiction: _____			
	# of families	% of total families	Annual Turnover
Waiting list total	548	100%	
Extremely low income < 30%AMI	436	79.56%	
Very low income > 30% to 50% AMI	90	16.42%	
Low income > 50% to 80% AMI	22	4.02%	
Families	469	85.59%	
Elderly families	25	4.56%	
Families with Disabilities	54	9.85%	
Race			
White	395	72.08%	
African American	108	19.71%	
Native American	16	2.92%	
Asian	13	2.37%	
Pacific Islander	2	.037%	
Multi Racial	14	2.55%	
Total	548	100%	
Ethnicity			
Hispanic	38	6.93%	
Non-Hispanic	510	93.07%	
Total	548	100%	

Characteristics by Bedroom Size		# of Families	Extremely Low Income	Very Low Income	Low Income
0BR	0%	0	0	0	0
1BR	8.39%	46	29	15	2
2BR	73.18%	401	325	63	13
3BR	7.12%	39	31	5	3
4BR	6.75%	37	31	4	2
5BR	4.56%	25	20	3	2
5+BR	0%	0	0	0	0
TOTAL	100%	548	436	90	22

Characteristics by Bedroom Size		# of Families	Race White	Black	Indian/ Alaskan	Asian/ Pacific Islander	Hispanic/ MultiRacial
0BR	0%	0	0	0	0	0	0
1BR	9.16%	46	41	3	1	0	0
2BR	79.88%	401	298	70	14	8	35
3BR	7.77%	39	26	9	1	2	9
4BR	7.37%	37	18	14	0	3	7
5BR	4.98%	25	12	12	0	0	1
5+BR	0%	0	0	0	0	0	0
TOTAL	100%	548	395	108	16	13	52

HOUSED TENANTS-PUBLIC HOUSING
(Completed 10/09/07)

Characteristics by Bedroom Size		# of Families	Race White	Black	Indian/ Alaskan	Asian/ Pacific Islander	Hispanic/ MultiRacial
0BR	19.63%	63	61	2	0	0	2
1BR	16.20%	52	52	0	0	0	0
2BR	15.89%	51	42	7	1	1	1
3BR	38.01%	122	75	44	2	1	3
4BR	8.41%	27	13	14	0	0	2
5BR	1.57%	5	1	3	0	1	0
5+BR	0%	0	0	0	0	0	0
TOTAL	100%	320	244	70	3	3	8

WAITING LISTS ANALYSIS

As presented, the waiting lists reflect the conditions at the date in which they were recorded. Market conditions can create substantial fluctuations in the waiting lists due to volume of applicants. The tables provided by the Agency Plan do not address issues such as number of repetitive applications after refusal to accept a certain unit and alternative housing solutions while being on the waiting list.

Generally, the waiting lists reflect needs for housing assistance that are consistent with the previous analysis. The major differences between the Public Housing and Section 8 waiting lists probably reflect differences in program eligibility criteria and property characteristics. Below are highlights of the data analysis:

- a. About 77 percent of the Section 8 waiting list applicants have incomes below 30 percent of the area-wide median income, while 80 percent of the Public Housing waiting list applicants have incomes below 30 percent of the area-wide median income.
- b. For Public Housing, the greatest overall demand is for two-bedroom units. Over 73 percent of the Public Housing waiting list applicants (401 families) are seeking two-bedroom units. The number of two-bedroom Public Housing inventory consists of 50 total units or 16 percent of all Public Housing units.
- c. For Section 8, the greatest overall demand is also for two-bedroom units. Over 41 percent of the Section 8 waiting list is seeking two-bedroom units. This appears to be a reflection of need for small, single-parent families.
- d. The demand for one-bedroom units is the second largest group of units sought by Section 8 applicants. Twenty-nine percent (29%) of the Section 8 waiting list (742 applicants) are seeking one-bedroom units. This appears to represent primarily individuals that are elderly and disabled, mostly single-person households.
- e. For Public Housing, the second largest group of applicants is seeking one-bedroom units. The third largest group of Public Housing applicants is seeking three-bedroom units which would reflect our large family need.

The number of public housing applicants has decreased over last year's total, while the number of families seeking Section 8 assistance has dramatically increased. Racial composition of all families housed has remained fairly constant over the past several years.

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)
Engage in activities to enhance public awareness of housing needs.

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)
 - a. *Participate in newly-created Nebraska Voucher program for families with severe mental illness.*
 - b. *Provide a set aside of Section 8 vouchers for project-based housing assistance with preference for rental assistance to disabled families and individuals with assigned support services.*

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)

After a thorough examination of our existing and potential market, as well as the characteristics of our residents and the agency's track record, Lincoln Housing Authority determined that the above strategies are most appropriate for meeting our mission and goals. These strategies reflect the results of working through our long-term plan in consultation with our residents, board, community representatives, and other community players.

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.

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants (FY 2006 grants)		
a) Public Housing Operating Fund	430,000	
a) Public Housing Capital Fund	490,000	
a) HOPE VI Revitalization		
a) HOPE VI Demolition		
a) Annual Contributions for Section 8 Tenant-Based Assistance	13,500,000	
a) Resident Opportunity and Self-Sufficiency Grants	61,000	
a) Community Development Block Grant		
a) HOME	25,000	Security Deposit Assistance
Other Federal Grants (list below)		
HCV-FSS Coordinator	58,500	HCV-FSS Coordinator
2. Prior Year Federal Grants (unobligated funds only) (list below)		
3. Public Housing Dwelling Rental Income	950,000	Public Housing Operations
4. Other income (list below)		
4. Non-federal sources (list below)		
Interest Income—Public Housing	12,000	Public Housing Operations
Interest Income—Section 8 HCV	75,000	Section 8 HCV Operations
Tenants Misc. Charges—Public Housing	43,500	Public Housing Operations
Other: Washers/Dryers; Sprint Tower Contract	25,000	Public Housing Operations
Total Resources	\$15,670,000	

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) *When families are offered a unit.*

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) *Credit History*

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) LHA website www.L-housing.com

c. Site-Based Waiting Lists-Previous Year

1. Has the PHA operated one or more site-based waiting lists in the previous year? *No.*
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? 0

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 *Fall to bottom*
 Two *Removed*
 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) *Displaced by fire, flood or storm.*

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.

2 Date and Time

Former Federal preferences:

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

Other preferences (select all that apply)

- 1 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
- 1 Other preference(s) (list below) *Displaced by fire, flood or storm.*

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. *Lincoln Housing Authority has been exempt from income targeting through the Moving To Work program.*

(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) *Tenant Handbooks*

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)

The information shared with the prospective owner is limited to: 1) the family's current address as shown in LHA records; and 2) the name and address of the landlord at the family's current and prior address if known.

(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) *Mainstream Voucher Program*

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) (1) via mail; or (2) via LHA website with online application at www.L-housing.com

(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:

Typically, it takes a participant a minimum of 90 days to lease-up a unit. LHA provides extensions based on the following three criteria: 1) Extenuating circumstances (family is hard-to-house); 2) Family has not refused suitable housing; and 3) The extension will result in housing the participant.

(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)
1) Enrolled in approved self-sufficiency programs such as Employment First.
2) Military families whose voucher terminated due to being placed in active military duty.

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.

2 Date and Time

Former Federal preferences:

- 1 Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- 1 Victims of domestic violence
- Substandard housing
- 1 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
- 1 Other preference(s) (list below)
Fully enrolled in Employment First or other acceptable self-sufficiency program.
- 1 *Military families whose voucher was terminated due to being placed in active military duty.*

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) *N/A*

- 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)
Homeless Voucher Program
Mainstream Voucher Program

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

- Through published notices
- Other (list below)
Mailings
Social service agency meetings—committees
Internet

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:

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: *27% of monthly gross income with no deductions through our Moving To Work Plan.*

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)

Please refer to Moving To Work section of the Plan and Lincoln Housing Authority Admissions and Continued Occupancy Policy.

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)
- 95th 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)

Tenants must report all changes in family composition. Reporting income changes is not required.

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)

Lincoln Housing Authority is exempt from flat rents through the Moving To Work program.

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)
As current funding allows.

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)
Funding.

(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.).

See Capital Fund Tables Pages 56 thru 61

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.)

Demolition/Disposition Activity Description	
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: (DD/MM/YY)	
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 5-Year Plan for the period FY 2005 - 2009.)

- a. During the 5-year Plan period, maintained a 98 percent lease-up rate for Public Housing units (FY 2005, FY 2006, FY 2007) (Goal #1).
- b. During the 5-year Plan period, the Lincoln Housing Authority completed the construction and lease-up of 96 mixed income units developed by the Lincoln Housing Authority using bond financing (FY 2005) (Goal #1).
- c. During the 5-year Plan period, the Lincoln Housing Authority initiated the construction of a 76-unit mixed income development in south Lincoln (FY 2007) (Goal #1).
- d. During the 5-year Plan period, the Lincoln Housing Authority secured funding for 20 new HUD Section 8 Mainstream vouchers for use by the disabled (FY 2006) (Goal #1).
- e. During the 5-year Plan period, the Lincoln Housing Authority maintained its status as a high performer under PHAS (FY 2005, FY 2006, 2007) (Goal #2).

- f. During the 5-year Plan period, the Lincoln Housing Authority maintained its status as a high performer under SEMAP (FY 2005, FY 2006, FY 2007) (Goal #2).
- g. During the 5-year Plan period, the Lincoln Housing Authority enforced HUD Housing Quality Standards to maintain the high quality of Section 8 units (FY 2005, FY 2006, FY 2007) (Goal #2).
- h. During the 5-year Plan period, the Lincoln Housing Authority has updated the annual and five-year public housing capital improvement programs and completed needed improvements to the public housing units (FY 2005, FY 2006, FY 2007) (Goal #2).
- i. During the 5-year Plan period, the Lincoln Housing Authority monitored the voucher payment standards and kept the payment standards at or above 90 percent of FMRs, but not exceeding 100 percent of the FMR (FY 2005, FY 2006, FY 2007) (Goal #3).
- j. During the 5-year Plan period, the Lincoln Housing Authority published 11 newsletters for landlords to encourage their participation in the Section 8 Voucher program and increased the number of landlords participating in the Section 8 Voucher program (FY 2005, FY 2006, FY 2007) (Goal #3).
- k. During the 5-year Plan period, the Lincoln Housing Authority continued to implement and enforce the LHA drug policy (FY 2005, FY 2006, FY 2007) (Goal #4).
- l. During the 5-year Plan period, the Lincoln Housing Authority continued to maintain its Public Housing units to the high community standards and expectations of its citizens and residents (FY 2005, FY 2006, FY 2007) (Goal #4).
- m. During the 5-year Plan period, the Lincoln Housing Authority has provided opportunities for LHA residents to participate in needed services and programs offered by the Carol M. Yoakum Family Resource Center (FY 2005, FY 2006, FY 2007) (Goal #4).
- n. During the 5-year Plan period, the Lincoln Housing Authority continued its financial support for housing clients in the participation of self-sufficiency programs and various social services to become independent of federal housing assistance (FY 2005, FY 2006, FY 2007) (Goal #5).
- o. During the 5-year Plan period, the Lincoln Housing Authority completed its eighth full year of successful operation under the Moving To Work Demonstration program encouraging work or training for program participants (FY 2005, FY 2006, FY 2007) (Goal #5).
- p. During the 5-year Plan period, the Lincoln Housing Authority continued to affirmatively further fair housing through increased housing choices that the Section 8 Voucher participants currently enjoy (FY 2005, FY 2006, FY 2007) (Goal #6).

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

Substantial Deviation from the 5-Year Plan is defined as occurring when the PHA Board, with input from the Resident Advisory Board, deletes or adds any goals as presented in the 5-Year Plan. Changes in strategy to achieve the various outlined goals are not deemed to be a substantial deviation from the 5-Year Plan.

b. Significant Amendment or Modification to the Annual Plan

Significant amendment or modification to the Annual Plan is defined as LHA policy changes to rent or admissions policies that negatively affect the qualification to receive housing assistance or to continue housing assistance; or the LHA waiting list policy is changed or reorganized by adding local preferences, or change in date or time as to the primary management provision of the LHA waiting list; or additional projects are added but not previously identified in the Five-Year Capital Fund Action Plan; or any changes to Low Rent Public Housing unit counts due to changes with regard to public housing units identified for demolition or disposition; or the creation or deletion of a Section 8 homeownership program, or the conversion of Low Rent Public Housing units to vouchers.

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:

The Resident Advisory Board met on three different occasions to review the draft Lincoln Housing Authority Five-Year and FY 2008 Annual Plan. The Resident Advisory Board meeting dates were November 6, 2007, November 20, 2007, and December 4, 2007. The minutes of those meetings were recorded and are available for review.

The area of the Plan generating the most comments from the Resident Advisory Board concerned proposed LHA changes to the operation of the HUD Moving To Work program. The Lincoln Housing Authority is preparing to implement a rent policy for the Section 8 Voucher and Public Housing programs that set the tenant's portion of the rent at 27% of the monthly gross income. Deductions will be eliminated to simplify the tenant

rent calculations. The Resident Advisory Board was concerned that the elimination of all deductions to gross household income could cause a hardship on the elderly and disabled participants. The establishment of 27 percent of gross income is an amount that would be program expenditure neutral allowing LHA to still serve the same number of units currently authorized for LHA. As a result of the Resident Advisory Board's input, the Lincoln Housing Authority will institute a hardship policy limiting any rent increases caused by the change in the Moving To Work rent calculations. The Lincoln Housing Authority hardship clause will call for a maximum increase in household rent to be limited to \$25 per household per each review year.

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)

The Lincoln Housing Authority will institute a hardship clause for those Moving To Work participants that experience a rent increase over \$25 due to the elimination of individual deductions. Rent increases to these individuals will be limited to \$25 per each annual review.

(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: *Kimberly Bro*

Method of Selection:

- Appointment by Mayor
The term of appointment will expire 07/01/2010.
- 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: 07/01/2008

Name and title of appointing official(s) for governing board (indicate appointing official for the next available position): Mayor of Lincoln, Lincoln 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) City of Lincoln, Nebraska

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)
- Other: (list below)

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

The City of Lincoln Consolidated Plan supports the PHA Plan with actions that provide financial assistance for housing needs and homeless programs for the city of Lincoln.

(4) (a) MOVING TO WORK DEMONSTRATION PROGRAM

The Lincoln Housing Authority was chosen in October 1997 to participate in the HUD Moving To Work Demonstration (MTW) program. The HUD Moving To Work program allows public housing authorities to design and test ways to give incentives to families to become economically self-sufficient, reduce administrative costs, and increase housing choice for low-income families. Lincoln Housing Authority signed the Moving To Work agreement with HUD in May of 1999 with implementation started July 1, 1999.

For the Lincoln Housing Authority, the Moving To Work Demonstration Program included the following changes from established HUD rules and regulations:

- All Section 8 Certificates were converted to Vouchers within a calendar year period.
- Preferences are given to Section 8 households/applicants who are involved in Housing Authority approved self-sufficiency, education or work programs.
- Preferences have continued for: (a) all homeless households; (b) victims of domestic violence; (c) State TANF Employment First participants; and (d) LHA-approved self-sufficiency programs.
- All able-bodied adults must be enrolled in a Housing Authority approved self-sufficiency program, education program, or work. Those able-bodied households choosing not to work or to be part of an education or training program will be subject to an assigned minimum level of earned income for tenant rent calculation. The minimum earned income will be based on 25 hours of work at minimum wage for one adult or 40 hours of work per week at minimum wage for two adult members of a family. Elderly disabled or participants in an approved self-sufficiency program are exempt from the minimum earned income calculation.
- Total tenant payment (TTP) will be determined using a fixed percentage (27 percent) of the household's gross income, thus eliminating the need for deductions. For existing assisted households that experience an increase in TTP of more than \$25 due to the elimination of deductions, a hardship will be declared, and the rent increase will be limited to \$25 per annual review.
- For elderly and disabled households, the re-examination of income will be conducted once every two years.
- During the one-year period between income reviews for families, no changes in the tenant portion of the rent will be made for income increases.
- All utility allowances will be a set dollar amount based solely on number of bedrooms for which the family is eligible for occupy with assistance.
- The HUD/Lincoln Housing Authority self-sufficiency program will be used to promote education opportunities as a key to self-sufficiency.
- The Lincoln Housing Authority may pool all HUD funding sources to pay for rental or public housing operational assistance as needed by circumstances of the program.
- Specific rent policies and information about income used for rent calculations can be found in the Section 8 Administrative Plan or the Occupancy and Admission Plan attached to this plan.
- The calculation of income from assets will be implemented using the face value of assets over \$5,000 with income based upon HUD passbook rate.

- Assets under \$5,000 will be excluded from income calculation.
- All assisted households must pay a minimum of \$25 in tenant rent to owner.

4 (b) Income Analysis of Public Housing Developments September 27, 2007

LHA undertook an income analysis of seven (7) family Public Housing developments in accordance with HUD requirements. The purpose of the analysis was to determine if policy changes were necessary to promote deconcentration of poverty. All seven of the developments fell within HUD’s established income range. All are filled from the same waiting list in accordance with a One Offer policy.

The nature of the scattered site housing stock and the One waiting list—One offer policy already promote deconcentration of poverty. Therefore, no additional policy changes are necessary.

The following lists, by development, the number of occupied units, the total income, the average income, the adjusted average income, and the percentage of the adjusted average of each development to the overall adjusted average for all developments. The bedroom size adjustment was calculated in accordance with HUD guidelines to adjust for variances among unit sizes.

<u>PROJECT</u>	<u>OCCUPIED UNITS</u>	<u>TOTAL INCOME</u>	<u>AVERAGE</u>	<u>ADJUSTED AVERAGE</u>	<u>% ADJ AVG</u>
F39	39	\$ 902,340	\$23,137	\$18,965	105.36%
HALL	23	\$ 557,720	\$24,249	\$19,399	107.77%
HANSEN	48	\$1,107,111	\$23,065	\$17,085	94.91%
LARSON	24	\$ 443,597	\$18,483	\$15,532	86.29%
PEDERSON	24	\$ 544,381	\$22,683	\$18,146	100.81%
P30	30	\$ 541,410	\$18,047	\$18,047	100.26%
A12	12	\$ 295,533	\$24,628	\$19,702	109.45%
	200	\$4,392,092			
TOTAL AVERAGE PER HOUSEHOLD		\$ 21,960			
ADJUSTED AVERAGE {1.22}		\$ 18,000			

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:)

There is a need to provide assistance for disabled families.

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

40 units at a location to be determined.

5(a) Violence Against Women Act (LHA Activities, Policies, and Programs)

Lincoln Housing Authority's program policies and procedures intend to support or assist victims of domestic violence, dating violence, sexual assault, or stalking. The following policies or activities have been established in the Section 8 Administrative Plan to support these victims.

- ✚ LHA collaborates with all domestic violence agencies. Paper and on-line housing applications are made available at the local shelter. Domestic violence staff is provided an opportunity to be trained by LHA staff on how to complete on-line applications. The use of on-line applications allows the applications to be expedited and allows the victim to stay in their secured environment.
- ✚ A preference is established for the Housing Choice Voucher waiting list for domestic violence victims. The policy is located on page 14 of the Section 8 Administrative Plan.
- ✚ The domestic violence victim retains their voucher during a household separation. The policy is located on page 21 of the Section 8 Administrative Plan.
- ✚ Housing Choice Voucher participants are able to port-out their vouchers out of the LHA jurisdiction for domestic violence or other safety reasons. The policy is located on page 59 of the Section 8 Administrative Plan.
- ✚ Families are allowed to transfer their voucher from the contracted unit during a 12-month period if the family is fleeing for their safety which requires relocation. The policy is located on page 60 of the Section 8 Administrative Plan.
- ✚ LHA reviews police activity in all units owned by LHA or assisted by Section 8 monthly to determine the need for family support services. A LHA Family Support Worker will contact the victim to assist with obtaining the appropriate resources.
- ✚ Through the City of Lincoln's Urban Development Department, LHA provides security deposit assistance to homeless domestic violence victims that are voucher participants.
- ✚ Through the Housing Choice Voucher program, a Homeless program has been established with homeless agencies. The local domestic violence agency is a committee member and case manager for this Homeless program. The Domestic Violence case manager provides referrals to the program. This program allows the victim to receive a specialized voucher and provide supportive assistance to stabilize the family. The policy is located on page 77 of the Section 8 Administrative Plan.
- ✚ During Housing Choice Voucher program admissions, eligibility re-certification and transfer, participants are notified of the VAWA of 2005 and provided the HUD form 50066, Certification of Domestic Violence, Dating Violence or Stalking.
- ✚ 100% of the participating landlords were notified of the VAWA statements added to their Housing Assistance Payment contract via newsletter and mailing of contract amendments.

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
	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
X	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
	Schedule of flat rents offered at each public housing development. <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
X	Section 8 rent determination (payment standard) policies (if included in plan, not necessary as a supporting document) and written analysis of Section 8 payment standard policies. <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Rent Determination
	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach 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
	Follow-up Plan to Results of the PHAS Resident Satisfaction Survey (if necessary)	Annual Plan: Operations and Maintenance and Community Service & Self-Sufficiency
X	Results of latest Section 8 Management Assessment System (SEMAP)	Annual Plan: Management and Operations
	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

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Related Plan Component
	Consortium agreement(s).	Annual Plan: Agency Identification and Operations/ Management
X	Public housing grievance procedures <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures. <input checked="" 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
	Self-evaluation, Needs Assessment and Transition Plan required by regulations implementing Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. See PIH Notice 99-52 (HA).	Annual Plan: Capital Needs
	Approved or submitted applications for demolition and/or disposition of public housing.	Annual Plan: Demolition and Disposition
	Approved or submitted applications for designation of public housing (Designated Housing Plans).	Annual Plan: Designation of Public Housing
	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act, Section 22 of the US Housing Act of 1937, or Section 33 of the US Housing Act of 1937.	Annual Plan: Conversion of Public Housing
	Documentation for required Initial Assessment and any additional information required by HUD for Voluntary Conversion.	Annual Plan: Voluntary Conversion of Public Housing
	Approved or submitted public housing homeownership programs/plans.	Annual Plan: Homeownership
	Policies governing any Section 8 Homeownership program (Section _____ of the Section 8 Administrative Plan)	Annual Plan: Homeownership
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
X	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
X	FSS Action Plan(s) for public housing and/or Section 8.	Annual Plan: Community Service & Self-Sufficiency
	Section 3 documentation required by 24 CFR Part 135, Subpart E for public housing.	Annual Plan: Community Service & Self-Sufficiency
X	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)

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary					
PHA Name:		Grant Type and Number			Federal
Housing Authority of the City of Lincoln, Nebraska		Capital Fund Program Grant No: NE26P00250108			FY of
		Replacement Housing Factor Grant No:			Grant:
					08
<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	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements				
4	1410 Administration	49,493			
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	50,000			
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures	365,600			
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 Collateralization or Debt Service				
20	1502 Contingency	29,844			
21	Amount of Annual Grant: (sum of lines 2 – 20)	494,937			
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures	245,000			

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 Lincoln, Nebraska		Grant Type and Number Capital Fund Program Grant No: NE26P002501-08 Replacement Housing Factor Grant No:				Federal FY of Grant: 08		
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	Administration	14 10		49,493				
HA/Wide	Architectural Fees/Costs	14 30		30,000				
HA/Wide	Capital Needs Assessment	14 30		20,000				
002 MMA	Replace Main Boilers	14 60	2	175,000				
	Replace Air Handler	14 60	1	70,000				
004 Hansen	Replace Interior Doors	14 60		98,600				
005 Larson	Replace Concrete	14 60		10,000				
	Handicap Showers	14 60		12,000				
HA/Wide	Contingency	15 02		29,844				

13. Capital Fund Program

**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 the City of Lincoln, NE		Grant Type and Number Capital Fund Program No: NE26P00250108 Replacement Housing Factor No:					Federal FY of Grant: 08
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	
HA/Wide Admin	09/30/09			03/31/10			
HA/Wide Fees	09/30/09			03/31/10			
002 MMA	09/30/09			03/31/10			
004 Hansen	09/30/09			03/31/10			
005 Larson	09/30/09			03/31/10			
HA/Wide Contingency	09/30/09			03/31/10			

13. Capital Fund Program

Capital Fund Program Five-Year Action Plan					
Part I: Summary					
PHA Name Housing Authority of the City of Lincoln, NE				<input checked="" type="checkbox"/> Original 5-Year Plan <input type="checkbox"/> Revision No:	
Development Number/Name/HA-Wide	Year 1	Work Statement for Year 2 FFY Grant: 09 PHA FY: 10	Work Statement for Year 3 FFY Grant: 10 PHA FY: 11	Work Statement for Year 4 FFY Grant: 11 PHA FY: 12	Work Statement for Year 5 FFY Grant: 12 PHA FY: 13
	Annual Statement				
HA-Wide Administration		49,493	49,493	49,493	49,493
HA-Wide Arch Fees & Costs		25,000	25,000	25,000	25,000
HA-Wide Contingency		3,444	4,044	2,694	11,444
002 MMA		248,000	285,000	163,000	179,000
003 Hall		18,000	32,200	24,700	85,000
004 Hansen		24,000	67,200	89,000	22,000
005 Larson		44,000	26,000	17,000	13,000
006 Pedersen			6,000	46,700	33,000
009 P-30		72,000		49,750	18,000
011 A-12		6,000		3,600	21,000
013 F-39		5,000		24,000	38,000
CFP Funds Listed for 5-year planning		494,937	494,937	494,937	494,937
Replacement Housing Factor Funds					

13. Capital Fund Program

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: 09 PHA FY: 10			Activities for Year: <u>3</u> FFY Grant: 10 PHA FY: 11		
	Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
See Annual Statement	002 MMA	Fire Sprinklers	225,000	002 MMA	Fire Sprinklers	225,000
		Convert Effic. Apts.	23,000		Upgrade Elevators	48,000
	003 Hall	Concrete	6,000		Upgrade Compactor	12,000
		Retaining Walls	12,000	003 Hall	Replace A/C	32,200
	004 Hansen	Interior Doors	18,000	004 Hansen	Replace A/C	67,200
		Concrete	6,000	005 Larson	Replace A/C	26,000
	005 Larson	HC Entry Access	38,000	006 Pedersen	Replace A/C	6,000
		Concrete	6,000			
	009 P-30	Concrete	6,000			
		Retaining Walls	20,000			
		Replace A/C	46,000			
	011 A-12	Concrete	6,000			
	013 F-39	Concrete	5,000			
	Total CFP Estimated Cost			\$417,000		

13. Capital Fund Program

Capital Fund Program Five-Year Action Plan					
Part II: Supporting Pages—Work Activities					
Activities for Year : <u> 4 </u> FFY Grant: 11 PHA FY: 12			Activities for Year: <u> 5 </u> FFY Grant: 12 PHA FY: 13		
Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
002 MMA	Carpet Hallways	40,000	002 MMA	Comm. Room Roofs	12,000
	Convert Effic. Apts.	81,000		Replace Showers	112,000
	Replace Refrigerators	42,000		Convert Effic. Apts.	55,000
003 Hall	Paint Foundations	7,700	003 Hall	Concrete	13,000
	Storm Doors	9,000		Roofs (12)	72,000
	Concrete	8,000	004 Hansen	Concrete	22,000
004 Hansen	Storm Doors	32,000	005 Larson	Concrete	13,000
	Replace Roofs	45,000	006 Pedersen	Replace A/C	28,000
	Concrete	12,000		Concrete	5,000
005 Larson	Storm Doors	9,000	009 P-30	Concrete	18,000
	Concrete	8,000	011 A-12	Concrete	21,000
006 Pedersen	Storm Doors	9,000	013 F-39	Concrete	38,000
	Paint Foundations	7,700			
	Concrete	9,000			
009 P-30	Entry Doors	40,000			
	Storm Doors	9,750			
011 A-12	Storm Doors	3,600			
013 F-39	Concrete	24,000			
006 Pedersen	Replace A/C	21,000			
Total CFP Estimated Cost		\$417,750			\$409,000

13. Capital Fund Program

CAPITAL FUND PROGRAM TABLES

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 Lincoln		Grant Type and Number Capital Fund Program Grant No: NE26P00250106 Replacement Housing Factor Grant No:		Federal FY of Grant: 06	
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 09/30/2007 <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				
4	1410 Administration	46,965	50,938	50,938	46,965
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	25,000	27,346	27,346	27,346
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures	397,344	431,098	431,098	406,109.10
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 Collateralization or Debt Service				
20	1502 Contingency	338	0		
21	Amount of Annual Grant: (sum of lines 2 – 20)	469,647	509,382	509,382	480,420.10
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				

13. Capital Fund Program

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 Lincoln		Grant Type and Number Capital Fund Program Grant No: NE26P00250106 Replacement Housing Factor Grant No:			Federal FY of Grant: 06
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 09/30/2007 <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures	384,000	417,916	429,705	406,109.10

13. Capital Fund Program

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 Lincoln		Grant Type and Number Capital Fund Program Grant No: NE26P00250106 Replacement Housing Factor Grant No:				Federal FY of Grant: 06		
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	
LHA/Wide	Administration	1410		46,965	50,938	50,938	46,965	Ongoing
LHA/Wide	Fees & Costs	1430		25,000	27,346	27,346	27,346	Complete
LHA/Wide	Administration Building	1460		0	997	997	997	Complete
	Replace sidewalk west entry							
002 MMA	Re-pipe HVAC supply lines	1460	8 stories	251,058.54	275,360.94	275,360.94	275,360.94	Complete
	Replace windows	1460	288	259,000	24,592.90	24,592.90	0	Ongoing
	Remodel efficiency apartments	1460	12	60,000	0	0	0	On hold
004 Hansen	Replace roofs	1460	2	8,000	0	0	0	On hold
009 P-30	Replace furnaces	1460	30	40,000	31,890	31,890	31,890	Complete
013 F-39	Replace furnaces/AC	1460	25	62,500	70,543	70,543	70,543	Complete
	Install BR egress windows	1460	71	23,000	27,318.16	27,318.16	27,318.16	Complete
LHA/Wide	Contingency	1502		338	0	0	0	

13. Capital Fund Program

**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 the City of Lincoln		Grant Type and Number Capital Fund Program No: NE26P00250106 Replacement Housing Factor No:					Federal FY of Grant: 06	
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		
HA/Wide Admin	09/30/07			03/31/08				
HA/Wide Fees	09/30/07			03/31/08				
002 MMA	09/30/07			03/31/08				
004 Hansen	09/30/07	Cancelled		03/31/08	Cancelled		Project cancelled to next year	
009 P-30	09/30/07			03/31/08				
013 F-39	09/30/07			03/31/08				

13. Capital Fund Program

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 Lincoln	Grant Type and Number Capital Fund Program Grant No: NE26P002501-07 Replacement Housing Factor Grant No:	Federal FY of Grant: 07
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Original Annual Statement
 Reserve for Disasters/ Emergencies
 Revised Annual Statement (revision no:)
 Performance and Evaluation Report for Period Ending: 09/30/2007
 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				
4	1410 Administration	46,493	49,493	49,493	0
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	25,000	25,000	25,000	0
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures	396,900	418,762	316,662	0
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 Collateralization or Debt Service				
20	1502 Contingency	782	1,682	0	0
21	Amount of Annual Grant: (sum of lines 2 – 20)	469,647	494,937	391,155	0
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				

13. Capital Fund Program

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 Lincoln	Grant Type and Number Capital Fund Program Grant No: NE26P002501-07 Replacement Housing Factor Grant No:	Federal FY of Grant: 07
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Original Annual Statement
 Reserve for Disasters/ Emergencies
 Revised Annual Statement (revision no:)
 Performance and Evaluation Report for Period Ending: 09/30/2007
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures	237,000	275,500	283,132	0

13. Capital Fund Program

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 Lincoln		Grant Type and Number Capital Fund Program Grant No: NE26P00250107 Replacement Housing Factor Grant No:				Federal FY of Grant: 07		
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	Administration	1410		46,965	49,493	49,493	0	Ongoing
HA/Wide	Fees & Costs	1430		25,000	25,000	25,000	0	Ongoing
002 MMA	Replace windows	1460	288	259,000	283,132	283,132	0	Ongoing
003 Hall	Replace concrete	1460		8,000	8,000	0	0	ongoing
	Replace retaining walls	1460	3	0	21,100	0	0	
004 Hansen	Replace concrete	1460		8,000	8,000	0	0	Specs
	Replace roofs	1460	6	35,000	33,530	33,530	0	Complete
005 Larson	Replace concrete	1460		7,500	7,500	0	0	Specs
006 Pedersen	Replace concrete	1460		8,000	8,000	0	0	Specs
009 P-30	Replace concrete	1460		10,000	10,000	0	0	Specs
	Replace wood decks	1460	6	5,900	10,000	0	0	
011 A-12	Replace concrete	1460		13,000	13,000	0	0	Specs
	Replace A/C	1460	8	16,500	16,500	0	0	Bidding
013 F-39	Replace roofs	1460	4	26,000	0	0	0	
HA/Wide	Contingency	1460		782	1,682	0	0	

13. Capital Fund Program

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 the City of Lincoln		Grant Type and Number Capital Fund Program No: NE26P002501-07 Replacement Housing Factor No:					Federal FY of Grant: 07
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	
HA/Wide Admin	09/30/09	09/30/09		03/31/10	03/31/10		
HA/Wide Fees	09/30/09	09/30/09		03/31/10	03/31/10		
002 MMA	09/30/09	09/30/09		03/31/10	03/31/10		
003 Hall	09/30/09	09/30/09		03/31/10	03/31/10		
004 Hansen	09/30/09	09/30/09		03/31/10	03/31/10		
005 Larsen	09/30/09	09/30/09		03/31/10	03/31/10		
006 Pedersen	09/30/09	09/30/09		03/31/10	03/31/10		
009 P-30	09/30/09	09/30/09		03/31/10	03/31/10		
011 A-12	09/30/09	09/30/09		03/31/10	03/31/10		
013 F-39	09/30/09	09/30/09		03/31/10	03/31/10		

**ADMISSIONS AND CONTINUED
OCCUPANCY POLICY**

LINCOLN HOUSING AUTHORITY

Revised effective February 1, 2008

Approved by LHA Board of Commissioners
01/10/2008

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PART I INTRODUCTION

This policy applies to all units owned or managed by the Lincoln Housing Authority (LHA). It sets forth broad policy requirements for staff performing occupancy-related work. LHA has designed this Admissions and Continued Occupancy Policy to take into consideration the needs of individual families for affordable housing and the needs of our mission to develop and operate a socially and financially sound affordable housing program. This policy references other procedural documents that are developed by LHA staff to describe how a specific aspect of this policy is implemented. Where referenced, these separate procedures are bold-faced and underlined.

A.Mission Statement: It is the mission of the Lincoln Housing Authority to provide affordable, safe, sanitary and decent housing to qualifying families currently undergoing financial stress in a manner which affords applicants and tenants dignity and minimal intrusion, within the limits of prudent fiscal management

B.Statement of Non-Discrimination: It is the policy of LHA to comply with all applicable civil rights laws now in effect and subsequently enacted. Lincoln Housing Authority shall not discriminate against any individual on the basis of age, race, color, national origin, religion, sex, familial status or disability. We will treat each individual or family on his or her own merits.

C.Reasonable Accommodations: LHA will make reasonable accommodation in rules, policies, practices, office procedures and services to allow a disabled person equal opportunity to use and enjoy a dwelling.

HUD Subsidized Properties: LHA will make reasonable accommodation determinations in accordance with Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Amendments Act of 1988.

Non-subsidized, Conventional, Tax Credit and Market Properties: LHA will make reasonable accommodation determinations in accordance with the Fair Housing Amendments Act of 1988.

D.HOME Conflict of Interest. No employee, officer, agent or consultant of the Lincoln Housing Authority or Lincoln Civic Housing may occupy a HOME-assisted unit at Prairie Crossing Apartments.

E.Amending This Policy. Any amendment to this policy must be approved by the Board of Commissioners of the Lincoln Housing Authority. Any amendments affecting Wood Bridge, Summer Hill or Prairie Crossing must also be approved by the Lincoln Civic Housing Board. Any amendments affecting Affordable Housing 2 or Crossroads must also be approved by the Capitol City Housing Board. Any amendments to the tenant selection process affecting Prairie Crossing must also be approved by the Nebraska Department of Economic Development.

**PART II
ELIGIBILITY FOR ADMISSION**

A. Family.

1. Subsidized Units. All applicants for HUD subsidized units must meet the following definition of family: (a) a family with or without children (the temporary absence of a child from the home due to placement in foster care shall not be considered in determining family composition and family size); (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, or a person with disabilities, or the remaining member of a tenant family. Applicants for Burke Plaza must be elderly or disabled to be placed on the waiting list. Applicants for Mahoney Manor must be at least 50 years of age to be placed on the waiting list.
2. Conventional Arnold Heights. All applicants for these units must also meet the above definition of family, except that LHA will not rent these units to single persons.
3. Conventional Apartments and Tax Credit Properties. The family requirement does not apply to the units at Heritage Square, Northwood Terrace, Lynn Creek, Wood Bridge, Summer Hill, Prairie Crossing, or Crossroads House Apartments. For these properties LHA will abide by the City of Lincoln Minimum Housing Codes. With the exception of applicants for accessible units, applicants for Wood Bridge Tax Credit Units must be families with minor children. In addition, all applicants for Crossroads House Apartments must be 55 years of age or older.

B. Income Limits. HUD-Subsidized: All applicants for HUD subsidized units must provide adequate evidence that the household's anticipated Annual Income for the ensuing twelve month period does not exceed the low income limits published annually by the Department of Housing and Urban Development. The low income limit is 80% of the area median income as determined by HUD. LHA will determine Annual Income in accordance with this document and appropriate HUD guidelines.

Conventional. All applicants for conventional units at Northwood Terrace, Heritage Square, Lynn Creek and Arnold Heights must provide adequate evidence that its anticipated annual income is sufficient to cover rent and utility costs.

Wood Bridge. Fifty percent of the units at Wood Bridge will be operated as Tax Credit Units, and the remaining fifty percent as Market Rate Units. All applicants for Wood Bridge Apartments and Town homes must provide adequate evidence that the household's anticipated annual income is sufficient to cover rent and utility costs. Applicants for Wood Bridge Tax Credit units must provide adequate evidence that the household's anticipated Annual Income for the ensuing twelve month period does not exceed 60% of the area median income as published annually by HUD.

Crossroads House. All applicants for Crossroads House Apartments must provide adequate evidence that the household's anticipated annual income is sufficient to cover rent and utility costs and that the household's anticipated Annual Income for the ensuing twelve month period does not exceed 60% of the area median income as published annually by HUD.

Summer Hill. Fifty percent of the units at Summer Hill will be operated as Tax Credit Units or Reduced Rent Units, and the remaining fifty percent as Market Rate Units. All applicants for Summer Hill Apartments and Town homes must provide adequate evidence that the household's annual income is sufficient to cover rent and utility costs, and that the household's anticipated Annual Income does not exceed 100% of the area median income as published annually by HUD. All applicants for Summer Hill Tax Credit and Reduced Rent units must provide adequate evidence that their anticipated Annual Income does not exceed 60% of the area median income as published annually by HUD.

Prairie Crossing. Forty-Three of the 76 total units will be operated as Tax Credit units, and the remaining 33 units will be Market Rate units. In addition 6 of the Tax Credit units will be operated as HOME assisted units in accordance with the requirements of that program. All applicants for Prairie Crossing units must provide adequate evidence that the household's annual income is sufficient to cover rent and utility costs, and that the household's anticipated Annual Income does not exceed 100% of the area median income as published annually by HUD. All applicants for Prairie Crossing Tax Credit units must provide adequate evidence that their anticipated Annual Income does not exceed 60% of the area median income as published annually by HUD. All applicants for Low HOME assisted units must provide adequate evidence that their anticipated Annual Income does not exceed 50% of the area median income as published annually by HUD, and applicants for High HOME units must not exceed 60% of the are median income.

- C. Suitability. LHA has an obligation to protect its units, its financial stability, its residents, its staff, and its community. To that end LHA will screen applicants in an effort to determine whether each applicant family could be reasonably expected (1) to abide by the terms of the dwelling lease, and (2) not to have a detrimental effect on the other tenants or on the neighborhood environment. LHA will deny admission to any applicant whose past history shows an unwillingness or inability to abide by the terms of the lease, or whose habits and practices may be expected to have a detrimental effect on the project or neighborhood environment. LHA will apply the same standards of tenant suitability in evaluating a person who wishes to join a family already in occupancy.

All applicants shall be screened in accordance with sound management practices. During screening, the LHA requires applicants to demonstrate ability to comply with the essential provisions of the lease. There are five essential questions that LHA will try to answer about every applicant. Can LHA reasonably expect the applicant to:

1. Pay rent, utilities, and other charges under the lease in a timely manner?
2. Care for and avoid damaging the unit and the common areas, use facilities and equipment in a reasonable way, create no health or safety hazards, and report maintenance needs?
3. Avoid interfering with the rights and enjoyment of others, and avoid damaging the property of others?
4. Refrain from engaging in criminal activity that threatens the health, safety, or right to peaceful enjoyment of other residents, neighbors, and staff, and refrain from engaging in drug-related criminal activity?
5. Comply with necessary and reasonable rules of occupancy and program requirements of LHA and HUD, and comply with health and safety codes?

LHA will make an objective, reasonable, and informed judgment based on the information available to it. LHA will seek this information by requesting information from any or all of the following sources: previous landlords, a home visit (aka PreHousing) to the applicants current residence, criminal histories, credit reports, and information from any other reasonable source. LHA will determine when a PreHousing visit is required in accordance with LHA's **PreHousing Guidelines**. Any of the following factors may cause LHA to deny the application.

- A record of non-payment of rent, utilities, or other rightful obligations.
- A record of disturbance of neighbors.
- A record of destruction of property, or damage to previous residences.
- A record of poor housekeeping habits.
- A history of drug-related criminal activity. LHA will give consideration to applicants who have successfully completed a rehabilitation program approved by LHA.
- A history of any other criminal activity involving physical violence to persons or property, or which could adversely affect the health, safety, welfare, or right to peaceful enjoyment of the premises by other tenants or neighbors. This includes charges for sex crimes, Arson, Vandalism, Disorderly Conduct, Maintaining a Disorderly House, Assault, Disturbing the Peace, and like offenses.
- A record that establishes a reasonable cause to believe that the applicant's pattern of alcohol abuse may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents or neighbors. LHA will give consideration to applicants who have successfully completed or are participating in a supervised alcohol rehabilitation program and no longer abuse alcohol.
- A record of previous lease violations.
- A record of Section 8 program violations, money owed any public housing authority in connection with the Public Housing or other Rental Assistance programs, or committing fraudulent activity in connection with any Federal housing assistance program or any other government agency or program.
- A record of money owed to LHA. If the applicant owes money, LHA will not house until the applicant pays the amount in full or enters into a repayment agreement.
- A history of frequent police calls to the applicants residence.

- Applicant’s misrepresentation of information related to eligibility, preference for admission, housing history, criminal history, income, or family composition.

In the event of the receipt of unfavorable information with respect to an applicant, LHA will give consideration to the time, nature, and extent of the applicant's conduct and to factors which might indicate a reasonable probability of favorable future conduct.

LHA will not deny admission to an applicant for a HUD Subsidized Unit on the basis of a person’s status as a victim of domestic violence, if the person otherwise qualifies for admission. LHA will follow the policies and requirements as stated in the Violence against Women Act of 2005.

- D. Drug-related criminal activity, violent or other criminal activity. LHA prohibits admission to its housing programs if LHA has determined that any applicant or household member has engaged currently or during the past three (3) years in: (1) criminal activity which may threaten the health and safety or right of peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; (2) drug-related criminal activity; (3) alcohol abuse; or (4) violent criminal activity. LHA also will consider any record of drug-related criminal activity, violent or other criminal activity, or alcohol abuse that occurred more than three years ago, and will deem any applicant ineligible if there is reasonable cause to believe that the applicant's pattern of activity may interfere with health, safety, or right to peaceful enjoyment of the premises by other residents. To enforce this policy, the LHA will rely upon background checks of all household members including, but not limited to police reports, newspaper and media reports, and past housing experiences to determine whether a household will be denied admission. The following households or persons will be prohibited admission to any LHA program:

1. Drug-Related Activities: LHA prohibits admission if any applicant or household member is currently engaged in or has engaged in any drug-related activity. A person is considered to be “currently engaged” if he or she has been arrested or convicted for drug-related activity within the past three (3) years. LHA will consider possession of drug paraphernalia as sufficient evidence of illegal use of drugs. The LHA will not approve an application for three (3) years after the completion of time served (including parole and probation), or after the assessed fine is paid. The LHA may waive this restriction if the applicant clearly demonstrates that (a) the household member is no longer engaging in the illegal use of a controlled substance, and (b) the person has successfully completed an approved, supervised drug rehabilitation program, or the household member is currently participating in a supervised drug rehabilitation program, has participated for a minimum of thirty (30) days prior to the application, and will continue to participate until the successful completion of the program. The applicant will be required to submit written evidence showing current successful participation or past successful completion of a supervised drug rehabilitation program. An applicant who is participating in a supervised drug rehabilitation program may stay on the waiting list, and must successfully complete the program before a unit will be offered to the household member.

LHA will prohibit admission to any applicant who has been evicted or terminated for drug-related criminal activity from Public Housing, Indian Housing, any Section 8 program, or any other assisted housing program within the past three years.

A member of an applicant's household will be permanently prohibited from receiving federal assistance or participating in any LHA program if the member has ever been convicted of drug-related criminal activity for the manufacture or production of methamphetamine on the premises of any housing assisted by the federal government.

2. Alcohol Abuse: The LHA prohibits admission if any applicant or household member is currently engaged in, or has engaged in alcohol abuse which will or may threaten the health, safety, or right to peaceful enjoyment of the premises occupied by household members, other residents, or persons residing in the vicinity of the applicant or household members. A person is considered to be currently engaged if he or she has been convicted of an alcohol-related offense within the past three (3) years. The LHA will not admit the applicant's household members for three (3) years after the completion of sentence (including parole or probation) and payment of fines for an alcohol-related offense or the termination of housing assistance due to alcohol abuse. The LHA may waive this restriction if the applicant clearly demonstrates that (a) the household member is no longer engaged in the abuse of alcohol and (b) has successfully completed a supervised alcohol rehabilitation program, or is currently participating in a supervised alcohol rehabilitation program, has participated in the program for a minimum of thirty (30) days prior to the application, and will continue to participate successfully until the completion of the program. The applicant will be required to submit written evidence to verify successful participation in or completion of a supervised alcohol rehabilitation program. An applicant who is participating in an alcohol rehabilitation program at the time of application must successfully complete the program before the LHA will offer the household a unit or give permission to move in with a currently-assisted family member.
3. Violent and Other Criminal Activity: The LHA prohibits admission if an applicant or household member is currently engaged in or has engaged in violent criminal activity or other criminal activity which will or may threaten the health, safety or right to peaceful enjoyment of the premises occupied by household members, other residents or persons residing in the vicinity of the applicant or household members. The LHA will not admit the applicant or members of the applicant's household for three (3) years from completion of time served (including probation and parole) or payment of the assessed fine. The LHA will permanently prohibit admission to any program if an applicant or any member of the applicant's household has a felony conviction for a sexual assault or any other sex-related offense. LHA will deem ineligible permanently any applicant who is subject to a lifetime registration requirement under a state sex offender registration program, or is registered in the State of Nebraska as a High Risk/Level Three sex offender.
4. Threats Towards LHA Workers/Agent: Any applicant or other household member who makes threatening or abusive remarks or exhibits violent behavior towards any LHA employee or agent during the application and waiting list period will be removed from

the waiting list and may not be approved for any waiting list for three (3) years after the incident.

- E. Legal Capacity. The Head of Household must be at least 19 years of age, legally emancipated in the State of Nebraska , or married.
- F. Citizenship. To receive assistance in HUD-subsidized units, a member of the family must be either citizens of the United States or noncitizens who have eligible immigration status in accordance with HUD requirements. LHA will provide prorated assistance to eligible mixed families in accordance with HUD guidelines.
- G. Student Status. LHA will not rent tax credit units at Wood Bridge, Summer Hill, Prairie Crossing, or Crossroads House to full-time students, unless they meet the standard exceptions allowed in the current IRS regulations governing the Low Income Housing Tax Credit Program. These student restrictions do not apply to the Reduced Rent Units at Summer Hill Apartments.

Burke Plaza and New 32 Student Eligibility. In Accordance with 24 CFR 5.612, no assistance shall be provided to any applicant of Burke Plaza or New 32 who:

- (1) Is enrolled as a student at an institution of higher education; and
- (2) Is under 24 years of age; unless the student
- (3) Is a veteran of the United States military;
- (4) Is married;
- (5) Has a dependent child; or
- (6) Is otherwise individually eligible and has parents who, individually or jointly are eligible on the basis of income to receive assistance under Section 8, unless the student can demonstrate independence from parents.

If a student claims to be an eligible independent student under #6, then the individual must demonstrate the following:

- (1) The student must of legal contract age under state law.
- (2) The individual must have established a household separate from parents or legal guardians for at least one year prior to application for occupancy or meet the U.S. Department of Education's Definition of an independent student as follows -
 - a. Be at least 24 years old by December 31 of the award year for which aid is being sought;
 - b. Be an orphan or a ward of the court through the age of 18;
 - c. Be a veteran of the U.S. Armed Forces;
 - d. Have legal dependents other than a spouse (for example, dependent children or an elderly dependent parent);
 - e. Be a graduate or professional student; or
 - f. Be married.
- (3) The individual must not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations.

(4) The individual must obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support.

- H. Social Security Numbers. All applicants are required to provide documentation of Social Security numbers for family members age 6 or older, or certify that they do not have Social Security numbers.

- I. Documentation. LHA will require all applicants to provide all information necessary to determine Annual Income, Total Tenant Payment, unit requirements, preference categories, suitability for tenancy, and citizenship/immigration status. LHA will require applicants to sign releases of information so that the information may be verified. LHA will require applicants to sign a statement certifying the information provided is correct and complete. LHA will deny admission to any applicants, or terminate the lease of current residents, who do not provide the above information or documentation, or who provide incomplete or false information or documentation. Applicants or tenants who provide such false information will be determined ineligible for any waiting list for 3 years.

- J. Verification of Eligibility. LHA will verify all information regarding eligibility in accordance with Section XII, Verification.

**PART III
APPLICATION PROCEDURES**

- A. Written Application. LHA requires persons interested in renting units to fully complete and sign a written application. LHA will accept applications on a continuous basis in accordance with its posted hours at 5700 R Street. LHA will accept written applications in person, by mail, or via the Online Application on LHA's website. LHA will mail applications upon request. All applications will be marked with the date and time they are received at LHA's offices. Online Applications will be date and time stamped by the computer and recorded on the applicant receipt at the time of submission. If an applicant requests assistance completing the application, LHA staff will assist the applicant or request permission from the applicant to contact an appropriate agency or individual to assist the person.
- B. Prehousing Visit. LHA may conduct a Prehousing visit with applicants to go over the information provided on the written application, to obtain additional information regarding eligibility and suitability, and to review housekeeping and care of the unit. LHA will conduct a Prehousing visit as deemed necessary by management in accordance with the guidelines established by the Housing Manager. If possible, LHA will conduct the interview at the applicants current residence. Otherwise a Prehousing may be conducted in the office or over the phone. LHA will notify applicants who are required to have Prehosings and provide them 10 days to call and schedule an appointment. If the applicant does not call and schedule an appointment, the application will be canceled with no further notice.
- C. Preliminary Eligibility Determination. LHA will do preliminary eligibility screening to determine if applicants appear to meet the eligibility requirements. LHA will screen for Family Composition, Suitability, and Criminal Activity criteria at the time of application. If the Housing Manager determines that a particular waiting list is too long, LHA may delay some screening until applicants approach the top of the waiting list. LHA will notify those applicants preliminarily determined to be eligible that they have been placed on the waiting list(s).

As applicants approach the top of the waiting list or at the time applicants are offered housing, LHA will verify Income eligibility. LHA will verify eligibility factors in accordance with Part XII, Verifications.

- D. Ineligible Applicants. LHA may determine an applicant to be ineligible at any time, and choose not to list an applicant on the waiting list or remove an applicant from the waiting list. If LHA determines that an applicant is ineligible for housing, LHA will promptly notify the applicant in writing of this determination. LHA will maintain files of all ineligible applications for at least three years with documentation stating the reason for ineligibility.

For HUD-subsidized and Prairie Crossing HOME units, the notification will state the reasons for this determination, inform the applicant of the right to request an informal review of this decision, and inform the applicant of the actions necessary to request such a review.

- E. Preference Denial. If an applicant for HUD-subsidized units claims a selection preference and LHA determines that the applicant does not qualify for that preference, LHA will notify the applicant of this decision.
- F. Informal Review. An applicant determined to be ineligible for HUD-subsidized housing may request an informal review of that decision. The request must be in writing and be received by LHA within 14 days of the date of LHA's notification. The review will be scheduled within a reasonable time of the applicant's written request. The review will be conducted by a Manager, the Executive Director or his/her designee, but not by persons directly involved in the decision. At the Review the applicant can offer additional information about mitigating circumstances or mistakes in fact upon which the decision was based. Within 10 days of the review, LHA will provide written notification to the applicant of the results of the review. Informal Reviews for applicants are different from the resident grievance process. Applicants are not entitled to use the resident grievance process.
- G. Incomplete Applications. If an application is incomplete, or lacking all required forms or information, LHA will notify the applicant and provide a deadline to submit the required information. All applications lacking the required information by the periods outlined by LHA will be cancelled with no further notice. LHA will hold applications awaiting Social Security number verification for 60 days. LHA will hold applications awaiting any other information for 10 days. Applicants whose applications have been canceled must reapply by completing a new application.
- H. Cancelling Applications. LHA will cancel applications with no further notice or opportunity for review for the following reasons:
 1. Applicant Request.
 2. Failure to complete the application or provide required information within time allowed.
 3. Failure to respond to a Prehousing Letter within time allowed.
 4. Failure to show-up for a scheduled Prehousing appointment.
 5. Failure to respond to a "still interested" or update letter within the time allowed.
 6. After an applicant has declined two units in accordance with the One Offer Policy.

LHA does not accept responsibility for mail loss or delays. Applicants are responsible to notify LHA in writing of any changes to the applicant household or mailing address. LHA is not responsible for applicant's failure to provide a complete and correct address or to notify LHA of a change of mailing address. If a letter is returned by the United States Postal Service with a forwarding address, LHA will re-send the letter. At the discretion of the Housing Manager, applications may be reinstated due to extenuating circumstances.

**PART IV
TENANT SELECTION AND ASSIGNMENT POLICIES**

- A. Waiting Lists. LHA will maintain the following waiting lists separated by bedroom size. Waiting lists are always open.
1. Mahoney Manor.
 2. Burke Plaza.
 3. Public Housing Scattered sites - Public Housing and New 32.
 4. Arnold Heights.
 5. Heritage Square and Northwood Terrace.
 6. Wood Bridge - Market Rate.
 7. Wood Bridge - Tax Credit.
 8. Crossroads House Apartments.
 9. Lynn Creek.
 10. Summer Hill - Tax Credit & Reduced Rent.
 11. Summer Hill - Market Rate.
 12. Prairie Crossing - Tax Credit
 13. Prairie Crossing - Market Rate

LHA will assign each eligible applicant a place on the appropriate waiting list for which the applicant applied and qualified in sequence based upon the type or size of unit needed, Preference status, and the date and time of the application.

For Mahoney Manor LHA will maintain a combined 0 and 1 bedroom waiting list. Applicants on this list will be offered the first available unit regardless of unit size in accordance with LHA's One Offer policy.

- B. Prairie Crossing Unit Assignment.
1. Tax Credit: 43 units will be leased as Tax Credit Units as follows:
 - 15 Townhouses (2 exterior units and 1 center unit in each townhouse building; the remaining center unit will be leased as Market Rent)
 - 22 Two Bedroom Apartments and 6 One Bedroom Apartments. One half of the units in each apartment building will be leased as tax credit and one half as Market Rate.
 2. HOME Units: 6 of the Tax Credit Apartments will be leased as HOME-assisted units and subject to HOME program requirements. LHA will offer available HOME units to eligible applicants on the Prairie Crossing Tax Credit waiting list.
 - No townhouses are HOME units
 - 2 Two Bedroom and 2 One Bedroom units will be leased as High HOME units (60% income eligibility).
 - 2 Two Bedroom units will be leased as Low Home units (50% income eligibility)
 - HOME units can float throughout the project, except one of the six will always be an accessible unit

- C. Selection Preferences. LHA gives a higher priority for HUD-subsidized units (Mahoney Manor, Burke Plaza, New 32 and Public Housing Scattered Site) to applicants who are currently eligible for one or more preferences. A family qualifying for one of the preferences listed below is given the same priority as a family qualifying for more than one preference. After preferences, LHA will determine priority based upon the date and time of application. The preferences are listed below in random order with no hierarchical system. A family may qualify for a preference at anytime they are on the waiting list, but must qualify for the preference at the time a unit is offered. A family must provide acceptable verification that they are eligible for a preference. Acceptable verification must come from a government agency, law enforcement agency, public or private shelter, clergy, or social service agency. The verification is valid for 90 days, unless LHA receives additional information invalidating the verification. If the applicant is not offered a unit within 90 days, the preference must be re-verified at the time the family is offered assistance.
1. Homeless. Applicants terminated or evicted from an LHA program or unit will not be eligible for a homeless preference. A homeless family includes:
 - a. Any person or family that lacks a fixed, regular, and adequate night-time residence; and
 - b. Any person or family that has a primary night-time residence that is:
 - (1) A supervised shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters and transitional housing);
 - (2) An institution that provides a temporary residence for individuals intended to be institutionalized (does not include jails or prisons); or
 - (3) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.
 2. Displaced by fire (excluding tenant caused fires), flood or storm. Must be verifiable by Red Cross or other government agency.
 3. Displaced by domestic violence - actual or threatened physical violence against one or more members of the applicant family by a spouse or other member of the household. Such applicant must have been forced to move because of domestic violence or lives with a person who engages in domestic violence. Such violence must be recent or continuing. Applicants displaced by domestic violence must certify that the person who engaged in such violence will not reside with the applicant family unless LHA has given advance written approval. If the family is admitted, LHA may deny or terminate assistance to the family for breach of this certification.
 4. Working Family. A family with at least one adult member who is currently employed at least 25 hours per week. A family whose head or spouse or sole member is age 62 or

older or is a person with disabilities also qualifies for this preference. This preference does not apply to applicants for Mahoney Manor or Burke Plaza.

- D. Priority to Elderly and Displaced. In selecting applicants for HUD-Subsidized units LHA will give preference to Elderly/Disabled Families and Displaced Persons over Single Persons.
- E. Burke Plaza Elderly Preference. LHA will offer available units at Burke Plaza first to applicants where the head, spouse or sole family member is 62 years of age or older. This preference will take priority over all other selection preferences. LHA will offer units to disabled applicants under age 62 if there are an insufficient number applicants who qualify for the elderly preference to fill vacant units.
- F. Mahoney Manor Elderly Designation and Near-Elderly Preference. In accordance with the HUD approved Designated Housing Plan, Mahoney Manor is designated as Elderly only with a Near-Elderly Preference. LHA will offer available units first to applicants where the head, spouse or sole family member is 62 years of age or older. If there are insufficient elderly applicants for a particular vacant apartment, LHA will then offer the apartment to applicants who are age 50 years and over. LHA will not offer units to persons who are below the age of 50 years.
- G. One Offer. As dwelling units become available for occupancy, the verified, eligible applicant first on the respective waiting list for the available size of unit shall be offered a unit in accordance with the following plan:
 - 1. The housing authority will offer the suitable unit that has been vacant for the longest period of time. If that unit is not ready for occupancy, LHA will offer the unit that has been ready for occupancy for the longest period of time. The applicant must accept the unit offered or LHA will change the date of the application to the date of the unit offer, effectively lowering the rank of the application on the waiting list. An applicant who refuses the first offer may continue to benefit from a preference for as long the applicant qualifies under the definitions of that preference. After the applicant has refused two offers, LHA will cancel the application.
 - 2. Under certain circumstances LHA may allow the applicant to refuse a unit and remain at the top of the waiting list. If LHA is satisfied that the refusal meets the criteria below, LHA will consider the refusal of the offer to be an "allowable refusal," and will not move the applicant to the bottom of the waiting list.
 - a. The applicant is willing to accept the unit offered, but is unable to move at the time of the offer due to health reasons or because of current lease obligations. A lease requirement for a 30 day notice to vacate does not meet the criteria for an allowable refusal. An inability to move based on finances does not meet the criteria for an allowable refusal. This will be considered the first offer, although the applicant will maintain their position on the waiting list. Once the initial lease

obligation or health reason has expired or ended, LHA will make the second and final offer. If the second offer is refused, LHA will cancel the application.

- b. The applicant's acceptance of a given unit will result in undue hardship not related to consideration of race, color, or national origin, and the applicant presents clear evidence to substantiate this claim. Examples of such hardship include:
- Acceptance of the unit would cause current employment or daycare to be inaccessible to the applicant such that it would require applicant to quit a job or remove a child from daycare. This does not apply to an applicant who lives outside of the City of Lincoln.
 - The unit is inappropriate for applicant's disability.
 - The unit is not of the proper number of bedrooms or the applicant does not need the accessibility features in the unit, and the applicant would be able to reside there only temporarily.

H. Income Targeting. For the New 32 and Burke Plaza waiting lists LHA will comply with HUD's income targeting requirements for extremely low-income applicants. For these projects LHA will target at least 40% of new admissions during a fiscal year to applicants at or below 30% of the area median income as determined by HUD. If necessary, LHA will skip over eligible applicants at the top of the waiting list to offer units to extremely low-income applicants lower on the waiting list in order to maintain the 40% ratio. LHA will follow the waiting list order to offer a unit to the next eligible applicant at or below 30% of the area median income.

I. Transfer Policy. LHA will make reassignments or transfers to other dwelling units without regard to race, color, or national origin as follows:

1. LHA will not transfer residents of a HUD-subsidized unit to another HUD-subsidized unit of equal size either within a project or between projects, except for alleviating hardships as determined by LHA. Residents can be transferred to accommodate a disability, when a unit is available with features that accommodate their disabilities better than the current unit. LHA will consider transfers to a HUD-subsidized unit with a greater or lesser number of bedrooms in accordance with the resident-requested transfer guidelines listed in paragraph 3 below. The resident family must meet the Occupancy Standards for the size of unit requested.
2. **Administrative Transfers.** LHA will initiate the following types of transfers. Such transfers will take precedence over new admissions unless otherwise noted. LHA will provide up to 30 days notice of the required transfer, except for Emergency Transfers, since, by definition these involve danger to the resident.
 - LHA will make Emergency transfers when LHA determines that the unit or building conditions pose an immediate threat to resident life, health or safety.

- LHA will transfer families in over-occupied units to larger units as determined by the Occupancy Standards.
 - For HUD-Subsidized units LHA will transfer families in under-occupied units to a smaller unit. LHA will place the tenant on the appropriate waiting list as of the date of LHA notification to the family. LHA may waive this provision to avoid a vacancy problem, to maintain full occupancy, or to prevent a hardship to the family.
 - LHA may transfer families occupying units with special accessibility features, if those features are not required by current tenants and there is an eligible family on the waiting list who does need such features.
 - LHA will transfer tenants to permit unit modernization as determined necessary by LHA.
3. **Resident Requested Transfers.** LHA will consider resident-requested transfers. If approved, the transfer will be placed on the appropriate waiting list as of the date of the transfer request. LHA will observe the following criteria when considering resident-requested transfers.
- **Length of Residency**
The tenant family must have resided in the current unit for at least 1 years to be eligible for a transfer.
 - **Rent Payments History**
During the lease period, the family history of rent payment must include no record of delinquency for the past 6 months and no more than 4 letters of delinquency in two years, and must have a favorable recommendation from the Credit and Collections Clerk.

The Credit and Collections Clerk can give approval even with letters of delinquency if the family maintained ongoing communication with the clerk of problems, and the family continued to make payments on other charges.
 - **Utility Payment History**
There is no history of delinquent notices from utility companies.
 - **Inspection & Maintenance History**
The history of LHA inspection reports and maintenance calls to the residence show good care and minimal damages to the unit and any charges were paid in a timely manner. If no annual inspections have been performed, LHA will make a home visit to evaluate tenant care of the unit.
 - **Other Issues**
The tenant shall not have a history of drug-related criminal activity or other criminal activity involving crimes of physical violence to persons or property and

other criminal acts which would adversely affect the health, safety or welfare of others.

The tenant shall have a record of good housekeeping.

The tenant shall have a record relatively free of complaints from, and serious confrontations with, neighbors, staff, or others arising primarily from the activities of the tenant.

The tenant shall have a good record of yard maintenance such as mowing and watering the grass, raking leaves, shoveling drives and walks. The tenant shall have a history of keeping the exterior areas of the property free from trash and debris, improperly parked vehicles, etc.

The tenant shall have a history of compliance with the pet policy.

The tenant shall have a history of working positively to resolve issues and concerns when brought to their attention.

4. The tenant shall have sufficient resources to pay all costs of moving including payment of a transfer charge, new deposits, and moving costs.

Conventional Transfer Charge: \$35

The tenant must pay the transfer charge in advance. There is no transfer charge for HUD-subsidized units or for Administrative transfers.

The Tenant is responsible for paying a separate damage deposit on the new unit. Any damages in the old unit not covered by deposit must be paid no later than 30 days from the move-out date of the old unit.

5. Exceptions. LHA can make exceptions to the above criteria. LHA will make decisions on a case by case basis and give special consideration to medical issues or other life threatening situations.
6. LHA will offer one unit to a transferring family. If it is an LHA-initiated transfer and the tenant refuses the unit offered without good cause, LHA may terminate the tenant's current lease. If it is a voluntary transfer, LHA will remove the tenant from the waiting list.
7. For Tax Credit units at Wood Bridge, Summer Hill, Prairie Crossing, and Crossroads House a household transferring to another Tax Credit unit must meet the initial income eligibility guidelines for the project. If the household does not meet those guidelines, LHA will not transfer them to another Tax Credit unit.

- J. Holding a Unit. LHA will hold a unit for no more than 2 working days following notification (by phone or mail) to a family that a unit is available. If the family does not accept the unit within 2 working days, LHA will consider the offer refused and act in accordance with its one offer policy. LHA will consider payment of a \$50 deposit as acceptance of the unit. LHA will apply the \$50 toward the Security Deposit and rent due at initial occupancy. For Burke Plaza and New 32 units LHA will not require payment of a \$50 deposit to hold the unit.

**PART V
OCCUPANCY STANDARDS**

- A. Occupancy Table - HUD-Subsidized Units. In order to promote efficient and economical use of scarce public housing resources, LHA will use the following guidelines to determine the unit size required to accommodate a family of a given size:

<u>Number of Bedrooms</u>	<u>Number of Persons</u>	
	<u>Minimum</u>	<u>Maximum</u>
0	1	1
1	1	2
2	2	4
3	3	6
4	4	8
5	5	10

- B. Room Limits. Generally two people are expected to share a bedroom. LHA will assign unit sizes so as not to require use of the living room for sleeping purposes. LHA will assign unit sizes so that no more than two persons are required to sleep in any bedroom.
- C. Family Composition. LHA will consider the relationship, age, gender, health, and disability of the members of the family when determining the appropriate unit size. LHA will determine appropriate unit sizes according to the following criteria:
- Children of the same sex and less than five years difference in age will share a bedroom.
 - Children with at least five years difference in age can be assigned separate bedrooms.
 - Children of the opposite sex can be assigned separate bedrooms.
 - Spouses, Co-heads, or adults living in a consensual family relationship share a bedroom.
 - Other adults of the opposite sex can be assigned separate bedrooms.
 - Adults of the same sex share a bedroom, unless there is a generational difference between the adults (e.g. Mother/Daughter).
 - Live-in Aides can be assigned a bedroom.
 - Within the limitations of the these criteria and the Occupancy Table, LHA will provide families the opportunity to make their own assessment of whether persons of the opposite sex, persons of different generations, and unrelated adults need separate bedrooms.
- D. Determining Family Size. LHA will consider every member of a family reasonably expected to live in the unit. If a family member is pregnant, the unborn child will be considered a member of the family for the purpose of determining the appropriate unit size. If a parent does not have full custody of a child, they must have verifiable custody at least 51% of the time for LHA to consider the child as a member of the family. LHA will count children temporarily absent from the home due to foster care as long as reunification is verifiable. Students who

live out of town, but return home for 3 months per year will be considered a member to the family.

- E. Waivers. LHA may waive the standards to accommodate a person's disability. LHA may also waive the standards when a vacancy problem exists by temporarily assigning a family to a larger size unit than is required. LHA will transfer such a family to the proper size unit as soon as one becomes available, or when the larger unit can be rented to a qualified family. When considering waivers, LHA will consider the size of the unit, the size of the bedrooms, the number of bedrooms, and the number and age of the proposed occupants.
- F. Single Persons. LHA will not assign a single person living alone, who does not qualify as elderly or disabled, to a unit larger than one bedroom unless the person can present a compelling need that requires LHA to provide a larger unit.
- G. Qualifying for More than One Unit Size. In some instances a family may qualify for more than one size of unit. In such cases LHA will allow the family to choose a preferred unit size and be placed on the waiting list for that size unit.
- H. Conventional Units and Tax Credit Units. LHA will abide by the above Table to determine the maximum number of occupants for conventional units at Arnold Heights, Heritage Square, and Northwood Terrace, Lynn Creek and for units at Wood Bridge, Summer Hill, Prairie Crossing, and Crossroads House unless the city code imposes a more restrictive requirement. To Qualify applicants for 3 bedroom Tax Credit Units at Wood Bridge and Summer Hill, LHA will apply the Occupancy Guidelines in this Section. LHA will not otherwise restrict an eligible applicant's housing choice regarding the size of a conventional unit.

**PART VI
LEASING PROCEDURES**

- A. Current Lease. Prior to admission, LHA will execute a lease with all adult members of the family. LHA will not admit a family to a unit until it has executed a lease for that unit. LHA will ensure that the lease is current at all times and is compatible with LHA policies and local, state, and federal law. LHA uses the following leases for its various programs:

Conventional - Arnold Heights, Northwood Terrace, Lynn Creek, and Heritage Square
Public Housing Elderly - Mahoney Manor
Public Housing Family - Scattered Sites
Section 8 New Construction - Burke Plaza and New 32
Lease - Purchase Agreement
Wood Bridge - Tax Credit Apartments
Wood Bridge - Market Rate Apartments
Crossroads House Apartments
Summer Hill - Tax Credit
Summer Hill - Market Rate
Summer Hill - Reduced Rent
Prairie Crossing - Tax Credit
Prairie Crossing - Market Rent

- B. Legal Age. LHA will execute a lease only with persons who are capable under state law of entering into a legal contract.
- C. Security Deposit. Prior to admission, LHA will require the family to pay a security deposit.
- D. Move-in Packet. LHA will provide each new tenant with a Move-in Packet. The packet will contain a copy of the Dwelling Lease, the Resident Handbook, Grievance Procedures for Public Housing units, the schedule of standard charges for tenant damages, and other information pertinent to that unit or required under the particular program.
- E. Change in Family Composition. Any change in family composition will require an addendum to the lease. Any additional adult member of the household must be approved by LHA using the same eligibility criteria as used for new applicants. Additions of adult members of the household will require a \$35 administrative fee. LHA will waive the fee for HUD-Subsidized units.
- F. Addendum. When determined necessary by LHA, it will attach addendum to the lease of a particular family. Examples of such addendum:
- Change in Family Composition - Any change in family composition will require an addendum to the lease adding or subtracting a particular party.

- Accessible Units - If a family moves into a unit with special accessibility features and the family does not require those features, LHA will add an addendum to the lease whereby the family agrees to transfer if LHA requires the unit to house someone needing those features.
- Live-in Aides - If a tenant/applicant requires a live-in aide, LHA will require the tenant and applicant to sign an Live-in Aide request in which the aide agrees to follow LHA rules and acknowledges no right of tenancy. If approved, LHA will attach the request to the lease as an addendum.
- Repayment Agreement - If a tenant/applicant owes LHA money and LHA agrees to a repayment agreement, LHA will attach an addendum in which the tenant agrees to abide by the agreement as a condition of tenancy.

G. Utilities. Prior to executing the lease, the prospective tenant must have all tenant-paid utilities in their name.

H. Failure to Lease Unit. If a prospective tenant accepts and later declines the unit without good cause, LHA will drop the applicant from the respective waiting list, and the applicant will forfeit the \$50 holding deposit. Good cause means an Allowable Refusal as described in the One Offer policy. Good cause does not include inability to pay security deposit, prorated rent or get utility service.

**PART VII
MOVING TO WORK RENT POLICIES
PUBLIC HOUSING**

Rent Schedule - Public Housing Units. LHA will calculate the amount of income, rent and other charges in accordance with the appropriate Federal Regulations except as detailed in this document for the Moving To Work Demonstration Program. The initial changes for the Moving To Work Program were effective July 1, 1999 for new admissions. For families in occupancy prior to July 1, 1999 the provisions took affect with the families next Annual Re-Examination beginning October 1, 1999. The Definitions section of this policy contains additional explanations of Total Tenant Payment, Annual Income, Adjusted Income, Utility Allowances, and Tenant Rent. LHA will not implement regulatory provisions related to the Earned Income Disregard income exclusion, imputed welfare income, or Flat Rents.

The following policies take effect for new admissions as of April 1, 2008 and annual re-certifications as of July 1, 2008.

1. Total Tenant Payment/Gross Family Contribution. In general the Total Tenant Payment is based on Annual Income and is the higher of the following rounded to the nearest dollar:
 - a. 27 percent of monthly gross income (Annual Income divided by 12) with no income deductions;
 - b. \$50 Minimum Total Tenant Payment (The provision in Section VIII(A)(3) applies here also), or;
 - c. The Utility Allowance plus \$25 for the unit the tenant will occupy. The effect of this provision is to maintain a minimum Tenant Rent of \$25. This requirement will be waived if the head of household is disabled and has a current Social Security application pending.

2. Hardship Total Tenant Payment. Existing tenants who were under lease as of March 30, 2008, are eligible to be considered for the Hardship TTP. If at the tenants next annual re-certification on or after July 1, 2008, it is determined that the change to calculating TTP based on 27% of monthly gross income with no deductions will increase the tenants TTP by more than \$25, then LHA will limit the increase by utilizing the Hardship TTP.

To calculate the Hardship TTP, LHA will calculate the Monthly Adjusted Income using the household's current Annual Income minus the amount of pre-existing Deductions that were utilized at the last re-examination prior to July 1, 2008. The Hardship TTP will be calculated based on 30% of this Monthly Adjusted Income, plus an additional \$25 for each successive annual re-examination.

If a tenant qualifies for the initial Hardship TTP, then LHA will calculate successive Hardship TTPs by adding an additional \$25 at each annual re-examination until the Hardship TTP equals or exceeds the TTP calculated based on 27% of monthly gross

income. A tenant may qualify for this Hardship TTP for no more than six years from the date of the next annual re-examination that occurs on or after July 1, 2008. Each year a tenant must self-certify that the previous deductions are reasonably the same or have increased. If the amount of deductions have decreased for a tenant (for example a family no longer pays day care), then a tenant will no longer qualify for the Hardship TTP.

In no case shall the Hardship TTP be less than \$50 or the Tenant Rent be less than the \$25 minimum rent.

3. Public Housing Ceiling Rents. LHA has established Ceiling Rents for its Public Housing units. The Ceiling Rent is the maximum rent LHA will charge a family for that unit. If the amount calculated based on income is greater than the Ceiling Rent, the Total Tenant Payment will be the Ceiling Rent. The Ceiling Rent minus the Utility Allowance will be the Tenant Rent. LHA will not implement regulatory provisions for a Flat Rent. See Attachment One.
4. Utilities and Tenant Rents. LHA has established utility allowances for units in which the tenant pays some utilities directly. In general, the amount of rent LHA will charge for these units will be the Total Tenant Payment minus the Utility Allowance for the unit. If the amount of the Utility Allowance exceeds the Total Tenant Payment or if there is less the \$25 difference, than the amount of rent charged will be \$25. Under no circumstances will the tenant receive a utility reimbursement. For units in which LHA pays all utilities, the rent will be the Total Tenant Payment. LHA will review utility allowances annually and adjust them when utility rates have increased or decreased by at least 10%.
5. Annual Income. LHA will calculate Annual Income in accordance with Federal Regulations except for the following:
 - a. Minimum Earned Income. LHA will include a minimum amount of earned income when calculating Annual Income whether or not a family is working. The minimum amount of earned income for families with one eligible adult will be based on 25 hours per week of employment at the federal minimum wage. The minimum amount of earned income for families with two or more eligible adult members will be based on 40 hours per week of employment at minimum wage. LHA will count the higher of the minimum earned income or the actual earned income for the household. The minimum earned income will be added to any unearned income the family receives. Eligible adults are persons 18 years of age or older who do not qualify for one the following exemptions. All adults in the household must be exempt in order for the household to be exempt from the minimum earned income requirements. LHA will exempt adults members of the family from the minimum earned income requirement if they meet the following criteria.

1. A person who has an illness or injury serious enough to temporarily prevent entry into employment or training. As an example, a broken limb would not automatically qualify an individual from this exemption. An individual under doctor's orders for restricted activities following surgery could be considered for a temporary exemption. Each exemption will be considered on an individual yet consistent basis. Exemptions for illness or injury of less than six weeks anticipated duration will not be given. The maximum duration of this exemption is one year.
2. A person who is age 60 or older or disabled.
3. A person who is needed in the home on a continuous basis because of the illness or incapacity of another household member and no other appropriate member of the household is available to provide the needed care. Verification from a physician or licensed or certified psychologist is required. The illness or incapacity of the household member must be evaluated periodically, depending on the diagnosis and/or prognosis for recovery. LHA will verify this at least annually.
4. A parent or needy caretaker relative of a child under the age of 12 weeks.
5. A pregnant woman beginning with the 3rd trimester (6th month) of pregnancy continuing through six weeks following the end of the pregnancy.
6. An individual who is participating in AmeriCorps or Vista.
7. A full-time student. A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree. The school must be accredited by the Nebraska Department of Education and/or other acceptable accrediting agencies.
8. A participant in an approved Self-Sufficiency Program. An approved self-sufficiency program is one that has been reviewed by LHA and whose sponsoring agency has an agreement with LHA regarding their program. Self-sufficiency programs provided by agencies will be approved on a case by case basis if they meet the following guidelines. The self-sufficiency plan must be part of an organized self-sufficiency program developed by the agency as part of the agency's ongoing efforts to support families in achieving self-sufficiency. The goal plans must be based on results of assessment and must list goals to be achieved and benchmarks and time lines; goals must be measurable and verifiable; realistic---within the control of the individual; adequate---contribute to the achievement of self-sufficiency; congruent with the individual's values; and time-limited. The self sufficiency plan must detail the responsibilities, roles, and expectations of the participant, the sponsoring agency and case manager, and other service providers. The self-sufficiency plan may be a flexible tool which allows for adjustments based on changes in external conditions or individual circumstances. There must be an established relationship the

Lincoln Housing Authority and the sponsoring agencies of the self-sufficiency program to allow for the exchange of information so that Lincoln Housing Authority can monitor the progress on self-sufficiency goals and objectives.

To be eligible for an exemption from the minimum earned income requirement, the individual must be fully enrolled in the self-sufficiency program and actively participating. They cannot be enrolled but inactive and cannot be under any sanction or probation with the self-sufficiency agency.

- b. **Student Income.** LHA will include all earned income in the calculation of Annual Income of full time students age 22 and older. These students will not be considered as dependents for the purpose of calculating annual and adjusted income.
 - c. **Earned Income Disregard.** LHA will not implement federal regulations for these income exclusions.
 - d. **Imputed Welfare Income.** LHA will not implement federal regulations for imputing welfare income under certain conditions.
6. **Adjusted Income.** Under MTW there are no deductions from Annual Income and therefore no Adjusted Income. Total Tenant Payment is calculated using Annual Income without adjustments. For the purpose of transition to the 27% rule with zero deductions, LHA has established a Hardship TTP based on an adjusted income that utilizes previously calculated deductions. See paragraph 2 of this section.
7. **Asset Income Calculation.** Assets equal to or greater than \$5000: Households with total assets face value equal to or greater than \$5000 will be verified by tenant provided financial statements such as monthly, quarterly or year-end statements. Asset income will be calculated using face value multiplied HUD passbook rate currently at 2%.
- Assets less than \$5000: Household with assets less than \$5000 will self-certify their assets with a written statement and all asset income will be excluded.
8. **Verification Requirements.** In addition to the asset verification requirement changes.
Earned income: Applicant and Participant provided pay statements such as pay stubs will be allowable verification in lieu of a third party verification from the employer. Three months pay statements is preferred. EIV will be used first, if available and participant provided pay statements are secondary.
Social Security Income: Applicant and Participants may provide their most recent Social Security statement or benefit letter issued by the Social Security Administration as acceptable verification if EIV verification is not available. This eliminates the requirement that the verification be dated no more than 60 days from the date of the interview for this income only.

PART VIII
SCHEDULE OF RENTS AND OTHER CHARGES

- A. Rent Schedule - New 32 and Burke Plaza units. LHA will calculate the amount of rent and other charges in accordance with the appropriate Federal Regulations. The Definitions section of this policy contains more detailed explanations of Total Tenant Payment, Annual Income, Adjusted Income, Utility Allowances, and Tenant Rent.
1. Total Tenant Payment/Gross Family Contribution. In general the Total Tenant Payment is based on Annual Income and is the higher of the following rounded to the nearest dollar:
 - a. 30 percent of monthly adjusted income (adjusted annual income divided by 12);
 - b. 10 percent of gross monthly income (annual income divided by 12); or
 - c. \$25 Minimum Rent
 2. Utilities and Tenant Rents. LHA has established utility allowances for units in which the tenant pays some utilities directly. In general, the amount of rent LHA will charge for these units will be the Total Tenant Payment minus the Utility Allowance for the unit. For units in which LHA pays all utilities, the rent will be the Total Tenant Payment. LHA will review utility allowances annually and adjust them when utility rates have increased or decreased by at least 10%.
 3. Minimum Rent Hardship. In cases where the application of the \$25 minimum Total Tenant Payment (TTP) results in a Tenant Rent greater than \$0, a family may qualify for a financial hardship exemption. If a family is unable to pay this minimum rent amount, it may request a financial hardship exemption. Upon request for a hardship LHA will suspend the \$25 minimum TTP beginning the month following the request until it determines if the family qualifies for a financial hardship and whether the hardship is temporary or long term. Financial hardships include the following situations:
 - When the family has lost eligibility for or is awaiting an eligibility determination for a Federal, State, or local assistance program, including a family that includes a member who is a noncitizen 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;
 - When the family would be evicted because it is unable to pay the minimum rent;
 - When the income of the family has decreased because of changed circumstances, including loss of employment;
 - When a death has occurred in the family's household within the last six months.
- B. Rent Schedule - Conventional Arnold Heights. See Attachment Two.
- C. Rent Schedule - Conventional Apartments. Heritage Square, Northwood Terrace and Lynn Creek. See Attachment Two.

- D. Rent Schedule - Wood Bridge. LHA will have two separate rent schedules for Wood Bridge: One for Tax Credit units and one for market rate units. See Attachment Five.
- E. Rent Schedule - Summer Hill. LHA will have two separate rent schedules for Summer Hill: One for Tax Credit and Reduced Rent units and one for market rate units. See Attachment Six.
- F. Rent Schedule - Prairie Crossing. LHA will have three rent schedules for Prairie Crossing: One for Tax Credit, one for Low and High HOME units and one for Market Rate units. See Attachment Seven.
- G. Security Deposit. LHA will require each tenant to pay a security deposit in the following amounts:

Public Housing - A12	\$150
Public Housing - all other	\$150
Section 8 - BPL, N32,	\$ 50 or GFC, whichever greater
Conventional	One Month's Rent
Tax Credit/Reduced Rent Units	One Month's Rent

Following the tenant's move-out LHA may deduct certain charges from the security deposit. LHA will return the balance, if any, of the security deposit within fourteen days following a move-out inspection of the unit and receipt of a forwarding address where it can be mailed. LHA will deduct charges for the following, or otherwise in accordance with state law:

1. Any unpaid rent or other charges for which the tenant is liable.
2. Cleaning costs for the unit and appliances.
3. Damage which is not due to normal wear and tear.

- H. Pet Deposit. LHA allows pets in its Public Housing and New 32 Scattered Site units, Arnold Heights units, Mahoney Manor, Burke Plaza, and Crossroads House. LHA does not allow pets at Northwood Terrace, Heritage Square, Wood Bridge, Summer Hill, and Prairie Crossing. LHA requires pet-owning tenants to pay an additional pet deposit to be used by management at the termination of tenant's lease toward reimbursement of the cost of repairing any damages to the dwelling unit caused by the pet. LHA will charge the pet deposit in accordance with its Pet Policy. LHA will not charge a deposit for an assistive animal (for example, a seeing eye dog).
- I. Additional Charges. From time to time LHA may find it necessary to assess additional charges for certain services or damages for which tenants are responsible. LHA will make all new tenants aware of these charges and provide them a copy of the standard charge sheet, LHA Form #99. As LHA updates the schedule, it will provide a 30 day notice of the new schedule of charges to all tenants.

PART IX
RENT COLLECTION POLICY

- A. Due Date. Rents are due and payable on or before the first day of each month.
- B. Notice of Lease Termination. After the fifth calendar day of each month LHA will send a Notice of Lease Termination to all tenants whose rents have not been paid in full. The Notice will conform with requirements of the tenant's lease and state and federal law when applicable.

The Notice will require the tenant to pay all unpaid rent and late fees within the following number of days or LHA will terminate the lease and initiate eviction procedures:

Conventional, Tax Credit & Reduced Rent units	3 days
Burke Plaza	3 days
New 32 units	10 days
Public Housing	14 days

- C. Late Fees. LHA will assess the tenant a \$20 late fee if rent is not received by the fifth calendar day of the month.
- D. Non-Sufficient Funds. LHA will consider the receipt of a Non-Sufficient Funds (NSF) check as non-payment of rent. LHA will charge \$20 for any returned checks. LHA will treat NSF checks the same as non-payment of rent. LHA will allow one NSF check before putting the tenants account on a money order only basis. On the second offense, LHA will place the account on a money order only basis for six months. On the third offense, LHA will place the account on a money order only basis for the remaining tenancy.
For Burke Plaza and New 32 tenants, LHA will charge the actual cost of bank charges incurred by LHA beginning with the 2nd NSF check and each time thereafter.
- E. Legal Proceedings. If LHA does not receive the rental payment within the required number of days specified in the Notice, the tenant has not vacated the premises, and the time period for a hearing - for HUD subsidized units only - has expired, LHA will initiate legal proceedings to recover possession of the dwelling unit.
- F. Extensions. LHA will consider a request for an extension due to hardship. Any request for an extension must be in writing, include an explanation of need, the exact date payment will be made, and be received at the LHA main office by the fifth calendar day of the month. LHA reserves the right to deny any request and to limit the number of extensions granted to any resident. The rent will still be considered late and the \$20.00 late fee will be assessed and must be included with the payment. Late payment of rent is a lease violation and will be reflected on your leasing records.

PART X
RE-EXAMINATION OF FAMILY INCOME AND COMPOSITION
HUD-SUBSIDIZED UNITS ONLY

- A. Annual Re-examinations. LHA will annually re-examine each tenant family's income and composition in order to determine the appropriate Total Tenant Payment and Tenant Rent to charge for the ensuing year. LHA will also determine if the unit size remains appropriate, review compliance with the Community Service Requirements for Public Housing, and review any other pertinent issues with the family.
1. Annual rent adjustments will be effective on the anniversary date of the family's lease. If the family's lease was effective on a day other than the first of the month, then the annual adjustment will be effective on the first day of the month of the anniversary date of the lease. LHA will make reasonable efforts to complete the process at least 30 days prior to that date in order to give each family adequate notice of any rent change. LHA will begin the process 90 days prior to the effective date of each family's annual rent adjustment. For Burke Plaza and New 32 tenants, LHA will begin the process 120 days prior to the effective date, in accordance with HUD Handbook 4350.3.
 2. LHA will require each household to complete and sign appropriate forms and documents to provide all data and information necessary to enable LHA to determine the appropriate Total Tenant Payment, Tenant Rent, and unit size for the family. In addition LHA will require the appropriate family members to sign authorizations for release of information, certifications, and other requisite forms in order to verify the information and complete the process. LHA will anticipate all known income to be received for a 12 month period after the effective date of the Annual Re-examination. If the tenant receives an increase in income after the Annual Re-examination meeting with LHA, LHA will not include the increase in its Annual Income calculation, as long as the increase was not known or anticipated by the client at the time of the meeting.
 3. In accordance with the above schedule, LHA will contact the family to schedule an appointment to complete the necessary paperwork and to begin the process. LHA will provide the family up to 2 notices to schedule an appointment. It is the family's responsibility to schedule an appointment and provide all necessary information for LHA to complete the re-examination within 60 days of the first notice. If the family does not respond, misses a scheduled appointment, or otherwise refuses to complete any part of the recertification process, LHA will send a 14/30 day notice to terminate the lease. A family's failure to respond and keep appointments may also result in less than a 30 day notice of rent changes. For Burke Plaza and New 32 tenants LHA will follow the process for 2nd and 3rd notices as required by HUD Handbook 4350.3.
- B. Interim re-examinations. Under certain circumstances LHA will re-examine a family's income and/or composition between annual re-examinations. LHA will complete interim re-examinations at the participant's written request and when there is a household composition

change. LHA will accept other forms of communication other than writing to accommodate a disability. LHA will perform interim re-examinations under the following circumstances:

1. Family Composition Changes: Families must report composition changes in writing within thirty (30) calendar days of the change in composition status. LHA will accept other forms of communication other than writing to accommodate a disability. LHA will review eligibility requirements when a person is added or deleted from the household. LHA must review and approve the eligibility of an additional person in the unit. LHA will conduct an interim review and increase rent if the change in income is due to a change in family composition.
2. The tenant family requests a rent review due to a decrease in family income or a change in other circumstances that would lower the rent payment. LHA will not lower rent for payments due to a temporary loss of income of one month (30 days) or less duration. In Public Housing units only, if a family member has terminated employment, LHA will make the rent decrease effective 90 days after the month the decrease occurred or after all verifications are received, whichever is the latest. In Public Housing units, LHA will not conduct an interim review to implement the change to the 27% rule; this will be done at annual re-examination.

Temporary or Sporadic Employment: If a person works temporary or sporadic employment for the past 12 months, the LHA will anticipate the next 12 months earnings using the past income to reflect the future income. If the person has not been enrolled with temporary work on a consistent basis (less than 12 months), then LHA will anticipate the income on a quarterly basis, completing interims quarterly regardless of the increase or decrease of income.

3. LHA had calculated the current rental payment for a temporary time period, and planned an interim review. LHA will conduct an interim rent increase if it previously reduced the rent due to a temporary loss of income. For Example: A household member submits a doctor statement that they will not be able to work for 2 months. An interim was completed and two months rent reflected zero income. The third month will have another interim adding the employment income back into the TTP.. When possible LHA will issue concurrent notices on lowering the rent and one increasing the rent effective on predicted date the client returns to work.

Families who report zero income will be required to cooperate with quarterly income re-examinations.

4. There is a change in federal regulations requiring such a review.
5. LHA receives information that indicates the tenant has incorrectly or falsely reported the family's income or composition.

6. *For Burke Plaza and New 32 tenants.* There is an increase in the family's annual income for \$200 per month or greater. Tenants must report the change in the household's income. LHA will determine whether a re-examination is necessary.
 7. *For Public Housing units.* Tenants are not required to report increases in income until the next Annual Review, and LHA will not perform an interim and increase rent until the next annual review except for the following circumstances.
 - LHA will conduct an interim review and increase rent if the change in income is due to a change in family composition.
 - LHA will conduct an interim review if the tenant no longer qualifies for an exemption from the Minimum Earned Income for any reason other than employment (For example the tenant is terminated from a self-sufficiency program for failure to cooperate with program guidelines). If the tenant no longer qualifies for an exemption from the MEI, then LHA will conduct an interim review to include Minimum Earned Income in the calculation of Annual Income and increase the rent.
 - LHA will conduct an interim rent increase if it previously reduced the rent due to a temporary loss of income. For example, if a pregnant client's rent was decreased due to a work stoppage and loss of income, LHA will increase rent up to its previous level when the client starts working again. When possible LHA will issue concurrent notices - one lowering rent and one increasing rent effective on the predicted date of the clients return to work.
 - LHA will conduct quarterly interim reviews and adjust rent for income increases for families who report zero income.
- C. Reporting Deadline. LHA requires tenants to report changes in family composition within 30 days of the change. Burke Plaza and New 32 tenants are required to report increases in income of \$200 per month or greater within 30 days of the change. Public Housing tenants are not required to report income changes until the next Annual Re-examination unless the change is due to a change in family composition.
- D. Interim Rent Adjustments. LHA will issue a Notice of Rent Adjustment informing the family of any change in the family's rent resulting from an interim re-examination. The rent will remain in effect until the next annual re-examination or until circumstances occur that warrant an interim rent review. LHA will attempt to give the family at least 30 days notice of any rent increase. However, if the family fails to fully cooperate with the review process, fails to provide required information on a timely basis, fails to respond to notices to schedule a review meeting or misses an appointment, LHA may provide less than 30 days notice. LHA will charge retroactive rent if the participant fails to report changes in writing within the required time frames. LHA will make decreases in tenant rent effective the month after LHA receives adequate verification of the change. In Public Housing units, if a family member has terminated employment, LHA will make the rent decrease effective 90 days after the month the decrease occurred or after all verifications are received, whichever is the latest.

- E. Incorrect Unit Size. If LHA determines that the size or composition of a family has changed and that the unit occupied by the family is no longer suitable according LHA's Occupancy Standards, LHA will transfer tenants to another dwelling unit in accordance with the Transfer Policy. If LHA does not own or operate units of the appropriate size, LHA may terminate the family's lease in accordance with the Lease Termination section of this policy or waive its occupancy standards. LHA will attempt to provide the family assistance in locating another unit, including referrals to other rental assistance programs.
- F. Misrepresentations. If LHA determines that a tenant intentionally or deliberately misrepresented or otherwise incorrectly reported income, assets, deductions, family composition, or other information upon which the rent and unit size and type are based, LHA will determine the amount of rent that should have been charged and attempt to collect the amount owed. If the family repays the amounts owed and/or moves to the appropriate size or type of unit, LHA may allow a tenant family to remain in tenancy. Otherwise LHA will terminate the tenant's lease in accordance with the Lease Terminations section of this policy. At its sole discretion LHA may allow a family to enter into a repayment agreement to pay off their debt over a specified period of time. The participant/applicant must cooperate with the Program Integrity program to assist with obtaining accurate information to determine program eligibility. Should the participant fail to cooperate in obtaining the requested information, the household would be terminated and would not be approved for assistance until cooperation with the Program Integrity is satisfied.
- G. Temporary/Extended Absence. LHA policy for temporary absence of household members depends on whether the family member is an adult or child and whether the household member is the only adult or sole member of the household. The family will need to declare in writing to LHA when a family member is temporarily absent from the household. LHA will accept other forms of communication other than writing to accommodate a disability. LHA will advise the family of their options and how it affects the rent and unit size. LHA distinguishes between absence and abandonment. This policy for absence assumes tenant continues to pay rent and comply with the lease terms and rules of occupancy.
1. Children/Dependents
 - (a) Children in Foster Care. If the children are removed from their parent's home due to neglect or abuse, the child(ren) will remain a member of the tenant family as long as a reunification plan is in place with the local social service agency. Otherwise they will not be counted as part of the household. LHA will obtain verification from the local social service agency.
 - (b) Dependent Student (other than head or spouse): A student who attends school away from home, but lives with the family during recesses, may be considered either temporarily absent (first \$480 of income counted and on lease) or permanently absent (income not counted, not on lease) at the family's option.
 - (c) Joint Custody of Children: Children who are subject to a joint custody agreement but live in the unit at least 51% of the time will be considered members of the household. "51% of the time" is defined as 183 days of the year and do not have

to be consecutive. The determination of joint custody will be made based on a court order or a signed agreement by both parents.

2. Single Parent/Adult Households. When a single parent will be absent for an extended period, LHA will allow another adult to move into the household to care for the children. LHA will continue assistance for up to 60 days, as long as the family continues to meet the definition of family and the other adult meets all other eligibility requirements. The single parent must not be absent from the unit more than 60 days unless it is for medical reasons. A single parent may be absent from the unit for up to 180 days for medical reasons. When the single parent is required to be on an extended absence, a responsible adult must be present to supervise the children and the dwelling unit. At LHA's discretion the other adult may be added as a member of the household in order to allow the family to continue receiving assistance.
3. Two or More Adult Households.
 - a. Head of the Household may not be absent from household for more than 60 continuous days or they will be considered permanently absent from the household. Incarcerations and vacations longer than 60 days are not considered reasonable cause for the head of the household to be absent from the unit, and they will be considered permanently absent from the unit after 60 days. LHA will work with a family to change the designated Head of Household as necessary.
 - b. Absence by other Adult. LHA will consider the spouse or other household member to be temporarily absent if they are estimated to be gone for less than three (3) months of the re-certification period. Absence due to hospitalization or nursing home stays may exceed 3 months.
4. Sole member of the Household. The sole member of the household cannot be absent for more than 60 continuous days. If the sole member must leave the household for more than 60 days, the unit will not be considered to be their principle place of residence and the lease will be terminated, unless the absence is due to medical reasons. A sole member may be absent from the unit for up to 180 continuous days for medical reasons.

If the sole member must leave the household to go to the hospital or nursing home, LHA will seek advice from a reliable medical source as to the likelihood and timing of their return. If the medical source informs LHA that they will be permanently confined to a nursing home, they will be considered permanently absent. The length of stay cannot exceed 180 days before LHA will consider the absence permanent.

If the sole member must be absent from the unit to attend to the needs of an ailing family member, the sole member must not be absent from their unit for more than 60 continuous days to be considered temporarily absent.

H. Permanent Absences. The family must report in writing to LHA to declare a family member permanently absent from the household. LHA will accept other forms of communication other than writing to accommodate a disability.

1. Spouse and other Adult members. This applies to persons who were declared to be members of the family such as the spouse or members living in a relationship as a spouse. If the spouse or other adult member leaves and will be gone for three (3) months or more, and the family declares in writing that the spouse or other member is permanently absent, LHA will consider them permanently absent and remove them from the lease. LHA will consider a person permanently absent if the person has been gone for three (3) months or more of the re-certification period, or one of the following is provided:
 1. Divorce or legal separation.
 2. Lease in their name at another location.
 3. Utility bills or other appropriate documentation in their name proving residence at another location.
 4. Statements from other agencies such as Health and Human Services.
 5. At LHA discretion, a written statement from the family with a forwarding address.
2. Military (adult child): If an adult child goes into the military and leaves the household, he/she will be determined permanently absent.
3. Time Limits for Temporary Absence. Household members absent from the household in excess of the time limits allowed in section on Temporary/Extended Absence will be considered permanently absent.
4. Children. Children will be considered permanently absent as reported by the Head of Household.

PART XI
ANNUAL RECERTIFICATION
TAX CREDIT & REDUCED RENT UNITS

LHA will annually re-certify the income of households occupying units subject to the requirements of the Low Income Housing Tax Credit Program. LHA will determine whether the household's income still meets the requirements of the Tax Credit program. Similarly LHA will annually re-certify the income of households occupying the Summer Hill Reduced Rent Apartments. For Tax Credit and Reduced Rent tenants who are also Section 8 tenants, LHA will utilize the annual Section 8 review to fulfill the requirements of the Tax Credit recertification. Although LHA will utilize the annual Section 8 review, LHA will not utilize or act upon changes reflected by interim Section 8 reviews. For the purpose of the Tax Credit program, LHA will require families to report only changes in household composition or student status between annual recertifications, and will act as necessary to maintain occupancy standards and compliance with the Tax Credit program.

For Tax Credit and Reduced Rent units in the Wood Bridge, Summer Hill and Prairie Crossing developments, if the households income exceeds 140% of the initial qualifying income (60% of median), LHA will require the family to vacate the unit or transfer to a market rate rental unit as necessary to keep the mix of market and tax credit/Reduced Rent units as planned and not to adversely affect the tax credit Applicable Fraction.

PART XII
VERIFICATION OF APPLICANT'S STATEMENTS AND INCOME

- A. Scope of Verification. LHA will verify all information affecting an applicant family's eligibility, selection preferences, rent calculations, and required unit size and type prior to admitting the family into its HUD-subsidized units or Tax Credit units. This may include the following:
1. Age
 2. Assets
 3. Child Care expenses
 4. Citizenship/ Immigration Status (if born outside the US)
 5. Dependent Allowance
 6. Disability assistance expenses
 7. Disability status
 8. Familial status
 9. Family circumstances
 10. Income (inclusions and exclusions)
 11. Legal identity
 12. Medical expenses
 13. Preference status
 14. Social Security numbers
 15. Unit size
 16. Zero income status
 17. Full-time Student status.

These verifications will occur no more than sixty (60) days prior to the offer of a unit, and no more than 60 days prior notification of rent change at annual and interim re-examinations. Permanent verifications must only be verified once, e.g. Social Security numbers.

- B. Methods of Verification:** LHA will verify in accordance to the federal regulations and LHA procedures. LHA prefers to independently verify information. However, LHA recognizes this may not always be possible, thus LHA will observe the following preferred order of verification:

1. **Up front Income Verification:** As available by HUD, up front income verification through computer matching will be used to verify wages, unemployment, TANF, and Social Security Benefits.
2. **Third Party:** LHA will first attempt to obtain written third party verifications of information. LHA will require applicants to sign authorizations for the release of information to enable LHA to obtain such verifications. LHA will send verification forms directly to employers, banks, social service agencies and others in order to receive an accurate third party verification. LHA's written inquiries will state the purpose of

the inquiry and include the applicant/participant's authorization to release information. LHA will strongly encourage parties to respond in writing, but will accept oral verification from a third party source if a written response is not possible. LHA will document all attempts to obtain written and oral third party verifications before moving to the next level of verifications.

Computer verification will serve as a third party verification where allowed by HUD and/or state or local agencies. Computer printouts are acceptable.

3. **Family Documentation:** If third party verification is not possible, LHA may accept documentation supplied by the applicant. All documents will be photocopied. If photocopying is not allowed for a particular piece of documentation, then LHA will be required to make a notation in the file regarding the document which was viewed.
 4. **Family Certification:** Under limited circumstances, if the nature of the information cannot be documented or independently verified, LHA may accept a certification from the family by submitting a statement in writing. LHA will use its best judgement to determine whether the family should be able to provide documentation of certain information.
 5. **Release of Information:** Families will be required to sign HUD form 9886, Authorization for Release of Information/Privacy Act Notice and other appropriate forms of verification not covered under the HUD form 9886. The signatures should be updated at each annual re-examination. Family refusal to cooperate with the required verification system will result in denial or termination.
- C. **Acceptable Forms of Verification:** The verifications are listed in the order of most to least preferable form of verification. LHA will attempt to obtain the "most" preferable form of verification.

Income and Assets:

1. **Alimony or Child Support Payments:**
 - (a) Copy of separation or settlement agreement or divorce decree stating amount and type of support and payment schedules.
 - (b) Statement of the party responsible to enforce the payments indicating a record of payment history.
 - (c) A letter from the person paying the support.
 - (d) A copy of the latest check. LHA must record the date, amount and number of the check.
 - (e) Child Support/Alimony certification statement.
 - (f) Household's signed statement.

2. **Assets Disposed:**
 - (a) Family's certification as to whether any member disposed of assets for less than fair market value during the two years preceding the effective date of the certification/re-certification.
and/or
 - (b) If the family disposed of assets for less than fair market value, a certification that shows:
 - (i) All assets disposed of for less than FMV;
 - (ii) Date assets were disposed;
 - (iii) Amount family received; and
 - (iv) The asset's market value at the time of disposition.

3. **Assets (Net Current & Non-Liquid):** Collect enough information to determine the current cash value. For Public Housing under MTW, only assets equal to or more than \$5,000 face value require verification beyond self-certification. Assets of less than \$5,000 are verified with self-certification by the household.
 - (a) Verification forms, letters or documents from a financial institution.
 - (b) Passbooks, checking account statements, certificates of deposit, bonds or financial statements.
 - (c) Quotes from stock broker or real estate agent.
 - (d) Real estate tax statements at current market value.
 - (e) Copies of closing documents.
 - (f) Appraisals.
 - (g) Family's notarized statements.

4. **Employment:** Verification from the employer will include the pay frequency, effective date of the last pay increase, probability and effective date of any increase during the next 12 months.
 - (a) Employment verification form completed by the employer.
 - (b) Check stubs or earning statements showing the employee's gross pay per pay period or year-to-date earnings. Check stubs or earning statements must be current and represent a minimum of 30 days employment unless the participant recently started employment and has not worked a full 30 days.
 - (c) W-2 forms plus tax return forms.

Employment for Public Housing under MTW:

- (a) Check stubs or earning statements showing the employee's gross pay per pay period or year-to-date earnings. Check stubs or earning statements must be current and represent a minimum of 30 days (preferably 3 months) employment unless the participant recently started employment and has not worked a full 30 days.
- (b) W-2 forms plus tax return forms.
- (c) Employment verification form completed by the employer.

5. **Interest Income and Dividends:**
 - (a) Account statements, passbooks, etc., providing enough information and signed by the financial institution.
 - (b) Brokers' quarterly statements showing the value of the stocks or bonds and the earnings credited the applicant.
 - (c) An IRS form 1099.

6. **Interest from the sale of real property pursuant to purchase money mortgage, installment sales contract or similar arrangement:**
 - (a) A letter from the accountant, attorney, real estate broker, the buyer or financial institution stating the interest due for the next 12 months.
 - (b) Amortization schedule showing the interest for the 12 months following the effective date.
 - (c) A copy of the check paid by the buyer to the applicant is **not** sufficient.

7. **Rental Income:**
 - (a) IRS 1040 with Schedule E.
 - (b) Copies of latest rent checks, leases or utility bills.
 - (c) Documentation of family's income and expenses in renting the property which includes expense and income receipts.
 - (d) Lessee's written statement identifying monthly payments due the family and family affidavit to net income.

8. **Recurring Gifts:**
 - (a) Notarized statement signed by the person providing the gifts. Must give the purpose, dates and value of the gift(s).
 - (b) Family notarized statement that provides the same information indicated above.

9. **Self-Employment (Net Income from a Business):** The following documents will reflect the prior year's income, but LHA must consult with the participant/applicant on the estimated income due for the next 12 months.
 - (a) IRS Tax Return, form 1040 and any schedules © - Small Business, E - Rental Property and F- Farm Income).
 - (b) Accountant's calculation of depreciation expense computed using straight-line depreciation rules.
 - (c) Financial statements of the business.
 - (d) Loan application listing income derived from the business during the previous 12 months.
 - (e) Applicant's accounting statements as to the net income realized from the business during the previous years.

10. **Social Security, Pensions, Disability and Unemployment Income:**
 - (a) Computer links.
 - (b) Benefit verification form completed by the agency providing the benefits.
 - (c) Award or benefit notification letters.

11. **Welfare:**
 - (a) Records obtained via LHA's computer link or directly from the Department of Health and Human Services.

12. **Zero income Status:** Families reporting no income or unrealistically low income will be required to sign an affidavit of unemployment, zero income affidavit and/or "survival" statement.

Deductions:

For Public Housing under MTW, effective April 1, 2008 all deductions except deductions provided under the Hardship TTP will be eliminated according to the MTW policy changes. Under the Hardship TTP, the household will provide a written statement regarding the previous allowable deductions describing if they have remained the same, or are expected to increase.

13. **Age (to verify elderly & dependents):**
 - (a) Birth Certificate;
 - (b) Naturalization and Immigration papers;
 - (c) US passport;
 - (d) Hospital record of birth
 - (e) Baptismal record;
 - (f) Driver's license;
 - (g) Government issued identification;
 - (h) School records;
 - (i) Health records (i.e. immunization);
 - (j) Medical papers or statements;
 - (k) Military service papers;
 - (l) Written verification from social services agencies;
 - (m) Insurance records
 - (n) Newspaper records;
 - (o) Family bible records;
 - (p) Written family statements.

14. **Child Care Expenses:**
 - (a) Written verification from the person who received the payments. The verification should include the Federal ID number or Social Security number, name, phone number of the child care provider, name of each child, number of hours, days of the week and the amount charged for each child.
 - (b) Family certification on the payments which have been made or reimbursed by outside sources.

15. **Dependent Deductions:**

In addition to receiving verification of “age”, LHA must provide verification of family relationship. The following verifications may be used for relationship status to the head of the household.

- (a) Birth Certificate;
- (b) Naturalization and Immigration papers;
- (c) US passport;
- (d) Hospital record of birth
- (e) Baptismal record;
- (f) Government issued Identification;
- (g) School records;
- (h) Health records (immunization records);
- (i) Medical papers or statements;
- (j) written verifications from social services agencies
- (k) Insurance records
- (l) Newspaper records;
- (m) Family bible records;
- (n) Written family statements
- (o) Signed LHA Personal Declaration or Application.

16. **Medical Expenses:**

- (a) Written verification by a doctor, hospital or clinic personnel, dentist, pharmacist, etc. The verification will include estimated medical costs to be incurred by the family and/or regular payments due on medical bills, and verification should state which of the medical expenses will be reimbursed by Insurance or another agency.
- (b) Insurance company’s or employer’s written verification of health Insurance premiums to be paid by the family.
- (c) Social Security Administration’s written verification of Medicare premiums to be paid by the family in the next 12 months.
- (d) For Attendant Care: Doctor’s certification the assistance of the attendant is medically necessary; attendant’s written verification of the hours provided, the amount and frequency of payments, and the family’s certification as declaring if any of the payments have been paid or will be paid by an outside source.

NOTE: *When using the verifications below, the client must complete the Medical Expense declaration form to accommodate the following verifications.*

- (e) Receipts, canceled checks or pay stubs which indicate health Insurance premiums, medical and/or Insurance expenses to be incurred over the next 12 months.
- (f) Copies of payment agreements with medical facilities or canceled checks verifying payments to be made on outstanding medical bills that will continue into the next 12 months.

- (g) Receipts or other record of medical expenses incurred during the past 12 months that can be used to anticipate the future medical expenses. LHA may use this approach for general medical expenses such as non-prescription drugs and regular visits to a doctor or dentist, but not for one-time recurring expenses from the previous year. LHA may use a form letter to submit to the physician to verify any future medical need including prescribed services, prescriptions and non-prescription items.
 - (h) Mileage: LHA will use mileage at the rate approved for LHA or cab receipts with to/from addresses listed for verification of the cost of transportation directly related to a medical treatment.
15. **Assistance to the Disabled:** Attendant Care, Auxiliary Apparatus, etc.
- (a) Written certification from the doctor or rehabilitation agency the disabled person requires services of an attendant, or the use of auxiliary apparatus to permit the disabled person to be employed or to function sufficiently and independently to enable another family member to be employed.
 - (b) Family's written certification as to whether or not they receive reimbursement for any expenses and the amount reimbursed.
 - (c) Refer to medical expenses above for verification requirements of the expenses.

Miscellaneous:

16. **Citizenship or National Status:**
- (a) Individuals born outside of the United States—a birth certificate or naturalization papers; and
 - (b) Signed declaration of 214 status provided by the family for each household member and a copy of the Social Security card.
 - (c) Non-citizens in eligible immigration status—provide USCIS card or documentation containing an alien registration number and a signed verification consent form.
17. **Full Time Student Status:**
- (a) Written verification from the registrars' office or appropriate school official.
 - (b) School record indicating enrollment for sufficient number of credits to be considered a full-time student by the school.
18. **Medical Need for Larger Unit:**
- (a) A medical source must provide a written certification there is a need to provide a larger unit as a reasonable accommodation for a disability.
19. **Certification of Domestic Violence, Dating Violence or Stalking:**
- A family member must complete and submit form HUD-50066 or information provided in lieu of the certification within 14 business days of receiving a written request by LHA. Verification will also be required to confirm the certification. Verification may include but is not limited to:

1. A Federal, State, tribal territorial or local police or court record; or
2. Documentation signed by an employee, agent or volunteer service provider, an attorney or medical profession whom the victim has sought assistance in addressing the violence issues.

If the victim does not provide complete a complete and accurate certification within 14 business days or request an extension from LHA, none of the protections afforded to victims of domestic violence, dating violence or stalking shall apply.

PART XIII
LEASE TERMINATIONS

- A. Tenant Termination. The tenant may terminate the lease by providing a written notice to LHA in the accordance with the lease agreement.
- B. LHA Termination - Conventional and Tax Credit Units. LHA will terminate or refuse to renew a tenants lease at its discretion in accordance with the lease and state law.
- C. LHA Termination - HUD Subsidized Units. LHA will terminate or refuse to renew the lease for serious or repeated violation of material items of the lease such as failure to make payments due under the lease, failure to fulfill the tenant obligations set forth in the lease, failure to comply with the Community Service Requirements, or for other good cause. Other good cause includes, but is not limited to: serious or repeated interference with the rights of other tenants or neighbors; serious or repeated damage to the leased premises; creation of physical or health hazards; failure of the tenant to use the dwelling unit as his principal place of residence; or failure to fulfill other tenant obligations set forth in the lease. If LHA terminates the lease, LHA shall provide written notice to the tenant as follows:
1. In accordance with the Rent Collection Policy in the case of failure to pay rent.
 2. A reasonable time considering the seriousness of the situation - but not to exceed 30 days - in a case where a tenant creates or maintains a threat constituting a serious and clear danger to the health or safety of other tenants or housing authority employees. A serious and clear danger shall include but not be limited to any of the following activities of the tenant or any other person on the premises with the consent of the tenant:
 - a. Physical assault or the threat of physical assault.
 - b. Illegal use of a firearm or other weapon or the threat to use an illegal firearm or other weapon.
 - c. Any "drug-related criminal activity."
 3. At least thirty (30) days prior to termination in all other cases. On a first offense, LHA will provide a 14 day period to remedy the tenant default.
- D. Drug-related, Violent or Other Criminal Activity. The U.S. Department of Housing and Urban Development requires housing authorities to provide a written policy concerning when a lease will be terminated for drug-related criminal activity, alcohol abuse, violent criminal activity, or other criminal activity. In determining whether to terminate the lease of a family LHA will rely upon background checks of all household members including, but not limited to police reports, newspaper and other media reports, and past history with any housing authority or landlord. The Lincoln Housing Authority will terminate the lease of tenants in accordance with HUD's rules and regulations, for the following conduct:

1. **Drug-Related Criminal Activity:** The sale or use of illicit drugs has consequences that negatively affect the lives of family members, neighbors and the Lincoln community as a whole. The negative consequences include a strong correlation with acts of violence committed against innocent people, which damage the lives of families affected by drug use and effectively end the household's ability to become self-sufficient.
 - LHA will terminate the lease when any family or household member is currently engaged in or has within the previous three years engaged in any drug-related activity regardless of arrest or conviction status. LHA will terminate the lease for any household or household member engaged in drug-related activity on or off the assisted premises. If the household member has been arrested for a drug-related criminal activity involving use or possession, but not production, manufacture, or sale, the lease will not be terminated if the household member enters into a drug treatment program approved by LHA within sixty (60) days of LHA's notification to the head of household of drug-related criminal activity. Failure to actively participate in or complete the drug treatment program successfully will result in termination of the lease for the entire household.
 - LHA will terminate the lease for drug-related criminal activity in or near the participant's unit when the crime is committed by a guest or other persons who is under the control of a member of the household. This provision will not apply if (a) the head of household has called a law enforcement agency to report or turn in their guests or other persons under the participant's control for having engaged in a drug-related criminal activity on or near the participant's residence, and (b) an arrest is made of the guest or other person under the participant's control without arresting or citing the participant or head of household.
 - If an assisted adult household member contacts a law enforcement agency specifically about drug use or drug possession by other adult members of the household on or off the premises, LHA will not terminate the lease if (a) the adult member arrested is removed from the premises and (b) the arrested household member is removed from the lease for the unit and barred from living with the family for a minimum of three (3) years. To be readmitted into the household after the mandatory three-year separation, the adult member must meet all admission and waiting list requirements under LHA policies and HUD rules and regulations.
 - If a minor household member (under age 19) is arrested for drug-related activity on or off of the premises, LHA will terminate the household's lease unless the minor household member enrolls in a supervised drug treatment program approved by LHA within sixty (60) days of LHA's notification to the head of household of drug-related criminal activity. The minor household member must successfully complete the drug treatment within the time prescribed by the treatment program. If the minor household member refuses to start or complete the drug treatment program, the minor household member must be removed from the household for a minimum of three (3) years. To be readmitted into the household after the mandatory three-year separation, the minor household

member must meet all admission requirements under LHA policies and HUD rules and regulations. If the head of household refuses to remove the minor household member from the premises and lease, the household's lease will be terminated.

- LHA will terminate the lease and permanently bar the household from any housing assistance, if any household member has been convicted for the manufacture or production of methamphetamine on the premises of any federally assisted housing unit. The household terminated for manufacture or production of methamphetamine will be subject to a lifetime prohibition from participation in any federal housing assistance program or any program operated by LHA.
2. Alcohol Abuse: LHA will terminate the lease if it determines that a household member's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity. If terminated for alcohol abuse, the household must wait three (3) years from the termination date before the household may reapply for any housing assistance. When the household member reapplies for assistance, the household must meet and maintain all LHA standards and HUD requirements for admission to any waiting list.
 3. Violent and Other Criminal Activity: LHA will terminate the lease if it determines that any household member has engaged in any violent criminal activity or is currently engaged in other criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity. If terminated for violent criminal activity or other criminal activity, the household must wait three (3) years from the completion of sentence or payment of fines to reapply for any housing assistance. When a household member reapplies for assistance, the household must meet and maintain all LHA standards and HUD requirements for admission to the waiting list. LHA will terminate the lease if a tenant is fleeing to avoid prosecution, or custody or confinement, for a crime or attempt to commit a crime that is a felony under the laws of the place from which the individual flees (or is a high misdemeanor in the state of New Jersey); or is violating a condition of probation or parole imposed under Federal or State law.
 4. Felonious Sex Offenders: LHA will terminate the lease if any household member has committed a felony sex offense. The household member will be subject to a lifetime prohibition from participation in any LHA program.
 5. Threats Toward LHA Workers/Agents: LHA will terminate the lease if any household member has engaged in or threatened abusive or violent behavior towards a LHA employee, contractor, subcontractor or agent. The household member will be ineligible for housing assistance for three (3) years after the incident. At the end of the three (3) years, the household may reapply for housing assistance. When a household member reapplies for assistance, the household must meet and maintain all LHA standards and HUD requirements of admission to the waiting list.

6. Reporting by Head of Household of Drug-Related Activities, Alcohol Abuse or Other Criminal Activities. The Lincoln Housing Authority will terminate the household's lease if the household has failed to fully list on its application, annual re-examination Personal Declaration form, or other form used by LHA, any household member's arrest for drug-related activities, alcohol abuse arrests, or other arrests for violent or other criminal activities.
- E. Judicial Proceeding. LHA will evict tenants only by initiating appropriate judicial proceedings.
 - F. Public Housing Grievances. LHA will process and resolve grievances or appeals concerning the obligations of the tenant or the housing authority under the provisions of the Public Housing Lease in accordance with LHA's Public Housing Grievance Procedure that is in effect at the time such grievance or appeal arises.
 - G. Violence Against Women Act of 2005. LHA will not terminate the lease of a HUD Subsidized Unit on the basis of a tenant's victim status, if the person otherwise qualifies for continuation of assistance. LHA will follow the policies and requirements as stated in the Violence against Women Act of 2005 (VAWA). Nothing in this section limits LHA's authority to evict or terminate a lease for any lease violation not premised on an act of violence against the tenant or member of the tenant's household. Nothing in this section limits LHA's authority to evict or terminate a lease if there is an actual and imminent threat to other tenants, neighbors, guests, employees, or others. Nothing in this section limits LHA's authority to evict or terminate a lease of a person who engages in criminal acts including but not limited to acts of physical violence or stalking against family members. LHA may, if allowed under state law, bifurcate a lease to remove or terminate tenancy of any individual who engages in criminal acts of physical violence against family members or others, without terminating the lease of the victim of the violence.

A victim shall take action to control or prevent the domestic violence, dating violence or stalking. The action may include but is not limited to: obtaining and enforcing a restraining order or no contact order or protection order for protection against the perpetrator; obtaining and enforcing a ban of the perpetrator from the property; enforcing LHA's or law enforcement's ban of the perpetrator from the property; preventing the delivery of the perpetrator's mail to the victim's unit; providing identifying and other verification information as required by the VAWA and Part XII of this document; and other reasonable measures.

PART XIV
COMMUNITY SERVICE AND ECONOMIC SELF-SUFFICIENCY PROGRAM

A. Introduction

The Quality Housing and Work Responsibility Act of 1998 requires that every adult resident of public housing perform 8 hours of community service each month or participate in an economic self-sufficiency program for at least 8 hours every month or a combination of each activity for a total of 8 hours each month. Certain adults are exempt from the requirements.

B. Community Service\Economic Self-Sufficiency Requirements for Adults

Adults age 18 and above who are not exempt must perform 8 hours of community service per month or 8 hours of participation in economic self-sufficiency programs or any combination of these activities. Either type of activity must be verified by a responsible and objective third party.

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. LHA will consider community service to be a broadly defined area of service performed under the auspices of a non-profit organization, service club, government agency, school, church, or other community organization. Community service is not employment and may not include political activities. Community service can include volunteer work in schools as well as state-approved home schooling of household members by a tenant or adult member of the family.

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 job training and job readiness programs, budget and credit counseling, employment counseling, work placement, work experience, apprenticeships, basic skills training, secondary and post-secondary education, adult basic education and GED preparation, 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.

C. Exemption from Community Service\Self-Sufficiency Requirements

The requirement to perform community service or participate in an economic self-sufficiency program applies to all *non-exempt*, adult residents(18 and older) in public housing.

An Exempt Individual is an adult member of the household who:

- 1) Is 62 years or older.
- 2) (i) Is a blind or disabled individual and who certifies that because of this disability she or he is unable to comply with the requirements, or
(ii) Is a primary caretaker of a blind or disabled individual and who certifies that because of this, she or he is unable to comply with the requirements. Only one adult in a household will qualify as a primary caretaker.

- 3) Is working for at least 8 hours per month or participating in Americorps, Vista, or Senior Community Service Employment Program.
- 4) Meets the requirements for being exempted from having to engage in a work activity under the State program as stated by the Social Security Act or under any other welfare program of the State. In Nebraska, Employment First regulations will be used as a guide in determining temporary or 12 month exemptions to the community service requirements.
- 5) Is a member of a family receiving Temporary Assistance to Needy Families (TANF) and has not been found to be in non-compliance with the program.

For any exemption, the Lincoln Housing Authority requires verification. In some cases, information to substantiate the exemption or actual verification information may already be on file. Some exemptions will be for the full twelve month period; other exemptions will be only for part of the twelve month period.

D. Notification to Residents and Status Determination

Public housing families will be informed of the requirements when they are initially housed or transferred and at least 30 days prior to the effective date of each annual review. At those times, each adult member of the household will be reviewed to determine if s/he is required to participate in community service\economic self-sufficiency activity or if s/he is exempt from the requirement. The determination is made according to what each adult's status is anticipated to be on the effective date of the annual review or move in.

If new adult members are added to a household, a status determination for community service is made at that and then as part of the annual review thereafter.

An adult member of the family can who is required to do community service or economic self-sufficiency activities can request a review of their situation at any time to determine if the community service activity requirement can be discontinued because the member has become exempt. A review will be done within 30 days of a request. This review may be done by phone, fax, mail, or in person, at the discretion of the LHA. Supporting documentation for any change in status is required.

E. Public Housing Lease

HUD regulations on community service require a 12 month lease term for public housing. For purposes of the community service program, the 12 month terms refer to the periods between initial housing and the effective dates of annual reviews thereafter. The public housing lease specifies that failure to comply with the community service requirement is grounds for termination of the lease at the end of the twelve month lease term but not for termination of the lease during the course of the twelve month lease term.

E. Procedures for Non-Exempt Residents

Each non-exempt adult will be referred to the community service liaison. The community service liaison will contact the family and provide clarification of the family responsibilities as well as suggestions for participating in either community service or economic self-sufficiency activities. The community service liaison will also provide forms for reporting the hours to fulfill the requirements. The family member must provide information and cooperate in verification of the community service and economic self-sufficiency activities. The community service liaison will also assist in verification of any exemptions or temporary exemptions that did not exist or were not evident during initial housing or annual reviews.

G. Annual Review and Determination of Compliance

During the annual review process, LHA will determine if the tenant and adult family members have complied with community service\economic self-sufficiency requirements. LHA will also determine which adult members of the family qualify for an exemption for the upcoming twelve month period.

H. Notice of Non-Compliance

At the annual review, if LHA determines there is a family member who is required to fulfill a community service\economic self-sufficiency requirement and has not done so, LHA will notify the tenant of this determination. The notice will describe the non-compliance and will state that the LHA will terminate the lease at the end of the twelve month period. Prior to the date of the lease termination, the tenant will have the option to:

- a) enter into a written agreement with the to cure such non-compliance and in fact cure such non-compliance according to the agreement; or
- a) provide written assurance satisfactory to the LHA that the tenant or other non-compliant resident no longer resides in the unit.

The notice will also state that the tenant may request a grievance hearing on the matter and to contest the determination in a court of law.

I. Written Agreements to Cure Non-Compliance

If the tenant family wishes to enter into a written agreement to cure non-compliance with the community service requirements, they must complete and sign the written agreement prior to the effective date of lease termination. In entering into a written agreement to cure non-compliance, the LHA will review any mitigating circumstances for which the family can provide documentation including illness, temporary absence, accident, family crisis, temporary exemptions not previously reported, and community service\economic self-sufficiency activities that were not part of the plan or not previously reported. At the LHA's sole discretion, a waiver of the community service requirement for a given month may be given for those months for which there is documentation of mitigating circumstances. A waiver may also be given for those months in which no hours were completed if there are other months in which excess hours were completed provided the total number of hours completed equals the requirement. A waiver means that no cure for non-compliance is required for that specific month. For those hours that will be required under a written agreement at least 8 hours per month, plus the regular 8 hours, must be completed with the first month in which

the agreement is effective. Hours to be made up from the past under the written agreement are always performed before regular hours.

When a tenant or adult member is non-compliant with a previously established written agreement, the lease will be terminated at the end of the twelve month period. LHA will consider any mitigating circumstances to amend the previously established written agreement provided the written agreement and any amendments are completed by the end of the twelve month period.

If a tenant or adult member becomes blind or disabled and certifies that, because of this disability, s/he is unable to comply with the written agreement, then LHA will cancel the tenant's or adult member's obligation under the written agreement.

If a tenant or adult member becomes age 62 and is exempt from community service requirement, then LHA will cancel the obligations under the written agreement.

As an incentive to seek and maintain employment, LHA will cancel any remaining obligations for community service, including any under a written agreement, for a tenant or adult member who has obtained at least half-time employment and has maintained the employment throughout the balance of the twelve month period.

During the first full or partial month in which the tenant family moves into their housing unit or a new member is added to the household, the requirement to perform 8 hours of service will be waived to allow the family time to complete the move and settle into their housing unit. This waiver applies only to the first full or partial calendar month and the waiver ends on the last day of the month in which the family moved into their housing unit.

J. Opportunities for Community Service or Economic Self-Sufficiency Activities

The LHA has the option to contract with a third party organization to assist with managing the community service and economic self-sufficiency program. LHA will provide names and contacts at agencies, as needed, to fulfill the tenant's community service or economic self-sufficiency obligations.

K. Prohibition Against Replacement of PHA Employees

In implementing this program, the LHA will not substitute community service or self-sufficiency activities performed by residents for work ordinarily performed by the LHA employees.

PART XV DEFINITIONS

The following is a list of terms and definitions used by LHA in its policies and practices. To the best of LHA's knowledge these definitions were true and correct at the time this policy was adopted. However, many of the definitions are based on the requirements of federal regulations, which are subject to frequent change. In the event that some definitions in this policy conflict with applicable federal regulations, LHA will comply with the appropriate regulatory requirements, unless the conflict is due to the Moving To Work Policies outlined in this document.

Adjusted Income - Annual Income less certain possible deductions. Not everyone is eligible for each deduction. LHA will abide by the appropriate federal requirements to determine eligibility for deductions for New 32 and Burke Plaza units. Under MTW in Public Housing, there are no deductions and Total Tenant Payment is calculated based on gross Annual Income.

1. \$480 for each Dependent, including full-time students over 18 years old;
2. \$400 for any Elderly or Disabled Family (head or spouse is over 62 or disabled);
3. Disabled Assistance Expenses in excess of 3% of Annual Income.
4. For elderly/disabled families, Medical Expenses in excess of 3% of Annual Income.
5. Child Care Expenses necessary to enable a member of the family to work or go to school.

Annual Income: The anticipated total income from all sources received by family members (even if a member is temporarily absent) for the 12-month period following the effective date of initial occupancy or re-examination. The following lists specifies income inclusions and exclusions.

Annual income includes, but is not limited to, the following:

1. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips, bonuses, and other compensation for personal services
2. The net income from operation of a business or profession, including any withdrawal of cash or assets from the operation of the business. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining the net income from a business. An allowance for the straight line depreciation of assets used in a business or profession may be deducted as provided in IRS regulations. Withdrawals of cash or assets will not be considered income when used to reimburse the family for cash or assets invested in the business;
3. Interest, dividends, and net income of any kind from real or personal property. Where the family has net assets in excess of \$5,000, annual income shall include 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 the Department of Housing and Urban Development (HUD).

4. The full amount received of periodic payments from Social Security, annuities, insurance policies, retirement income, pensions, benefits for disability or death, and other similar types of periodic receipts. This includes a lump-sum payment for the delayed start of a periodic payment, except for SSI and Social Security.
5. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay.
6. Welfare assistance payments, including General Assistance, Temporary Assistance to Needy Families, and Aid to Families with Dependent Children.
7. Periodic and determinable allowances, such as alimony and child support payments, and regular contribution or gifts, including amounts received from any person not residing in the dwelling.
8. All regular pay, special pay and allowances, (such as longevity, overseas duty, rental allowances, allowances for dependents, etc.) of a member of the Armed Forces (whether or not living in the dwelling) who is head of the family, spouse, or other person whose dependents are living in the dwelling.
9. For Public Housing units: Minimum Earned Income. The greater of the Minimum Earned Income or the actual earned income for a household will be included in accordance with the policy in Section VII of this document.

Annual income does not include:

1. Temporary, non-recurring, or sporadic income, including gifts.
2. Income from employment of children (including foster children) under the age of 18.
3. Payments received for the care of foster children or foster adults.
4. Lump-sum additions to family assets, such as inheritances, insurance payments, capital gains, and settlement for personal property losses. Lump-sum payments for delayed start of Social Security and SSI are also excluded.
5. Amounts received by the family, that are specifically for or in reimbursement of the cost of medical expenses for any family member.
6. Income of a Live-in Aide.
7. The full amount of student financial assistance paid directly to the student or the educational institution.
8. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.

9.
 - (1) Amounts received under training programs funded by HUD;
 - (2) Amounts received by a disabled person 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 which are specifically for, or in reimbursement of, out-of-pocket expenses (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
 - (4) A Resident Service Stipend. A modest amount (not to exceed \$200 per month) received by a public housing resident for performing a service for LHA, on a part-time basis, that enhances the quality of life in public housing; or
 - (5) Incremental earnings and/or benefits resulting to any family member from participation in qualifying state or local employment training program (including training programs not affiliated with the local government), and training of family members 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 a limited period as determined in advance by the LHA;.
10. 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.
11. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse). For Public Housing units this exclusion does not apply for students age 22 and over. All earned income is included for students 22 and over in Public Housing.
12. Adoption assistance payments in excess of \$480 per adopted child.
13. Deferred periodic payments of supplemental security income and social security benefits that are received in a lump sum payment.
14. 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;
15. Amounts paid by a State agency to a family with a developmentally disabled family member living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; and
16. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance

programs that includes assistance under the United States Housing Act of 1937. The current exclusions include:

- (1) Value of allotment provided to eligible households under the Food Stamp Act of 1977.
- (2) Payments to volunteers under the Domestic Volunteer Services Act of 1973. Examples of programs under this Act include but are not limited to: the Retired Senior Volunteer Program (RSVP), Foster Grandparent Program (FGP), Senior Companion Program (SCP), and the Older American Committee Service Program; National Volunteer Antipoverty Programs such as VISTA, Peace Corps, Service Learning Program, and Special Volunteer Programs; and Small Business Administration Programs such as the National Volunteer Program to Assist Small Business and Promote Volunteer Service to Persons with Business Experience, Service Corps of Retired Executives (SCORE), and Active Corps of Executives (ACE);
- (3) Payments received under the Alaska Native Claims Settlement Act.
- (4) Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes.
- (5) Payments or allowances made under the Department of Health and Human Services Low-Income Home Energy Assistance Program.
- (6) Payments received under programs funded in whole or in part under the Job Training Partnership Act (JPTA).
- (7) Income derived from the disposition of funds of the Grand River Band of Ottawa Indians.
- (8) The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Grant of Claims or from funds held in trust for an Indian tribe by the Secretary of the Interior.
- (9) Amounts of scholarships funded under Title IV of the Higher Education Act of 1965, including awards under the Federal Work Study Program or under the Bureau of Indian Affairs Student Assistance. Examples of Title IV programs include but are not limited to: Basic Educational Opportunity Grants (Pell Grants), Supplemental Opportunity Grants, State Student Incentive Grants, College Work Study, and Byrd Scholarships.
- (10) Payments received from programs funded under Title V of the Older Americans Act of 1965. Examples of programs under this act include but are not limited to: Senior Community Services Employment Program (CSEP), National Caucus Center on the Black Aged, National Urban League, Association National Pro Personas Mayores, National Council on Aging, American Association of Retired Persons, National Council on Senior Citizens, and Green Thumb
- (11) Payments received after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established in the In Re Agent Orange product liability litigation, M.D.L. No. 381. (E.D.N.Y.)
- (12) Payments received under the Maine Indian Claim Settlement Act of 1980. (Pub. L. 96-420, 94 Stat. 1785).

- (13) 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.
- (14) Earned Income Tax Credit Refunds received on or after January 1, 1991.
- (15) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation.
- (16). Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990.
- (17) 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
- (18) 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.
- (19) Allowances, earnings, and payments to individuals participating in programs under the Workforce Investment Act of 1998.

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

Child Care 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. This is an allowable income deduction, but only where such care is necessary to enable a family member to be gainfully employed, to seek employment or to further his or her education, and is not reimbursed by an agency or individual outside the household. The amount deducted must reflect reasonable charges for child care, and, in the case of child care necessary to permit employment, the amount deducted cannot exceed the amount of earned income received by the family member released to work. This is not an allowable deduction in Public Housing under MTW.

Citizen. A citizen or national of the United States.

Conventional Units. LHA owned units that do not receive ongoing subsidy by any other government agency. These include units at Arnold Heights, Northwood Terrace, Heritage Square, and Lynn Creek.

Dating Violence- Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim or where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship;
- the type of the relationship; and
- the frequency of interaction between the persons involved in the relationship.

Dependent: A member of the family household (excluding foster children) other than the family head or spouse or live-in aide, who is under 18 years of age or is a disabled person or handicapped person, or is a full-time student under the age of 22.

Disability Assistance Expense: Reasonable costs, that are anticipated during the period for which Annual Income is being computed, for care attendants and auxiliary apparatus for disabled family members which enable a family member to be employed, provided that the expenses are neither paid to a family member nor reimbursed by an outside source. The amount allowable as a deduction is the amount that exceeds 3 percent of annual income and cannot exceed the amount earned. This is an allowable deduction from Annual Income for the purpose of calculating total tenant payment. This is not an allowable deduction in Public Housing under MTW.

Disabled person: A person who is any of the following:

1. A person who has a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423). Section 223 of the Social Security Act defines disability as:
 - a. Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; or
 - b. In the case of an individual who has attained the age of 55 and is blind (within the meaning of "blindness" as defined in Section 416(I)(1) of this title), inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he/she has previously engaged with some regularity and over a substantial period of time.
2. A person who has a physical, mental, or emotional impairment that:
 - a. is expected to be of long, continued and indefinite duration;
 - b. substantially impedes his or her ability to live independently; and
 - c. is of such nature that ability to live independently could be improved by more suitable housing conditions.
3. A person who has a developmental disability as defined in Section 102(7) of the Development Disabilities Services Assistance and Bill of Rights Act (42 U.S.C. 6001(7)). Section 102(7) of that Act defines developmental disability as:

A disability attributable to mental retardation, cerebral palsy, epilepsy, or another neurological condition of an individual found by the Secretary of Health, Education, and Welfare to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originated before such individual attains age 18, which has continued

or can be expected to continue indefinitely and which constitutes a substantial handicap to such individual.

Displaced Family: A person or a family 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.

Domestic Violence: Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, committed by a person with whom the victim shares a child in common, committed by a person who is cohabitating with or has cohabitated with the victim as a spouse, committed by a person similarly situated to a spouse of the victim under the domestic violence or family violence laws or committed by any other person against an adult or youth victim, who is protected from that person's acts under the domestic violence or family violence laws.

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

Effective Date: The "effective date" of an examination or reexamination refers to (a) in the case of an examination for admission, the date the lease takes effect, and (b) in the case of reexamination of an existing tenant, the date of the redetermined Total Tenant Payment takes effect.

Elderly Family: A family whose head or spouse or sole member is at least 62 years of age. It may include two or more elderly persons living together or one or more such persons living with a Live-in Aide.

Elderly Person: A person who is at least 62 years of age.

Eligible Immigration Status: For a non-citizen, verification of immigration status eligible for assisted housing consisting of a signed certification and the original copy of an acceptable INS document.

Emancipated Minor: A person under age 19 who does not live or intend to live with his/her parents, and who has been declared "emancipated" under Nebraska state law by a court of competent jurisdiction. An emancipated minor is eligible to be a head of household and sign an LHA lease.

Extremely Low Income Family: A Family whose Annual Income is equal to or less than 30% of Area Median Income, as published by HUD adjusted for family size.

Family: For HUD-subsidized properties, Family means (a) a family with or without children (the temporary absence of a child from the home due to placement in foster care shall not be considered in determining family composition and family size); (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, or a person with disabilities, or the remaining member of a tenant family.

Familial Status: Familial status includes families with children under the age of 18, pregnant women, and people securing custody of children under the age of 18.

Full-time Student: A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree.

Guest: A person temporarily staying in the unit with the consent of a tenant or other member of the household.

Head of Household: The adult member of the family designated by the family who assumes legal and moral responsibility for the household.

HUD: The United States Department of Housing and Urban Development. This is an agency of the federal government that provides on-going funding to LHA.

HUD Subsidized Units. Units owned by LHA that receive subsidies through contracts with HUD. These include all public housing units (Turnkey, P30, F39, A12, Mahoney Manor) and all Project-based Section 8 units (Burke Plaza, New 32).

Immediate Family Member: A spouse, parent, brother or sister, or child of a victim or individual to whom the victim stands in the loco parent; or any other person living in the household of the victim and related to the victim by blood or marriage.

Income Limits. The maximum amount of income an applicant family can receive and still be eligible to be admitted to LHA's subsidized units. HUD establishes three categories of income limits: Extremely Low Income (30% of median income), Very Low-Income (50% of median income) and Low-Income (80% of median income). The Tax Credit Program also utilizes a 60% of median income limit.

LHA. The Lincoln Housing Authority.

Live-in Aide: A person who resides with an elderly or disabled person or persons, and who (a) is determined by the housing authority to be essential to the care and well-being of the person(s); (b) is not obligated for support of the person(s), and would not be living in the unit except to provide necessary supportive services.

Local Preferences: Preferences that give a higher priority on the waiting list to applicants.

Lower Income Family: A family whose annual income does not exceed 80 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families.

Medical Expenses: Those medical expenses, including medical insurance premiums, that are anticipated during the period for which annual income is computed, and that are not covered by any

insurance. Medical expenses are an allowable deduction only for elderly, disabled, or handicapped households. The amount allowable as a deduction is the amount above 3 percent of annual income.

If LHA deducts both Medical Expenses and Handicap Assistance Expenses for a family, LHA will subtract the 3% of Annual Income only once. This is not an allowable deduction in Public Housing under MTW.

Mixed Family. A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.

Monthly Adjusted Income: One-twelfth of adjusted income.

Monthly Income: One-twelfth of annual income.

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

Near-elderly family - Means a family whose head, spouse, or sole member is a near-elderly person. The term includes two or more near-elderly persons living together, and one or more such persons living with one or more persons who are determined to be essential to the care or well-being of the near-elderly person or persons. A near-elderly family may include other family members who are not near-elderly.

Near-elderly person - Means a person who is at least 50 years of age but below 62.

Net Family Assets: Net cash value after deducting reasonable costs that would be incurred in disposing of equity in real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD home ownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded. 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. In determining net family assets, the housing authority shall include the value of any asset disposed of by an applicant or tenant for less than fair market value (including a disposition of 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.

Noncitizen. A person who is neither a citizen nor national of the United States.

Other Person Under the Tenant's Control: A person, although not staying as a guest, was at the time of the activity in question on the premises because of an invitation from the tenant or other member of the household.

Perpetrator: A person who commits an act of domestic violence, dating violence, or stalking against a victim.

Public Housing: Units owned by LHA that are part of the federal Public Housing program and receive subsidies through contracts with HUD. These are 320 specific units and include the following developments: Mahoney Manor, Turnkey (Hall, Pederson, Hansen, Larson), P30, A12, F39.

Public Housing Agency (PHA): Any State, County, municipality, or other governmental entity or public body (or agency or instrumentality thereof) that is authorized to engage-in or assist in the development or operation of housing for lower income families.

Reduced Rent Units: Apartment units developed at the Summer Hill II development with LHA-based funding. These are treated similarly to Tax Credit units, but are not subject to the Tax Credit regulatory requirements.

Single Person: A person living alone or intending to live alone and who does not qualify as an elderly, disabled, or displaced person, or the remaining member of a tenant family.

Spouse: The husband or wife or partner of the head of the household.

Stalking: To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass or intimidate the victim; to place under surveillance with the intent to kill, injure, harass or intimidate the victim; in the course of, or as a result of such following, pursuit, surveillance, or repeatedly committed acts, to place the victim in reasonable fear of death of or serious bodily injury to the victim; or to cause substantial emotional harm to the victim, a member of the immediate family of the victim or spouse or intimate partner with the victim.

Subsidized Units. Units owned by LHA that receive rental subsidies. These include HUD-subsidized units and units directly subsidized by LHA.

Tax Credit Units. Units developed under the Tax Credit Program, a federal affordable housing program administered by the Internal Revenue Service. Investors get tax benefits for providing units to persons who are below specific income limits. These include Crossroads House, Wood Bridge, Summer Hill I, and Prairie Crossing.

Tenant Rent: The amount payable monthly by the family as rent to LHA in a HUD-subsidized property. Where all utilities (except telephone) and other essential housing services are supplied by LHA, Tenant Rent equals Total Tenant Payment. Where some or all utilities (except telephone) are not supplied by LHA and the cost thereof is not included in the amount paid as rent, Tenant Rent equals Total Tenant Payment less the Utility Allowance. For Public Housing units, see also Section VII.

Total Tenant Payment: The total monthly amount for rent and utilities that a tenant will pay in a HUD-subsidized property. For Burke Plaza and New 32 tenants, the Total Tenant Payment is

calculated in accordance with Federal Regulations. The Total Tenant Payment does not include charges for excess utility consumption or other miscellaneous charges. For Public Housing units Total Tenant Payment is calculated as discussed in Section VII of this policy.

Utilities: Water, electricity, gas, other heating, refrigeration, cooking fuels, trash collection, and sewage services. Utilities do not include telephone or cable television service. See Utility Allowance.

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 a HUD-subsidized unit, an amount equal to the estimate made or approved by LHA or HUD, 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.

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. For Public Housing units no Utility Reimbursement will be provided.

Very Low-Income Family: A lower income family whose annual income does not exceed 50 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.

Victim: Is a person who is the victim of domestic violence, dating violence, or stalking under The Violence Against Women Act of 2005 and who has timely and completely completed their Certification of Domestic Violence, Dating Violence and Stalking format as requested by LHA.

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.

ATTACHMENT ONE
Public Housing Ceiling Rents
(effective March 1, 2007 Annual Reviews; January 12, 2007 Move-ins)

Mahoney Manor: 0 BR \$359
 1 BR \$447
 2 BR \$549

Turnkey: 2 BR \$614
P30 3 BR \$861
A12 4 BR \$1044
 5 BR \$1201

F39:

Unit	BR	Address	Ceiling Rent	Unit	BR	Address	Ceiling Rent
2001	4	4027 NW 54 TH	\$737	2021	3	5333 W. WILKINS	\$679
2002	3	5206 W ZEAMER	\$649	2022	2	5430 W. ZEAMER	\$534
2003	3	5212 W ZEAMER	\$649	2023	3	5457 W. ZEAMER	\$649
2004	2	5106 W MATHIS	\$534	2024	3	4030 NW 49 TH	\$679
2005	2	4912 W. BENTON	\$534	2025	3	4201 NW 49 TH	\$679
2006	4	5030 W. ELBA	\$737	2026	2	4400 NW 49 TH	\$564
2007	2	5027 W. KINGSLEY	\$534	2027	2	4406 NW 49 TH	\$564
2008	3	5000 W. MCGUIRE	\$679	2028	3	4224 NW 50 TH	\$679
2009	3	5007 W. METZGER	\$679	2029	2	3010 NW 52 ND	\$534
2010	3	5101 W METZGER	\$679	2030	4	3721 NW 53 RD	\$737
2011	4	5106 W METZGER	\$737	2031	4	5321 W VANCE	\$832
2012	3	3521 NW MICHAEL	\$684	2032	3	3827 NW 51 ST	\$679
2013	3	5001 W SUPERIOR	\$679	2033	3	5001 W VOSLER	\$649
2014	4	5101 W SUPERIOR	\$737	2034	3	3607 NW 52 ND	\$684
2015	3	5121 W SUPERIOR	\$679	2035	2	3110 NW 49 TH	\$564
2016	4	5001 W VALE	\$737	2036	3	5301 W LUKE	\$679
2017	4	5007 W VALE	\$737	2037	3	5307 W LUKE	\$679
2018	3	5200 W VANCE	\$679	2038	2	5310 W ZEAMER	\$564
2019	2	4915 W VOSLER	\$534	2039	3	5011 W ZEAMER	\$684
2020	3	5227 W WILKENS	\$679				

**ATTACHMENT TWO
Conventional Unit Rent Schedules**

Arnold Heights: Revised Effective March 11, 2005

		Remodeled
2 BR Duplex w/o basement	\$375	\$395
2 BR Duplex with basement	\$405	\$425
3 BR Duplex w/o basement	\$465	\$485
3 BR Duplex with basement	\$495	\$515
4 BR Duplex - 2 story	\$515	\$535
4 BR Duplex - split level	\$515	\$535
3 BR Single Family w/o basement	\$505	\$520
3 BR Single Family with basement	\$570	\$590
4 BR Single Family	\$600	\$630

Northwood Terrace: Revised Effective April 14, 2006

1 BR	\$335
2 BR	\$385
3 BR	\$455

Heritage Square: Revised Effective April 14, 2006

0 BR	\$270
1 BR	\$335
2 BR	\$385
3 BR	\$455

Lynn Creek Revised Effective April 9, 2004

2BR	\$480
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ATTACHMENT THREE

Deleted.

ATTACHMENT FOUR

Deleted

ATTACHMENT FIVE **Wood Bridge Rent Schedule** Revised Effective April 14, 2006

	Tax Credit	Market Rate
2 BR/1 BA Apartment - 1 st floor	\$450	\$570
2 BR/1 BA Apartment - 2 nd floor	\$465	\$585
2 BR/2 BA Apartment - 1 st floor	\$480	\$600
2 BR/2 BA Apartment - 2 nd floor	\$495	\$615
3 BR Town Homes	\$560	\$740

Attachment Six
Summer Hill I Rent Schedule
 Revised Effective April 14, 2006

	Tax Credit	Market Rate
3 BR Townhome Type A & C	\$575	\$785
3 BR Townhome Type B	\$580	\$790

Summer Hill II Rent Schedule
 Revised Effective April 14, 2006

	Reduced Rent	Market Rate
2 BR Apartment - 1 st Floor	\$525	\$645
2 BR Apartment - 2 nd Floor	\$540	\$660
3 BR Apartment	\$610	\$760

Attachment Seven
Prairie Crossing Rent Schedule

	High/Low HOME Unit	Tax Credit	Market Rate
1 BR Apartment	\$400	\$430	\$535
2 BR Apartment - center unit	\$511	\$570	\$680
2 BR Apartment - end unit	\$516	\$575	\$685
3 BR Townhome - center unit		\$695	\$825
3 BR Townhome - end unit		\$715	

**SECTION 8
ADMINISTRATIVE
PLAN**

Effective February 1, 2008

**Approved by LHA Board of Commissioners
January 10, 2008**

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INTRODUCTION

- A. **Mission Statement:** It is the mission of the Lincoln Housing Authority to provide affordable, safe, sanitary and decent housing to qualifying families currently undergoing financial stress in a manner which affords applicants and tenants dignity and minimal intrusion, within the limits of prudent fiscal management.
- B. **Statement of Non-Discrimination:** Lincoln Housing Authority shall not discriminate against any individual on the basis of age, race, color, national origin, religion, sex, sexual orientation, familial status or disability. We will treat each individual or family on his or her own merits.
- C. **Reasonable Accommodations:** If reasonable accommodations are requested, they will be implemented in a timely manner. Accommodations are not reasonable if they require fundamental alteration in the nature of the program or impose undue financial and administrative burden on a housing program.

LHA will make reasonable accommodation in rules, policies, practices, office procedures and services to allow a disabled person equal opportunity to use and enjoy a dwelling. An Owner must permit, at the expense of a disabled person, reasonable modification of an existing premises occupied or to be occupied if the modifications allow the person full enjoyment of the premises. The owner may, where it is reasonable to do so, request the renter to make an agreement to restore the interior of the premises to the condition that existed before the modification prior to allowing any modifications.

An applicant or participant may file a complaint on LHA's failure to comply with Section 504. The complaint must be in writing to LHA within 30 days of the action or inaction by LHA. LHA staff will schedule an informal hearing on the issues within thirty (30) days of receipt of a written complaint. LHA will accept other forms of communication other than writing to accommodate a disability.

- D. **Section 504 Equal Access Statement:** The Administrative Plan is kept at 5700 R Street, Lincoln, Nebraska, which is an accessible facility and route. The document may be examined Monday - Friday between the hours of 8:00 a.m. and 5:00 p.m. A person should call (402) 434-5500 or call TDD (800) 545-1833 ex. 875 to make arrangements to examine the document.

LHA will provide accommodations to assist with sensory or cognitive impairment to review this plan, notices or other required written communications upon request. Assistance may include describing the plan or notice, reading the plan or notices, providing an audio tape or other forms of communication to accommodate the prescribed disability.

Assistance will be provided in a confidential manner and setting. The individual(s) with disability is responsible for providing his/her own transportation to and from the document location.

All hearings and meetings required by the Administrative Plan will be conducted in an accessible location with appropriate assistance.

- E. Confidentiality Rights:** Applicants and participants will be informed of their rights under the Federal Privacy Act and Violence Against Women Act. LHA will comply with all requirements set in Federal Privacy Act and Violence Against Women Act. A written authorization is required for release of information unless disclosure is authorized under State and Federal law.

LHA will not release information without the individual's signed permission to release information. LHA will release only the information in accordance with the signed authorization to release information.

LHA will release information in the following circumstances:

- Release information to HUD and the Immigrations and Naturalization Service (INS) regarding eligible immigration status for the purpose of establishing eligibility for financial assistance;
- Release information on amounts owed to LHA for claims paid and not reimbursed by the client;
- Release information on amounts owed to LHA for prior overpayment of assistance;
- Inform prospective owners LHA has not screened the family's behavior suitability for tenancy, and such screening is the owner's responsibility. LHA will give the owner: 1) the family's current address as shown in LHA records; and 2) the name and address of the landlord at the family's current and prior address if known;
- At the time the family indicates they want to lease a dwelling unit, LHA may offer the owner other information in LHA's possession about the family including tenancy history of family members or drug trafficking by family members (24 CFR 982.307 (b)(2). If requested by the victims defined under the Violence Against Women Act, LHA will not disclose this information. ;
- Information will be released in accordance with LHA Personnel Policy; and
- In extenuating circumstances, certain information will be released only by the authorization of the Executive Director or by court subpoena.

- F. Legal Jurisdiction:** The legal jurisdiction for the operation of the Section 8 program for the Lincoln Housing Authority is the city of Lincoln, Nebraska.

- G. Code of Conduct:** LHA will maintain compliance of all conflict of interest requirements as stated by the Housing Choice Voucher program at 24 CFR 982.161. The following LHA documents establish our codes of conduct for the Housing Choice Voucher Program:

A. LHA Procurement Policy

Section II 2.1.4 - This section states all solicitation procedures will be conducted in compliance with 24 CFR 85.36.

Section IX 9.1 to 9.4- This section states the code of conduct for procurement.

B. LHA Personnel Policy Manual

Section I Page 3- Nepotism

Section III Page17- Gifts

Page18- Political Activities

Page 20- Procurement and Outside Employment
Section IV Page 46- Discipline and Grievance

- C. **LHA Guidelines for Providing Excellent Customer Service**
Page 2- LHA Code of Professional Conduct with respect to customer service

SECTION I.
APPLICATION PROCEDURES
(982.202)

- A. Written Application:** Lincoln Housing Authority (LHA) requires persons interested in applying for Section 8 voucher assistance fully complete, sign and submit a written application. Applications are available at the LHA offices and will be mailed upon request. If LHA staff perceive a barrier is preventing someone from completing the application, LHA will request permission to assist the individual which may include contacting an appropriate agency or person to assist the applicant.
- B. Mail and Online Applications:** Any fully completed application received in the mail will be dated with the time of receipt upon delivery to the LHA office. Any fully completed online application is date and time stamped according LHA's computer submission which will be printed on the applicant's online receipt at the time of submission.
- C. Waiting List Placement:** Applicants are placed on a single Housing Choice Voucher (HCV) waiting list according to the date and time regardless of the bedroom size. Applicants are selected to fill the voucher vacancies based on any preference and the date and time of the application. A single non-elderly, non-disabled individual will be selected after elderly, disabled and families.

Mainstream vouchers:

For Mainstream Vouchers, 20 vouchers are designated for disabled households only when either the head of household or spouse is an disabled adult as defined under 42 U.S.C. 423. Although LHA will maintain only one voucher waiting list, when a Mainstream voucher is available for utilization only disabled households who meet this definition are eligible to be selected from the HCV waiting list based on LHA established preferences, date and time of the application.

- D. Eligibility:** At the time of application to admissions on the waiting list, LHA may perform preliminary eligibility screening. The decision to pre-screen applications on the waiting list will be based on the length of the waiting list. If the applicants "wait" time for selection of the waiting list is considered relatively short, pre-screening may be required to determine the applicant appears to meet eligibility requirements. A pre-screening may include:
1. Applicant meets income requirements according to the Federal regulations;
 2. Criminal history check;
 3. Social Security cards;
 4. Citizenship or 214 documentation;
 5. Compliance with LHA repayment requirements; and
 6. Family Composition.

Birth Certificates will be requested at application but not required until admissions.

Applicants will be advised placement on the waiting list is no assurance of eligibility.

- E. Incomplete Applications:** All applications lacking the required information by the periods outlined by the LHA representative will be cancelled.

- F. Notification:** LHA will notify applicants if they are eligible to be placed on the waiting list. As the applicant approaches the top of the waiting list or prior to the applicant being offered a voucher, LHA will do a “complete” verification of eligibility to the program. All ineligible applicants will be given a prompt written notice on the decision to deny admission to the program. The notice will include the reason for the decision and the right to request an informal review within seven (7) calendar days of the notification.

**SECTION II
WAITING LIST
(24 CFR Subpart E)**

A. Description:

A single waiting list will be maintained for all eligible persons wishing to participate in the voucher programs. Applicants will be advised of all available housing programs. An applicant can apply for Section 8 program as well as public housing, conventional and tax credit units, and remain on all lists after the applicant has received assistance or accepted a unit.

B. Waiting List Eligibility Requirements:

1. **Legal Capacity:** Applicant must have **legal capacity** to enter into a lease. Applicants must be 19 years of age, legally emancipated or married to enter into a lease. If legal capacity requirement is not met, a denial letter will be sent stating they may reapply at age 19, or when legally emancipated or married.
2. **Application:** The family must **complete an eligibility application**. Applications are available at Lincoln Housing Authority (LHA) office, can be mailed upon request or completed online from the LHA website www.l-housing.com. Special arrangements to complete an application may be made with the LHA office for individuals with disabilities or language barriers. If it is apparent during the application process that a barrier exists and an advocate or interpreter could benefit the applicant, LHA will obtain appropriate services and may reschedule the interview. The delay will not affect the date and time of placement on the waiting list.
3. **Income:** Application will be reviewed to determine if they appear to meet **income** requirements of Federal regulation per 24 CFR 982.201.
4. **Social Security Number:** Applicant must provide a **Social Security number** for all household members over the age of six.
5. **Preference:** LHA will determine if applicant meets **preference** criteria (described in Preference Selection, Section III) . If it is determined that the family does not qualify for a preference, the family will be placed on the waiting list in a non-preference status according to the date and time of original application. The family may reapply for preference status at any time. The family is responsible to report any changes in preference status in writing. LHA will accept other forms of communication other than writing to accommodate a disability. The date of application determines the preference date.
6. **Vacate Owning:** LHA will check the “**vacate owning**” lists for LHA and other PHAs if previous assistance is indicated. Applicant must be in compliance with LHA repayment agreement requirements. All other PHA and/or other HUD funded Housing Assistance Programs must have all debt repaid prior to placement on the waiting list. See Termination/Denial Section XIX C (6) “Owes”.

7. **Criminal History Checks** are completed prior to admissions to the program.

- C. Waiting List Placement:** Applicants are placed on a single waiting list according to the date and time regardless of the bedroom size. When vacancies occur in the Section 8 Voucher program, applicants will be invited off the waiting list according to preference, date and time applied. A single non-elderly, non-disabled family will be selected after all other eligible applicants have been selected from the waiting list.

Outreach for Mainstream vouchers: If there is ever an insufficient pool of disabled families on the HCV waiting list, LHA will conduct outreach to encourage eligible persons to apply for this special allocation of vouchers.

D. Applicant Selection:

Within the preference category, applicants will be selected in order of the application date and time. Single applicants who are elderly or disabled single persons will be assisted before other single persons.

For Mainstream Vouchers, 20 vouchers are designated for disabled households only when either the head of household or spouse is an disabled adult as defined under 42 U.S.C. 423. Although LHA will maintain only one voucher waiting list, when a Mainstream voucher is available only the disabled households who meet this definition are eligible to be selected from the HCV waiting list based on LHA established preferences and date and time of the application.

For Section 8 project-based assistance, (which includes moderate rehabilitation and new construction or substantial rehabilitation project-based assistance), not less than 40% of the new admissions to a specific project must have incomes at or below 30% of the area median income. Other admissions to a specific project must be at or below 80% of the area median.

E. Cancellations:

1. Requests to cancel an application are required in writing. LHA will accept other forms of communication other than writing to accommodate a disability.
2. All applications not meeting eligibility requirements within the established time frame will be canceled.
3. Applicants who are contacted regarding Section 8 funding, available Mod Rehab units, and or/updates to their application or eligibility and fail to respond, will be canceled and removed from the waiting list.
 - (a) LHA does not accept responsibility for mail loss or delays.
 - (b) If the applicant did not notify LHA in writing of a change in address as required, LHA will not be responsible for the applicant's failure to receive the request.
 - (c) LHA will include deadline dates in all letters requesting information or responses.
 - (d) If a letter is returned by the United States Postal Service with a forwarding address within Lancaster County, LHA will re-send the letter.
4. Reinstatement due to extenuating circumstances will be at the discretion of the Housing Supervisor or Manager.
5. If an applicant with a disability fails to comply with a requirement within the required time frame

for a reason verified to the applicant's disability, the applicant will be reinstated.

F. Purging:

The waiting list will be purged approximately once a year to eliminate any inactive applications and reduce unnecessary administrative burden.

G. Closing of Waiting List:

The closing of the waiting list will be announced by public notice in a newspaper. Public notice will be made when application intake is resumed in accordance with 24 CFR 982.206. Should there be insufficient applications for the Mainstream Vouchers during a closed waiting list, the waiting list will be reopened until it reaches sufficient number of applications for the Mainstream Voucher program.

Section III.
Preferences for Selection
(982.207)

Lincoln Housing Authority gives a higher priority for Section 8 voucher selection to applicants who are currently eligible for one (1) or more preferences. A family qualifying for any one (1) preference listed below is given the same priority as a family qualifying for two (2) or more preferences.

A. Preferences are as listed below in random order with no hierarchic system:

1. **Homeless:** Applicants terminated or evicted from a LHA program or unit will not be eligible for a homeless preference [Section 91.5]. A homeless family includes:
 - (a) Any person or family that lacks a fixed, regular and adequate night-time residence;
and
 - (b) Any person or family that has a primary night-time residence that is:
 - (i) a supervised shelter designed to provide temporary living accommodations including welfare hotels, congregate shelters, state transitional housing programs and other transitional housing;
 - (ii) an institution providing a temporary residence for individuals intended to be institutionalized (does not include jail);
 - (iii) a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings.
2. **Disaster:** Displaced by fire (excluding tenant caused fires), flood or storm. *Verifiable by Red Cross or other government agency.*
3. **Domestic Violence:** Displaced by domestic violence - actual or threatened violence against one or more members of the applicant family by a spouse or other member of the household. Such applicants must have been forced to move because of domestic violence or lives with a person who engages in domestic violence. Such violence must be recent or continuing. Applicants displaced by domestic violence must certify that the person who engaged in such violence will not reside with the applicant family unless LHA has given advance written approval. If the family is admitted, LHA may deny or terminate assistance to the family for breach of this certification. An active protection order would be an acceptable form of verification.
4. **Military:** Households who must end their participation with the LHA Voucher program due to the head of household or spouse being placed in active military duty and the remainder of the household leaving the unit for longer than 180 days.
5. **Employment First program or other approved self-sufficiency program:** The applicant is current and active in the participation with the Health and Human Services program, Employment First, or in any approved self-sufficiency program (see Section VII, Income, Deductions and TTP, under MEI for other approved self-sufficiency programs).

- B. Verifications:** The family must provide proper verification they are eligible for a preference at the time of application or any time while on the waiting list. The family must qualify for the preference at the time the family is selected from the waiting list. If, at the time the formal application is processed, it is determined the family does not qualify for a preference at the time of the waiting list selection, the family will be placed on the waiting list in a non-preference status according to the date and time of the original application. The family may reapply for preference status at any time.
1. **Acceptable forms of verification** for all preferences are government agencies, law enforcement, public or private shelters, clergy or social service agencies.
 2. **Time frames:** The verification is valid for ninety (90) calendar days after receipt by LHA. If the applicant is not housed within ninety (90) calendar days, the preference must be re-verified at the time the family is selected from the waiting list.
- C. Changes:** Any change in family preference status must be reported by the family in writing within ten (10) calendar days of the change. LHA will accept other forms of communication other than writing to accommodate a disability.

Section IV.
ELIGIBILITY FOR ADMISSION
(24 CFR Subpart E)

LHA will only admit an eligible family to the program. To be eligible, the applicant must be a “family”, income eligible, have legal capacity, be a citizen or a non-citizen who has eligible immigration status, pass criminal history checks and either owe no money to any PHA or meet repayment and vacate owing requirements. (982.201).

A. Family Composition: A family is defined as:

1. **Two or more people** who share residency with their income and resources available to meet the family’s needs. They are either related by blood, marriage or operation of the law, or who provide evidence of a stable family relationship. Evidence may include any of the following:
 - (a) birth certificate of child(ren)
 - (b) joint tax return
 - (c) prior lease (held jointly)
 - (d) insurance policies (with other party as beneficiary)
 - (e) prior joint credit history
 - (f) documentation as determined by LHA.
2. **Pregnant woman** with no other children. Once the pregnant woman is admitted, she will be considered the remaining family member of the tenant if the pregnancy is terminated or miscarried.
3. **Elderly person** who is sixty-two (62) years or older.
4. **Disabled person** as defined by HUD.
5. **Temporary absences**-Temporary Absences may include children in Foster Care, Spouse gone for less than six month, Student, Joint Custody and in the Military. Refer to Section VII E. “Income, Deductions and Total Tenant Payment “ and “Temporary Absence “ for specific definitions.
6. **Familial Status:** One or more individuals under the age of 19 being domiciled with a parent or another person having legal custody of an individual(s), or the designee of such parent or other person with such custody has written permission from such parent or other person.
7. **Any other single person.**

B. Legal Capacity: A person must be 19 years of age, legally emancipated in the State of Nebraska, or married.

C. Income: Annual income must not exceed income limits established by the U.S. Department of Housing and Urban Development (HUD) (50% median income by household size). If the applicant reports an income change after admission to the waiting list which may result in income ineligibility, they may be maintained on the waiting list at maximum income limit allowable (982.201(b)).

D. Citizenship: Every family member who receives assistance must be either a citizen of the United States or non-citizen who has eligible immigration status in accordance to 24 CFR part 5. Assistance will be pro-rated to any eligible mixed family who requests assistance (Subpart E 5.500).

1. **Notification:** All applicants will be notified of the requirement to provide verification of their citizenship status. The notification shall be in the language understood by the applicant when feasible.
2. **Verification Requirements:** A signed declaration of Section 214 Status and/or eligible immigration status is acceptable verification unless the applicant indicates the birth place is other than the United States. If the citizenship requirement is questioned due to the birth place being outside of the United States, then one of the following verifications must be provided within ten (10) calendar days of request date:
 - (a) Birth certificate, US passport or naturalization papers;
 - (b) USCIS card or other USCIS documentation; or
 - (c) Signed verification consent form when USCIS requests secondary verification to be submitted.

Note: An extension for the time to provide requested verifications may be extended upon supervisory approval and will be granted when delays are caused by USCIS.

E. Criminal History Checks: All adult household members (18 years or older) must pass a criminal history check prior to notification of admission. See Section XIXI on Terminations/Denials.

F. Repayment/Vacate Owning Requirements: LHA will check the “**vacate owing**” lists for LHA and other PHAs. Applicant/Participant must be in compliance with LHA repayment agreement requirements. All other PHA and/or HUD funded Housing Assistance Programs must have all debt repaid prior to placement on the waiting list. See Termination/Denial Section XIX C (6) “Owes”.

G. Verifications: All information verifying the applicant is eligible must be provided within sixty (60) calendar days prior to LHA issuance of a voucher to the applicant.

H. Application process:

LHA will select applicants from the

1. Applications will be taken on a continuous basis.
2. Applicants will be placed on a single waiting list according to the date and time applied regardless of bedroom size.
3. When vacancies occur in the Section 8 Voucher program, applicants will be invited off the waiting list according to preference, and the date and time applied. A single non-disabled and non-elderly family will be selected after all other eligible applicants have been selected from the waiting list. Except for the special designated Mainstream Vouchers (20 vouchers) designated for disabled head of household or spouse as defined under 42 U.S.C. 423. LHA will maintain only one voucher

waiting list. When a Mainstream voucher is available only disabled households who meet this definition are eligible to be selected from the HCV waiting list based on LHA established preferences, and date and time of the application.

4. Mail-in applications will be dated with the time the application is delivered to the LHA office. Online applications are date and time stamped based on electronic submission.
5. Placement on the waiting list is not an assurance of eligibility.
6. LHA cannot determine an estimated waiting period time as several factors influencing the waiting period are beyond LHA's control (i.e. verifications, turnover, funding, etc.).

I. Ineligible Applicant:

1. **Notification in writing:** All applicants will be given a prompt written notice on the decision to deny admission to the program. The notice will include the reason for the decision and the right to request an informal review within seven (7) calendar days of the notification.
2. **Fraud:** Applicants providing false information to qualify for housing assistance or a preference will be canceled and may not access the waiting list for three (3) years.
3. **Failure to promptly report changes:** An applicant who fails to notify LHA of any change to the mailing address or to respond to correspondence within a specified time period will be removed from the waiting list by canceling the application. Once the application is canceled, the family must reapply for admission. See Section VI on Voucher Issuance for further information.
4. **Social Security Card:** A copy of a Social Security card or other acceptable verification must be provided for all household members over the age of six within sixty (60) calendar days of request or the application will be canceled.
5. **Students:** According to 24 CFR 5.612, no assistance shall be provided under section 8 of the 1937 Act to any individual who:
 - (A) Is enrolled as a student at an institution of higher education;
 - (B) Is under 24 years of age;
 - (C) Is not a veteran of the United States military;
 - (D) Is unmarried;
 - (E) Does not have a dependent child; and
 - (F) Is not otherwise individually eligible or has parents who, individually or jointly are not eligible on the basis of income to receive assistance under Section 8.

Other acceptable verifications include a written statement from the Social Security Administration verifying the name and Social Security number, or at least one personal document identifying the name and Social Security number and an application from Social Security stating the applicant has applied for a new Social Security card.

A **certification statement** must be executed at the time of application if a household member does not have a Social Security number or card. Households are responsible to provide LHA with a copy of the Social Security card within ten (10) calendar days of receipt of the new Social Security card.

**SECTION V.
SUBSIDY STANDARDS
(24 CFR 982.402)**

When issuing a voucher or offering a Mod Rehab unit, the following standards will be used to determine the number of bedrooms needed for families of different sizes and compositions.

A. Voucher Size: Families will be issued a voucher based on the smallest size appropriate to their needs with the following limitations:

Voucher Size	Minimum Persons	Maximum Persons
0 Bedroom	1	1- Single non-disabled or elderly
1 Bedroom	1	2
2 Bedroom	2	4
3 Bedroom	3	6
4 Bedroom	6	8
5 Bedroom	8	10
6 Bedroom	10	12

These standards are developed in accordance with the Federal regulations which state there must be at least one bedroom or living/sleeping room of appropriate size for each two-person family.

B. Bedroom:

To qualify as a bedroom, the room must have a proper egress window, an overhead light and one (1) outlet, *or* no overhead light and two (2) outlets. This must be documented on the inspection form.

C. Determining Family Unit:

- One Bedroom per two adults and one bedroom per two children** regardless of age, relationship or sex. Adult is consider anyone 18 years or older. Child is a person under the age of 18.
- Foster children** will be counted as a person for occupancy.
- Expectant mothers** must provide pregnancy statement to qualify for a two (2) bedroom whether the family is a single person or couple. For all other household sizes, the subsidy size may be increased within the third trimester if the medical profession has verified the increased housing need.
- Students who live out-of-town** but return home for at least three (3) months per year will be allowed a bedroom assignment.
- If the family has verified **51% of custody arrangements**, then they can be allowed a bedroom assignment.

6. **Remaining member** age 19 or over will retain a voucher when all other family members have been removed from the lease and do not wish to transfer the voucher. Voucher size will be redetermined. See Section VI Voucher Issuance.

D. Exceptions from these standards may be allowed only if the unit does not offer alternatives for a sleeping area such as living room, dining room and etc. which can be considered a “sleeping room” . Alternative sleeping areas must be used prior to providing an exception to the subsidy standard.

1. **Medical reasons:** A family may be offered a larger voucher or Mod Rehab unit as a reasonable accommodation to a verifiable disability. A statement from a qualified medical practitioner must be provided annually to verify the individuals who have a separate bedroom.
2. **Live-in aide:** If an elderly or disabled family requires a live-in aide as defined under 24 CFR 5.403, then the appropriate bedroom size will be allowed to include the care giver. Annually, this need must be verified by a qualified medical practitioner.

A live-in aide is considered “essential” if there is a medical need supported by a qualified medical practitioner statement that the person requiring the assistance would be unable to live in the home without the support of the live-in aide.

The live-in aide may be related by blood, marriage or operation by law. A care giver’s family may reside in the unit providing it **does not increase the subsidy** by the cost of an additional bedroom and the family is not overcrowded.

Live-in aide will be required to sign an agreement regarding their tenant status, and sign a release to conduct a criminal history check.

The live-in aide cannot be considered a remaining member of the tenant family if and when a family vacates the unit.

E. Choice in unit size: A family may rent a smaller or larger size unit than stated on the voucher as long as the unit complies with minimum Housing Quality Standards and rent limitations of the voucher program. The unit size designated on the issued voucher must remain unchanged regardless of the actual size unit.

However, the payment standard is established by the number of bedrooms and must be the **lower** of (1) the payment standard for the family unit size; or (2) the payment standard for the size of the unit rented by the family.

F. Change in Family Unit Size during the HAP Contract Term: If the family unit size changes during the term of the HAP contract, the new family unit size must be used to determine the payment standard amount at the next re-exam (interim or annual) regardless of any increase or decrease in the payment standard schedule.

1. **Larger voucher:** If the participating family needs a larger voucher size in order to be in compliance with Housing Quality Standards. The family must be given the appropriate size voucher as soon as possible (at any time during the lease) to locate a larger unit. The owner must be given a 30-day notice. The HAP contract terminates at the end of the calendar month of the 30-day notice.

For example: Owner is given a 30-day notice on August 15th. The HAP contract would terminate on September 30th.

2. **Family request for a new voucher:** A family continuing in the program may request a new voucher and will be issued a voucher of appropriate size at any time during the term of the lease for the following situations:

- (a) **Smaller voucher:** Participating family needs a smaller voucher because the family has experienced a decrease in family size and the rent exceeds the fair market rent; must be issued a new voucher as soon as possible (at any time during the lease). The owner must be given a 30-day notice. The HAP contract would terminate at the end of the calendar month of the 30-day notice. Should the owner choose to lower the rent within the fair market rent level, the participant may continue to reside in the unit.
- (b) **Mod Rehab unit:** Participants in a Mod Rehab unit requesting to move will remain in their present unit until another unit becomes available in the same project. If the Mod Rehab owner contract is abated for Housing Quality Standard defects, the family will be issued the next available voucher.
- (c) **Physical or emotional abuse:** Participants who have vacated their unit due to physical or emotional abuse may retain a voucher as long as they have responsibility for minor children or are disabled. The remaining family member occupying the unit will be required to reapply for assistance as a single person. The assistance terminates at the end of the calendar month in which the owner's 30-day notice expires. Verification of abuse will be verified by a shelter, clergy or police department. If the adults split the custody of the minor children, in most cases, both will be issued a voucher.
- (d) **Under 19 years of age:** Participants not 19 years of age, married, or legally emancipated, will not be issued a voucher to transfer out of their current unit.
- (e) **Household separate with children:**
 - (i) If one of the parents moves out of the household, the voucher will be retained by the parent who stays in the unit with the children.
 - (ii) If both parents move out of the current unit, the voucher follows the parent with the children.
 - (iii) If both parents move out of the current unit and both retain children, each parent will be given a voucher.
 - (iv) In a two parent household, if the head of the household stays in the assisted unit, the voucher is retained by the head of the household. If the co-head (other parent) leaves with a child a voucher will be given to the co-head (other parent).

- (f) **Remaining household member:** If the remaining household member age 19 or over will retain a voucher when all other family members have been removed from the lease and do not wish to transfer the voucher. Voucher size will be redetermined
- (g) **Court Determination:** If a court determines the disposition of property between the members in a divorce or separation, LHA is bound by the court's determination of which family members continue to receive assistance.

SECTION VI.
VOUCHER ISSUANCE
(24 CFR 982.302 and 982.303)

A. Issuance: Families will be issued vouchers in a non-discriminatory fashion as their name reaches the top of the waiting list. The normal rotation of the waiting list is the date and time of application after consideration of the preferences and type of voucher available as identified in this plan. The following is the process in voucher issuance:

1. **Notification reaching top of the waiting list:** Applicants will be notified by mail when their name reaches the top of the waiting list. The applicant is given a reasonable amount of time to respond to LHA regarding their interest to participate in the program. If they wish to participate in the program, they will be required to have their family composition, income, assets, LHA preference and all other program eligibility verified to determine if they meet the program eligibility criteria.
2. **Changes prior to voucher issuance:**
 - (a) **Preferences:** Applicants not eligible for the LHA preference when their name reaches the top of the waiting list will be placed on the list in a non-preference status.
 - (b) **Over income limits:** Applicants who exceed the income limit for eligibility will be denied admission, and their application will be canceled. The applicant can request an informal review within seven (7) calendar days.
 - (c) **Failure to respond:** Applicants who fail to respond to their letter and schedule an appointment within the specified date will have their name removed from the waiting list and will need to reapply.

Applicants who fail to provide necessary information to determine eligibility within ten (10) working days from their appointment or date specified by LHA will be removed from the waiting list and will need to reapply.

3. **Income eligibility:** 50% median income will be used as the income limit for all Section 8 applicants who are subject to for the Lincoln Housing Authority service delivery area. Income limits are available upon request.
4. **Income Targeting:** LHA is exempt from income targeting under the Moving to Work agreement. Families whose income is 50% or below the area median (Very Low Income) may be eligible to be admitted into the Section 8 voucher program. Certain families may, at the time of admission, have incomes between 51% and 80% of the area median (Low Income). These include:
 - (a) Families continuously assisted in Public Housing or Section 8.
 - (b) Families physically displaced by rental rehabilitation.
 - (c) Non-purchasing tenants of certain home ownership programs.
 - (d) Tenants Displaced from certain Section 221 and 236 projects.
 - (e) Low-income families residing in certain HUD-owned projects.

5. **Briefings:** Applicants who have been determined eligible for a voucher will be notified by mail when a briefing will be conducted. The applicant must attend the briefing to participate in the program. Families will be advised if they do not attend the scheduled briefing and/or fail to contact LHA regarding the missed appointment within 10 working days, their name will be removed from the waiting list and will need to reapply. Briefings are conducted for the purpose of acquainting the applicants with the operation of the programs in accordance with 24 CFR 982.301. The families will be given a voucher packet containing all required information and documents, including a list of available private owner units. Vouchers will be issued allowing a ninety (90) day initial search period. LHA will maintain current income, asset and deduction verifications no more than sixty (60) days prior to the eligibility interview for voucher issuance.

In addition for Mainstream vouchers, the following information will also be provided at briefing:

- Information on community resources to access supportive services;
- information on public and/or private funding sources to assist with covering the costs of modifications need to the unit as a reasonable accommodation to their disability;
- Provide housing search assistance if no success in locating a suitable unit within the initial 60 days search period.; and
- Provide a listing of available accessible units in primary market area.

6. **Lease:** Owners must use their own lease with the required HUD addendum.
7. **Security deposit:** Participants in the voucher program may be required by the landlord to pay up to one (1) months' contract rent to the landlord for damage deposit.

B. Extensions:

1. Prior to the expiration date, vouchers may be extended beyond the initial 90-day search period after completing required landlord contact sheets, and under the following circumstances:
 - (a) **Extenuating circumstances:** If the family can verify extenuating circumstances, the family is hard to house and can clearly demonstrate they have made every effort to secure a suitable unit.
 - (b) **Not refused suitable unit:** The family has not refused a suitable unit without good cause.
 - (c) **Extension results in housing the family:** There is a possibility an extension will result in an approved lease and execution of a Housing Assistance Payment Contract.
4. **Reasonable accommodations:** To provide a reasonable accommodation for those who need an accessible unit.
2. **Canceling Vouchers:** LHA will notify the family when their voucher has expired. If the family does not respond within (ten) 10 working days from the notification, the voucher cannot be re-instated. Vouchers can only be re-instated after a denial if (1) LHA was in error for not extending the voucher; or (2) by supervisory review. After a voucher has expired and the extension denied, the family will be required to reapply for assistance.

3. **Procedures and time frames for extensions:** All vouchers may be extended and reissued in 60-day intervals to a maximum of 180 days if the family meets the criteria stated above. LHA will document the family's efforts in securing housing [24 CFR 982.201(5)(e)].

C. Reissuing Vouchers:

1. **Term of vouchers:** All vouchers will be reissued at sixty (60) day intervals.
2. **Evictions:** Program participants evicted through the court system will lose their housing assistance and will not be eligible for a reissued voucher. They may reapply for assistance according to Section XIX on Terminations/Denials.
3. **Failure to correct tenant defects:** Participants who fail to correct tenant defects as identified in the Housing Quality Standards section will lose their housing assistance and will not be reissued a voucher. They may reapply twelve (12) months after the date of termination.

D. Suspensions:

LHA does not provide suspension of the initial or any extended term of voucher due to length of time available for extensions (up to 180 days).

SECTION VII.
INCOME, DEDUCTIONS and TOTAL TENANT PAYMENT
(24 CFR 5.609 & 5.628)

- A. Moving to Work Demonstration:** The Moving to Work (MTW) changes were effective July 1, 1999 for new admissions and with existing voucher participants at the next annual re-examination effective October 1, 1999. Through the MTW demonstration program, LHA will not implement regulatory provisions related to the Earned Income Disregard income exclusions, imputed welfare income and student earned income exclusions for adults 22 or older.

Effective February 1, 2008, through the MTW demonstration program, the maximum initial rent burden rule will be modified so that a family's rent share does not exceed 50% of their monthly adjusted income at the time of approving tenancy and executing a HAP contract.

Effective April 1, 2008, through the MTW demonstration program, the following policies will be implemented starting with April 1, 2008 vouchers issuances for new admissions and transfer and for annual re-examinations effective July 1, 2008.

1. **Minimum "tenant" rent portion:** All subsidized households will be responsible to pay the owner a minimum of \$25 for tenant rent. The higher of the TTP minus the utility allowance or \$25 is used to determine the tenant rent to owner. This requirement will be waived if the head of household is disabled and has a current Social Security application pending.
2. **Total Tenant Payment (TTP) is determined on 27% of the gross income:** TTP is based on 27% of the monthly gross income with no allowable deductions.

Hardship clause: *Pre-existing program participants who were issued vouchers prior to April 1, 2008 are eligible to be considered under a Hardship clause for the next six years at each annual re-examination. If it is determined at the participant's next annual reexamination that the 27% gross income without deductions policy increases the participant's TTP by more than \$25 per month than a Hardship TTP will be used instead.*

How to determine if the Hardship TTP should be used?

LHA will compare the 27% calculated TTP to the Hardship TTP. If the Hardship is less than the 27% calculation than the Hardship TTP will be used. In order to be eligible for the Hardship TTP, the household's pre-existing deductions must be self certified that the deductions will remain the same or increase in the next certification year.

How do you calculate the Hardship TTP? The Hardship TTP is calculated by using the household's current gross annual income minus any pre-existing deduction verified at the last re-exam prior to July 1, 2008. The Hardship TTP is based on the annual income minus pre-existing deduction divided by 12 monthly equals adjusted monthly income multiplied by 30% plus an additional \$25 at each annual re-examination.

3. **Asset Income Calculation**

Assets equal to or greater than \$5000: Households with total assets face value equal to or greater than \$5000 will be verified by tenant provided financial statements such as monthly, quarterly or year-end statements. Asset income will be calculated using face value multiplied HUD passbook rate currently at 2%.

Assets less than \$5000: Household with assets less than \$5000 will self certify their assets with a written statement and all asset income will be excluded.

4. **Verification Requirements**

In addition to the asset verification requirement changes.

Earned income: Applicant and Participant provided pay statements such as pay stubs will be allowable verification in lieu of a third party verification from the employer. Three months pay statements is preferred. EIV will be used first, if available and participant provided pay statements are secondary.

Social Security Income: Applicant and Participants may provide their most recent Social Security statement or benefit letter issued by the Social Security Administration as acceptable verification if EIV verification is not available. This eliminates the requirement that the verification be dated no more than 60 days from the date of the interview for this income only.

Annual Income: All amounts, monetary or not, that go to or are on the behalf of the family head or spouse (even if temporarily absent), or to any other family member, or all amounts *anticipated* to be received from a source outside the family during the 12-month period following admission or annual re-examination effective date. During the Moving to Work Demonstration LHA will follow the income inclusions and exclusions according to the Federal Regulations except for the following:

- A. **Minimum Earned Income.** LHA will include a minimum amount of earned income when calculating Annual Income whether or not a family is working. The minimum amount of earned income for families with one eligible adult will be based on 25 hours per week of employment at the federal minimum wage. The minimum amount of earned income for families with two or more eligible adult members will be based on 40 hours per week of employment at minimum wage. LHA will count the higher of the minimum earned income or the actual earned income for the household. The minimum earned income will be added to any unearned income the family receives. Eligible adults are persons 18 years of age or older who do not qualify for one the following exemptions. All adults in the household must be exempt in order for the household to be exempt from the minimum earned income requirements.

Exemptions: LHA will exempt adults members of the family from the minimum earned income requirement if they meet the following criteria:

- a. A person who has an illness or injury serious enough to temporarily prevent entry into employment or training. As an example, a broken limb would not automatically qualify an individual from this exemption. An individual under doctor's orders for restricted activities following surgery could be considered for a temporary exemption. Each exemption will be considered on an individual yet consistent basis. Exemptions for illness or injury of less than six weeks anticipated duration will not be given. The maximum duration of this exemption is one year . The exemption will continue beyond one year if the individual has a current application for Social Security disability and the decision is pending.
- b. A person who is age 60 or older or disabled.
- c. A person who is needed in the home on a continuous basis because of the illness or incapacity of another household member and no other appropriate member of the household is available to provide the needed care. Verification from a physician or licensed or certified psychologist is required. The illness or incapacity of the household member must be evaluated periodically, depending on the diagnosis and/or prognosis for recovery. LHA will verify this at least annually.
- d. A parent or needy caretaker relative of a child under the age of 12 weeks.
- e. A pregnant woman beginning with the 3rd trimester (6th month) of pregnancy continuing through six weeks following the end of the pregnancy.
- f. An individual who is participating in AmeriCorps or Vista.
- g. A full-time student. A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree. The school must be accredited by the Nebraska Department of Education and/or other acceptable accrediting agencies.
- h. A participant in an approved Self-Sufficiency Program. An approved self-sufficiency program is one that has been reviewed by LHA and whose sponsoring agency has an agreement with LHA regarding their program. Self-sufficiency programs provided by agencies will be approved on a case by case basis if they meet the following guidelines. The self-sufficiency plan must be part of an organized self-sufficiency program developed by the agency as part of the agency's ongoing efforts to support families in achieving self-sufficiency. The goal plans must be based on results of assessment and must list goals to be achieved and

benchmarks and time lines; goals must be measurable and verifiable; realistic---within the control of the individual; adequate---contribute to the achievement of self-sufficiency; congruent with the individual's values; and time-limited. The self sufficiency plan must detail the responsibilities, roles, and expectations of the participant, the sponsoring agency and case manager, and other service providers. The self-sufficiency plan may be a flexible tool which allows for adjustments based on changes in external conditions or individual circumstances. There must be an established relationship the Lincoln Housing Authority and the sponsoring agencies of the self-sufficiency program to allow for the exchange of information so that Lincoln Housing Authority can monitor the progress on self-sufficiency goals and objectives.

To be eligible for an exemption from the minimum earned income requirement, the individual must be fully enrolled in the self-sufficiency program and actively participating. They cannot be enrolled but inactive and cannot be under any sanction or probation with the self-sufficiency agency.

The following agencies are approved self-sufficiency programs:

- Nebraska Health and Human Services - Employment First Program
- (a) Lincoln Medical Education Foundation - Pathways to Self-Sufficiency
- (b) Catholic Social Services - Transitional Housing Program
- (c) City of Lincoln Urban Development Department-Job Training Division
- (d) HUD Homeless Committee-HUD Homeless program
- (e) LHA Family Self Sufficiency Program
- (f) Lincoln Action Program-These programs must be reviewed and approved by LHA on a case-by-case basis:
 - Head Start and Early Head Start
 - Computer Micro-Enterprise Development (CMD) Program
 - Micro-Enterprise Project
 - LAP Supportive Housing Program

2. **Student Income.** LHA will include all earned income in the calculation of Annual Income of full time students age 22 and older. These students will not be considered as dependents for the purpose of calculating annual and adjusted income.

According to 24 CFR 5.609, any financial assistance in excess of tuition that is received under the Higher Education Act of 1965, from private sources or from an institution of Higher Education should be consider annual income except for persons over the age of 23 with dependent children.

3. **Earned Income Disregard.** LHA will not implement federal regulations for these income exclusions.

4. **Imputed Welfare Income.** LHA will not implement federal regulations for imputing welfare income under certain conditions.
5. **Terminated Employment.** If a family member has terminated employment, a rent decrease will be considered 90 days after the termination date. After the 90 day delay an interim will be conducted and made effective the month after all eligibility information has been verified.

C. Calculations:

Annual income is used in rent calculations. All annual income should be “anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date” Per 24 CFR 5.609 (2). **Exception:** Under Moving to Work, LHA will not use any income increases unknown to the household at the time of the interview date for admissions or annual re-exam.

Procedures for Employment Income:

1. View information provided by the HUD EIV system along with a current pay verification, i.e. pay stub or statement. If this information is reflective of the next twelve month, the calculations will be used for EIV's most reflective four quarters.
2. If EIV information is not accurate or reflective of the next twelve months income, applicant or participant provided verifications are utilized with preferably pay statements for three months. If pay statements are not available a third party verification will be submitted.
3. *Use the information which is most reflective of the next 12 months following the admission or annual re-exam.*
4. If there is a discrepancy with the applicant/participant's statement and any other verification. Contact the employer to resolve the discrepancy. When employer resolves the discrepancy, document their statement and use the information to annualize the income. If the discrepancy can not be resolved, LHA will use the highest income projection.

Note: An exception cannot be granted if the employee *chooses* to reduce scheduled hours. An exception will be granted if income is reduced for medical reasons or an accommodation for a disability.

For example: Employer states the applicant is scheduled to work 40 hours a week but the applicant provides a doctor statement limiting the applicant to working 20 hours a week for the next year due to a medical condition. LHA would use the 20 hours a week.

Annualizing income from current tax year Y-T-D.

Current Y-T-D

Number of weeks from Jan. 1st (Jan. 8th is always the first week)

or

Number of weeks for the current tax year

If it is a partial week then use the following table:

1 day - .14

2 days - .28

3 days - .42

4 days - .56

5 days - .70

6 days - .84

Note: If the number of weeks from January 1st does not appear to be reflective of current Y-T-D, then determine when the pay period began for current tax year. If pay period began in December, LHA may count the December weeks.

Bonus Calculations: If there are bonuses to be anticipated, but the employer refuses to anticipate the bonus for the current year, the bonus from last year will be used for calculations.

Temporary / Sporadic Employment: If a person works temporary or sporadic employment in the past 12 months, LHA will anticipate the next 12 months earnings using the past income to reflect the future income. If the person has not been enrolled with temporary or sporadic work on a consistent basis (less than 12 months), then LHA will anticipate the income on a quarterly basis, completing interims every quarter regardless of the increase or decrease of income.

6. Child Support Calculations

- (a) count the court ordered amount; or
- (b) if the payment history indicates a pattern of payment different than the court ordered amount, anticipate the next 12 months of child support using the actual child support received by the applicant/tenant within the past 12 months; **unless**
- (c) the past 12 months is **not** the best indicator, then **less than 12 months** payment history may be used to predict the future 12 months income as long as the reason is documented in the case file. *Note: Under these circumstances, if a "reasonable" pattern has been established for the last 3 months, the worker should consider using the past three months payment history to predict the future annualized child support.*

7. **Lump Sum Calculations**

Treatment of accumulated periodic payments due to a dispute or processing problems will be done prospectively for families who report lump sum amounts on a timely basis. If the family fails to report the payment to LHA timely, the lump sum will be calculated retroactively.

Any portion of the lump sum that is for a period prior to the family's participation would be counted as an asset instead of income.

LHA will follow the rules according established by HUD in 24 CFR Part 5.609.

The Housing Choice Voucher Guidebook offers examples in calculations.

8. **Retirement Fund Calculations**

While an individual is employed, count only amounts the family can withdraw without retiring or terminating employment.

Afer retirement or termination of employment, count any amount the employee elects to receive as a lump sum as an asset.

9. **Person Permanently Confined to Nursing Home Calculations:**

If a family member is permanently confined to the hospital or nursing home and there is one family member left in the household, LHA will calculate using the method that provides the tenant the most benefit:

- (a) Exclude the income of the person in the nursing home and give the tenant no medical deductions paid on behalf of the member in the nursing home, or
- (b) Include the person's income residing in the nursing home and give the tenant the medical deductions they pay on behalf of the family member in the nursing home.

Note: The bedroom size for the voucher would be based on only the remaining household members actually residing in the unit.

10. **Calculations for Assets Disposed of for less than Fair Market Value:**

LHA must count assets disposed of for less than fair market value during the two years preceding examination or re-examination. LHA minimum threshold is \$1,000. If the total amount of assets disposed of within the one year period is less than \$1,000, then it will not be considered as an asset. If assets are disposed of for less than Fair Market Value, we will count the value of the divested asset (market value less amount received plus cost to convert to cash) times the passbook savings rate as imputed income from the divested asset.

Assets disposed of as a result of divorce, separation, foreclosure or bankruptcy are not considered as assets disposed for less than fair market value.

11. **Prorations of Assistance for "Mixed" Families:**

A “mixed” family includes at least one U.S. citizen or eligible immigrants and any number of ineligible members. Proration of assistance must be offered to any applicant or participant family.

Prorated assistance is calculated by determining the amount of assistance payable if all family members were eligible and multiplying by the percent of the family members who are actually eligible. TTP is the gross rent minus the prorated assistance.

E. Temporary Absence

An assisted family that finds it necessary to be absent from the unit for more than 30 consecutive days is required to notify the owner and LHA of their absence, and the date by which they expect to return. If the unit will be occupied during the family’s absence by a caretaker not ordinarily a part of the household, the tenant must secure the owner’s permission for the arrangement and must notify LHA. If LHA finds the assisted unit occupied by someone other than the designated head of household or other adult family member, it will assume the family vacated the unit and terminate the HAP contract.

If “a” family member leaves the household for more than three (3) months, the unit will not be considered their principal place of residence, and they will be terminated from the program. The bedroom size should be adjusted accordingly.

Reporting requirements: The family will need to declare in writing to LHA when any family member is temporarily absent from the household. LHA will accept other forms of communication other than writing to accommodate a disability. LHA will advise the family of their options and how it affects the TTP or voucher size.

1. Examples of Temporary Absences:

- (a) **Children in Foster Care:** If the children are removed from their parent’s home due to neglect or abuse, as long as a reunification plan is in place with the local social service agency, the child(ren) will remain a member of the tenant family. LHA will obtain verification from the local social service agency.
- (b) **Single parent leaves and another adult lives in household to care for children:** If another adult is brought into the household to take care of the children while the single parent is away, as long as the family continues to meet the definition of family and the other adult meets all other eligibility requirements, assistance will not be terminated. The other adult household member will be changed to the head of the household, if the single parent will be absent for more than 60 days unless it is for medical reasons. A single parent may be absent from the unit for up to 180 days for medical reasons.
- (c) **Spouse or other Household member gone for less than three (3) months:** If the spouse or other household member is gone or estimated to be gone for less than three (3) months of the re-certification period and remains on the lease, then the spouse or other household member will be considered temporarily absent unless one of the following occurs:
 - (i) Husband or wife obtains a divorce or legal separation. *If the family member with*

the children gives notice to LHA before vacating the unit, LHA will determine who will retain the voucher; or

- (ii) The spouse is incarcerated. A document from the court or prison should be obtained to determine how long they will be incarcerated.

(d) **Student (other than spouse):** A student who attends school away from home, but lives with the family during recesses, may be considered either temporarily absent (first \$480 of income counted, on lease, counted on voucher size), or permanently absent (income not counted, not on lease, not counted for voucher size) at the family's option.

(e) **Joint Custody of Children:** Children who are subject to a joint custody agreement but live in the unit at least 51% of the time will be considered members of the household. "51% of the time" is defined as 183 days of the year and do not have to be consecutive. The determination of joint custody will be made based on a court order or a signed agreement by both parents.

(f) **Exceptions for Sole member of the Household:**

If the sole member must leave the household for more than 60 days, the unit will not be considered to be their principle place of residence and they will be terminated from the program.

If the sole member must leave the household to go to the hospital or nursing home, advice must be received from a reliable medical source as to the likelihood and timing of their return. If the medical source informs LHA that they will be permanently confined to a nursing home, they will be considered permanently absent. In order to be considered temporarily confined the sole member must not be absent from the household for more than 6 months or 180 days in a calendar year.

If the sole member must be absent from the unit to attend to the needs of an ailing family member, the sole member must not be absent from their unit for more than 60 days to be considered temporarily absent.

(g) **Incarcerations and Vacations:** Incarcerations and vacations longer than 60 days are not considered reasonable cause for the head of the household being absent from the unit thus will be considered permanently absent from the unit after 60 days.

(h) **Head of Household Absences:** Head of Household may not be absent for more than 60 days or they will be considered permanently absent. Exception: If absent for verifiable medical reasons, the head of household may be absent for 180 days.

F. Permanent Absences

The family must report in writing to LHA to declare a family member permanently absent from the household. LHA will accept other forms of communication other than writing to accommodate a disability

1. **Spouse:** If the spouse leaves and will be gone for three (3) months or more and the family declares them permanently absent in writing with verification, they will be determined permanently absent and must be removed from the lease. Divorce or legal separation will consider the spouse permanently absent.
2. **Military (adult child):** If an adult child goes into the military and leaves the household, he/she will be determined permanently absent.
3. **Adult members other than spouse:** This applies to persons who were declared to be members of the family such as members living in a relationship as a spouse. If the family declares in writing he/she is or will be permanently absent, LHA will consider him/her permanently absent if the person has been gone for three (3) months or more of the re-certification period.

LHA will consider the member permanently absent during the first three (3) months if one of the following verifications is provided. The verifications are listed in order of the most to least preferable form of verification:

- (a) Lease in their name at another location;
- (b) Statements from other agencies such as Health and Human Services;
- (c) Utility or telephone bills in their name at another location; and
- (d) At LHA discretion, a statement from the family which includes a forwarding address.

G. Family break-up: If a family breaks up, the following factors must be considered in determining who remains in the program (24 CFR 982.315 and refer to "Subsidy Standards" section).

1. It is in the best interest of the minor child(ren) or ill, elderly or disabled family members;
2. The family members were not forced to leave the unit due to emotional or physical abuse; and/or
3. If a court determines the disposition of property between the members in a divorce or separation, LHA is bound by the court's determination of which family members continue to receive assistance.

H. Deductions

Under Moving to Work policy changes effective April 1, 2008 the following deductions are no longer utilized in household TTP calculations for applicants or participants. See “ MTW Demonstration” area, page 26, for more detail explanation.

1. **Dependent Deduction:** LHA will provide the same dependent deduction required by HUD regulation with one exception. LHA will not consider as dependents full-time students age 22 and over. LHA will not provide a dependent deduction for these students
2. **Child Care Expense Deduction:** Child care expenses for children under the age of 13 may be deducted from the annual income if the child care enables an adult to actively seek employment, be gainfully employed and/or to further their education. (24 CFR Section 5.603)
3. **Medical Expense Deduction:** If the head of household or spouse is elderly (62 or older) or disabled the all family members will be allowed the medical expense deduction. See HUD rules for allowable medical expenses in IRS Publication 502. Medical expenses may include but are not limited to health insurance, medical transportation, services of health care professionals and facilities, prescription and non-prescription medicines, dental expenses, hearing aid batteries, eye glasses and monthly payments on accumulated medical bills (only the amount expected to be paid in the next 12 months). Non-prescription medicines must be doctor recommended with a specific dosage in order to be considered as a medical expense. (CFR 5.603, 5.611 and 5.403 and Housing Choice Guidebook 5-31/32)

LHA will consider veterinary bills and food for guide dogs as a medical expense.

Medical expenses must be anticipated for future months in calculating the allowable expenses.

4. **Disability Assistance Expense:** Families may deduct reasonable anticipated expenses for attendant care and auxiliary apparatus for family members with disabilities. The expense must enable the family member to be employed and can not be an expense that is paid to a member of the family or reimbursed by an outside source. This deduction must not exceed the earned income received by the family members who are able to work. The expenses exceeding 3% of the gross annual income will be allowed. CFR 5.603 & 5.611
5. **Elderly/Disability Allowance:** \$400 **per family** is allowed if the head of the household or spouse is a person who is at least 62 years old or a person with disabilities.
6. **Medical Insurance Premium Deduction:** For non-elderly, non-disabled families LHA will deduct the amount of medical and dental insurance premiums paid by the family that exceeds 3% of Annual Income. LHA will

calculate this in the same manner that it calculates the HUD-required deduction of medical expenses for elderly and disabled families. However, for non-elderly, non-disabled families LHA will only include the cost of insurance premiums paid by the family, and that are not reimbursed to the family. LHA will not deduct any other out of pocket medical expenses for non-elderly, non-disabled families.

I. Minimum TTP: \$50 is the minimum TTP. By request, exemptions to the minimum rent requirement may be provided to any family who is unable to pay the amount due to financial hardship, unless the hardship is temporary. Upon request for a hardship, LHA will suspend the \$50 minimum TTP beginning the month following the request until LHA determines if the family qualifies for the financial hardship and whether the hardship is temporary or long term. Financial hardships include the following situations:

1. When the family has lost eligibility for or is awaiting 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 and who would be entitled to public benefits but Title IV of the Personal Responsibility and Work Act of 1996;
2. When the family would be evicted because unable to pay the minimum rent;
3. When the income decreases because changed circumstances including the loss of employment ; or
4. When a death in the family has occurred.

If the hardship is determined temporary, the minimum rent is suspended 90 days from the date of the family's request. At the end of the 90-day period, the minimum rent is reinstated retroactively to the date of the suspension. LHA will offer a reasonable repayment agreement to cover the minimum rent charges during the suspension period.

J. Payment Standard Adjustments

The payment standard schedule will be reviewed by LHA annually and adjusted to as parallel to the Section 8 Voucher Fair Market Rent levels as funding allows.

K. Utility Allowance

LHA continues to utilize one standard utility allowance per bedroom size. The standard utility allowances are calculated at least annually using the current average utility cost per number of bedroom(s) per unit. Effective July 1, 1999, LHA discontinued issuing utility reimbursement checks.

At least annually, LHA will obtain and analyze utility rate data for all utility providers within Lincoln to determine whether there has been a change of 10% or more in the rate for any utility since the last revision of the Utility Allowance Schedule.

An appropriate adjustment will be made to the schedule if there has been a change of 10% or more. No adjustment will be made for any increase calculated to be less than \$1 per unit month.

L. Maximum Rent Burden

Effective February 1, 2008 for all vouchers issued for admissions or transfers. LHA must prohibit approving the assisted tenancy and executing the HAP contract, if the gross rent exceeds the appropriate payment standard and the family rent share is more than 50% of their monthly-adjusted income.

Section VIII.
PROCEDURE FOR ADJUSTING VOUCHER PAYMENT STANDARDS

The payment standard schedule will be reviewed annually and adjusted as parallel to the Section 8 Existing Fair Market Rents levels as funding allows.

- A. Payment Standard :** Payment standards are used to calculate the Housing Assistance payment (HAP) Lincoln Housing Authority (LHA) pays to an owner on behalf of the family leasing the unit. The range of possible payment standard amounts are based on HUD's published fair market rent (FMR) schedule area within Lincoln Housing Authority's jurisdiction. FMRs are based on either the 40th percentile of the rents charged for standard rental housing in the FMR area. LHA may set its Payment Standard amount from 90 percent to 110 percent of the published FMR. Any payment standards above 110% or below 90% must first be approved by HUD.

The Payment Standard amount affects the amount of subsidy a family will receive and the amount of rent to be paid by the program participants. If a family leases a unit with a gross rent at or below the payment standard for the family, the family's share will be the Total Tenant Payment (TTP). If the rent for the unit is higher than the payment standard the family's share will be higher than the TTP.

Payment Standard amounts should be high enough to allow families a reasonable selection of modest, decent, safe and sanitary housing in a range of neighborhoods in the Lincoln Housing Authority jurisdictions. To meet that objective and to support families wishing to move to area of lower concentrations of economically disadvantaged households, LHA may establish higher payment standard schedules for certain areas within LHA jurisdiction so program families can rent units in more desirable areas. At times, funding may dictate the payment standard schedules.

- B. Increasing Payment Standard amounts by Board of Commissioners Resolution:** Lincoln Housing Authority may establish its payment standard amounts between 90 and 110 percent of the 40th and 50th percentile FMR. LHA will use the FMRs published. To increase payment standard amounts above 100% published FMR, LHA must obtain a board of commissioners resolution.
- C. Implementing Increased or Decreased Payment Standard Amounts:** The payment standard in place on the effective date of the Housing Assistance Payment (HAP) contract remains place for the duration of the contract terms unless LHA increased or decrease the payment standard. If the payment standard is increased, the higher payment standard is used in calculating the HAP at the time of the participant's regular (annual) re-examination. Families requiring or requesting interim re-examinations will **not** have their HAP payments calculated using the higher payment standard until their next annual re-examination.

As fair market rents are adjusted annually, the percentage for fair market rent to payment standard may also change.

Decreases to payment standards must occur at the signing of new HAP contracts during admissions, transfers or renewal contracts. LHA will follow HUD's procedures established at 24 CFR 982.505 to reduce payment standards for those households with existing HAP contracts at the second annual re-examination from the date of the decrease to the payment standards.

Payment Standards, Fiscal Year 2007; Effective November 1, 2007

0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR	Manufactured Home Space
\$405	\$490	\$625	\$875	\$1060	\$1219	\$1378	\$249

Fair Market Rents for Housing Choice Voucher Program and Moderate Rehabilitation Single Occupancy Program: Fiscal Year 2007; Published October 3, 2007

0 BR	1 BR	2 BR	3BR	4 BR
450	505	643	902	1093

Effective 11-1-07, LHA Payment Standard percentage to current FMR

0 BR	1 BR	2 BR	3 BR	4 BR,	Manufactured Home Space
90%	97%	97%	97%	97%	97%

**SECTION IX
VERIFICATIONS
(HUD Handbook 7420.10 Chapter 5)**

- A. General Policy:** LHA will verify all information affecting an applicant or participant's eligibility for the program including selection for preferences, rent calculations and unit size.

Items to be verified include:

1. Age
2. Assets
3. Child Care expenses
4. Citizenship/ Immigration Status (if born outside the US)
5. Dependent Allowance
6. Disability assistance expenses
7. Disability status
8. Familial
9. Family circumstances
10. Income (inclusions and exclusions)
11. Legal identity
12. Medical expenses
13. Preference status
14. Social Security numbers
15. Unit size
16. Zero income status

These verifications will occur no later than sixty (60) days prior to the voucher issuance; no more than 60 days prior to interview for annual admissions re-exams and interims and no more than 120 days for voucher extensions. Permanent verifications must only be verified once, i.e. Social Security numbers.

- B. Methods of Verification:** LHA will verify in accordance to the federal regulations and LHA procedures. LHA prefers to independently verify information. However, LHA recognizes this may not always be possible, thus LHA will observe the following preferred order of verification:

1. **Up front Income Verification:** As available by HUD, up front income verification through computer matching will be used to verify wages, unemployment, TANF, and Social Security Benefits.
2. **Third Party:** LHA will first attempt to obtain written third party verifications of information. LHA will require applicants to sign authorizations for the release of information to enable LHA to obtain such verifications. LHA will send verification forms directly to employers, banks, social service agencies and others in order to receive an accurate third party verification. LHA's written inquiries will state the purpose of the inquiry and include the applicant/participant's authorization to release information. LHA will strongly encourage parties to respond in writing, but will accept oral verification from a third party source if a written response is not possible. LHA will document all attempts to obtain written and oral third party verifications before moving to the next level of verifications.

Computer verification will serve as a third party verification where allowed by HUD and/or state or local agencies. Computer printouts are acceptable.

3. **Family Documentation:** If third party verification is not possible, LHA may accept documentation supplied by the applicant. All documents will be photocopied. If photocopying is not allowed for a particular piece of documentation, then LHA will be required to make a notation in the file regarding the document which was viewed.
4. **Family Certification:** Under limited circumstances, if the nature of the information cannot be documented or independently verified, LHA may accept a certification from the family by submitting a statement in writing. LHA will use its best judgement to determine whether the family should be able to provide documentation of certain information.
5. **Release of Information:** Families will be required to sign HUD form 9886, Authorization for Release of Information/Privacy Act Notice and other appropriate forms of verification not covered under the HUD form 9886. The signatures should be updated at each annual re-examination. Family refusal to cooperate with the required verification system will result in denial or termination.

C. Acceptable Forms of Verification: The verifications are listed in the order of most to least preferable form of verification. LHA will attempt to obtain the “most” preferable form of verification.

Income and Assets:

1. **Alimony or Child Support Payments:**
 - (a) Copy of separation or settlement agreement or divorce decree stating amount and type of support and payment schedules.
 - (b) Statement of the party responsible to enforce the payments indicating a record of payment history.
 - (c) A letter from the person paying the support.
 - (d) A copy of the latest check. LHA must record the date, amount and number of the check.
 - (e) Child Support/Alimony certification statement.
 - (f) Household’s signed statement.
2. **Assets Disposed:**
 - (a) Family’s certification as to whether any member disposed of assets for less than fair market value during the two years preceding the effective date of the certification/re-certification.

and/or
 - (b) If the family disposed of assets for less than fair market value, a certification that shows:
 - (i) All assets disposed of for less than FMV;
 - (ii) Date assets were disposed;
 - (iii) Amount family received; and
 - (iv) The asset’s market value at the time of disposition.

3. **Assets (Net Current & Non-Liquid):** Collect enough information to determine the current face value. **Under MTW policy changes, only assets equal to or more than \$5,000 face value require verification beyond self-certification.** Assets less than \$5,000 are verified with self certification by the household.
 - (a) Passbooks, checking account statements, certificates of deposit, bonds or financial statements.
 - (b) Verification forms, letters or documents from a financial institution.
 - (c) Quotes from stock broker or real estate agent.
 - (d) Real estate tax statements at current market value.
 - (e) Copies of closing documents.
 - (f) Appraisals.
 - (g) Family's notarized statements.

4. **Employment:**
 - (a) Check stubs or earning statements showing the employee's gross pay per pay period or year-to-date earnings. Check stubs or earning statements must be current and represent a minimum of 30 days (preferably 3 months) employment unless the participant recently started employment and has not worked a full 30 days.
 - (b) W-2 forms plus tax return forms.
 - (c) Employment verification form completed by the employer.

5. **Interest Income and Dividends:**
 - (a) Account statements, passbooks, etc., providing enough information and signed by the financial institution.
 - (b) Brokers' quarterly statements showing the value of the stocks or bonds and the earnings credited the applicant.
 - (c) An IRS form 1099.

6. **Interest from the sale of real property pursuant to purchase money mortgage, installment sales contract or similar arrangement:**
 - (a) A letter from the accountant, attorney, real estate broker, the buyer or financial institution stating the interest due for the next 12 months.
 - (b) Amortization schedule showing the interest for the 12 months following the effective date.
 - (c) A copy of the check paid by the buyer to the applicant is **not** sufficient.

7. **Rental Income:**
 - (a) IRS 1040 with Schedule E.
 - (b) Copies of latest rent checks, leases or utility bills.
 - (c) Documentation of family's income and expenses in renting the property which includes expense and income receipts.
 - (d) Lessee's written statement identifying monthly payments due the family and family affidavit to net income.

8. **Recurring Gifts:**
 - (a) Notarized statement signed by the person providing the gifts. Must give the purpose, dates and value of the gift(s).
 - (b) Family notarized statement that provides the same information indicated above.

9. **Self-Employment (Net Income from a Business):** The following documents will reflect the prior year's income, but LHA must consult with the participant/applicant on the estimated income due for the next 12 months.
 - (a) IRS Tax Return, form 1040 and any schedules (C - Small Business, E - Rental Property and F- Farm Income).
 - (b) Accountant's calculation of depreciation expense computed using straight-line depreciation rules.
 - (c) Financial statements of the business.
 - (d) Loan application listing income derived from the business during the previous 12 months.
 - (e) Applicant's accounting statements as to the net income realized from the business during the previous years.

10. **Social Security, Pensions, Disability and Unemployment Income:**
 - (a) Computer links.
 - (b) Benefit verification form completed by the agency providing the benefits.
 - (c) Award or benefit notification letters.

11. **Welfare:**
 - (a) Records obtained via LHA's computer link or directly from the Department of Health and Human Services.

12. **Zero income Status:** Families reporting no income or unrealistically low income will be required to sign an affidavit of unemployment, zero income affidavit and/or "survival" statement.

13. **Deductions:** Effective April 1, 2008 all deductions except deductions provided under the Hardship TTP will be eliminated according to the MTW policy changes. Under the Hardship TTP the household will provide a written statement regarding the previous allowable deductions describing if they have remained the same, or are expected to increase.

Miscellaneous:

15. **Citizenship or National Status:**
 - (a) Individuals born outside of the United States—a birth certificate, U.S. passport, or naturalization papers; and
 - (b) Signed declaration of 214 status provided by the family for each household member and a copy of the Social Security card.
 - (c) Non-citizens in eligible immigration status—provide USCIS card or documentation containing an alien registration number and a signed verification consent form. LHA will complete a verification on the SAVE system.

16. **Full Time Student Status:**
 - (a) Written verification from the registrars' office or appropriate school official.
 - (b) School record indicating enrollment for sufficient number of credits to be

considered a full-time student by the school.

17. **Medical Need for Larger Unit:**

- (a) A medical source must provide a written certification there is a need to provide a larger unit as a reasonable accommodation for a disability.

18. **Certification of Domestic Violence, Dating Violence or Stalking:**

A family member must complete and submit form HUD-50066 or information provided in lieu of the certification within 14 business days of receiving a written request by LHA. Verification will also be required to confirm the certification. Verification may include but is not limited to:

1. A Federal, State, tribal territorial or local police or court record; or
2. Documentation signed by an employee, agent or volunteer service provider, an attorney or medical profession whom the victim has sought assistance in addressing the violence issues.

If the victim does not provide complete a complete and accurate certification within 14 business days or request an extension from LHA, none of the protections afforded to victims of domestic violence, dating violence or stalking shall apply.

**SECTION X.
RE-EXAMINATIONS
24 CFR 982.516**

- A. Annual Re-Examinations:** LHA will conduct annual re-examinations on income and family composition in order to determine the appropriate Total Tenant Payment, Unit Size and Tenant Rent. A Personal Declaration form, authorization of release form, and other required forms must be completed by each participant family at each annual re-exam. LHA will assist the family with completing the required forms upon request. The family will be provided notification ninety (90) calendar days prior to the anniversary date to allow the family adequate notice to complete the re-exam process.
1. **Family Responsibilities:** The family is responsible to cooperate with LHA to complete the annual re-exam accurately and timely. LHA will provide the family a minimum of two (2) notification letters to complete an annual re-exam. The first and second notification letters will allow the family to respond to LHA within ten (10) calendar days and complete the interview and eligibility process within sixty (60) calendar days from the date of the first letter. Should the family fail to complete the re-exam process within sixty (60) days of the first letter, the family may be terminated from the program.
A third letter will be sent to the family stating the termination date and right to an informal hearing. Reinstatement is not an option after the termination date, and the family must re-apply for assistance. Reinstatement is possible for a participant with disabilities who fails to comply with responding to the process for a reason related to their disability.
 2. **LHA Responsibilities:** It will be LHA's responsibility to send the notification letters in accordance with the following:

1st Notification letter: LHA should send to family within a minimum of 90 calendar days prior to anniversary date.

2nd Notification letter: LHA should submit to family within 5 working days of family's failure to respond to the request(s) of 1st notification letter or the family's failure to complete the requirements of the re-exam with in 10 calendar days.

3rd letter (termination): LHA should submit no later than 5 working days from the family's failure to meet the requests on the 2nd notification letter or no later the 30 calendar days prior to the anniversary date whichever is shorter.
 3. **Zero Income:** Families who claim zero income must provide a written declaration as to how they are paying their bills with zero income. These families will be required to cooperate with quarterly income certifications and rents will be changed according to the changes.
- B. Interim Re-Examination:** LHA will complete interim re-examinations at the participant's written request and when there is a household composition change. LHA will accept other forms of communication other than writing to accommodate a disability. Decreases in family income and household composition will always be re-certified during an interim re-examination. If a re-examination is completed between an annual re-examination, it is considered an interim.

Changes to the tenant rent will be made effective the month after LHA receives adequate verification.

1. **Family Composition Changes:** Families must report composition changes in writing within thirty (30) calendar days of the change in composition status. LHA will accept other forms of communication other than writing to accommodate a disability. LHA will review eligibility requirements pertaining to the changes in adding or deleting a household member.
2. **Other Changes:** A family may request in writing an interim to be completed for a decrease in income or other change in circumstances. The family will be required to report all related changes. LHA will accept other forms of communication other than writing to accommodate a disability. Changes to the tenant rent will be made effective the month after LHA receives the required verifications. LHA can not complete the interim calculations until after LHA has secured all required verifications.

Income increase: If the family's income increases without a change in family composition, then LHA will wait until the annual re-examination to re-determine any possible rent increase. Participants are required to report any changes in income at the next annual re-exam. Families who report zero income will be required to report income changes at their quarterly certification and rents will be changes accordingly.

Income decrease: LHA will review with the family if there are other related changes which should be considered when determining the rent adjustment.

LHA will not lower rent for payments due to a temporary loss of income of one month (30 days) or less duration. If a family member has reduced or terminated employment income, LHA will make the rent decrease 90 days after the decrease in income occurred or after all verifications are received to redetermine eligibility whichever is the latest.

Temporary or Sporadic Employment: If a person works temporary or sporadic employment for the past 12 months, the LHA will anticipate the next 12 months earnings using the past income to reflect the future income. If the person has not been enrolled with temporary or sporadic work on a consistent basis (less than 12 months), then LHA will anticipate the income on a quarterly basis, completing interims quarterly regardless of the increase or decrease of income.

3. **Failure to Report Changes Timely:** LHA will conduct an interim re-exam and charge retroactive rent if the participant fails to report changes in writing within the required time frames. LHA will accept other forms of communication other than writing to accommodate a disability. Required time frames are thirty (30) calendar days to report family composition changes, next annual re-exam for increases in income.
4. **Temporary Income Period:** LHA will complete an interim re-exam if the tenant rent payment was calculated for a temporary period of income. For Example: A household member submits a doctor statement that they will not be able to work for 2 months. An interim was completed and two months rent reflected zero income. The third month will have another interim adding the employment income back into the TTP. When possible LHA will issue concurrent notices on lowering the rent and one increasing the rent effective on the predicted date the client returns to work.

Section XI.
Housing Quality Standards
(24 CFR 982.401)

LHA will follow the requirements for minimum housing quality standards as stated in 24 CFR 982.401. LHA Inspectors will be trained staff members utilizing the Inspection Manual and HUD Handbook 7420.7. Inspectors will use the HUD Inspection form HUD-52580.

A. HQS Variations and Clarifications by LHA:

1. **Bathroom:** Wall mounted basins must be secured.
2. **Bedroom:** Bedroom size is at least 70 square feet for one person and 100 square feet for two people. Living room can be a sleeping room as long as it contains at least one window and two electrical outlets (a permanent overhead or wall-mounted fixture can count as one of the required outlets). Bedroom windows must be able to open. Bedroom door must open, close and latch for privacy.

Bedrooms in the basement or attics should have ceiling height of at least 7' and 70 square feet of ceiling area. It should have adequate heat provided by a direct or indirect heat source.

3. **Ceiling:** At initial/lease-up Inspection, the unit shall not have any missing or broken ceiling tiles in any room and globes must be on all light fixtures. At annual inspections, globes may be removed by tenant preference as long as there are no exposed wires or other safety hazards.
4. **Garbage and Debris:** The unit shall be free from heavy accumulation of garbage and debris both inside and outside. Heavy accumulation means large piles of trash, garbage and discarded furniture and debris. This level of accumulation can not be picked up by an individual within one or two hours. Trash must be picked up on a routine basis.
5. **Screens:** Only at initial/lease-up inspection, LHA will follow Lincoln City Ordinance requiring screens for all windows and patio door which open.
7. **Smoke Detectors:** LHA will follow the minimum HQS requirement for smoke detectors; each unit must have at least one battery-operated or hardwired smoke detector in operating condition and on each level of the unit including basements but excluding crawl spaces and unfinished attics. All smoke detectors must be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms. If **new construction**, there must be a smoke detector *in each sleeping room*.
8. **Walls:** All interior walls must be painted. In addition to the HQS policy on large holes, walls with more than 3 holes size of a door knob or larger or holes larger than the size of a door knob will be considered a HQS defect.
9. **Water Heater:** Water heater discharge pipe must be 3" from the floor and the diameter must not be reduce (according to Lincoln City Ordinance).
10. **Windows:** The only window size requirements are for basement windows which must follow city code. All windows on the first floor must have locks. All windows which were designed

to open and close must maintain this function unless reasonable documentation is provided to prove the window can no longer serve the function of opening and closing, it is not repairable nor reasonable to replace. In these situations, the room must have adequate egress and clearly mark the window which can be used safely as a fire exit.

11. **Carpets:** In addition to HQS requirements, carpets will also fail HQS at annual re-examination if the carpet appears to have urine or fecal matter or other obvious safety hazards created by the tenant's housekeeping.
12. **Vehicles not licensed:** LHA will not cite for as HQS defect if the vehicle is not used as storage, will be licensed within the next 30 days and the tenant can demonstrate the vehicle can be moved.

B. Initial/Lease-up Inspections: Initial inspections will be scheduled at the participant's request as promptly as schedules permit, usually within seven (7) business days.

Units with Housing Quality Standard (HQS) defects prior to lease-up, will be temporarily denied from the program and the owner will be notified by mail of the required corrective action and expected completion date to secure approval. Applicants and participants will be encouraged to search for another unit should the repairs exceed 30 calendar days.

C. Annual Inspections: HQS Inspections will be performed annually.

1. **Corrective Actions:** Owners will be notified of their responsibility for corrective actions and allow 30 calendar days to complete most repairs. The owner is not responsible for HQS breaches caused by the family. The owner may correct all failed items, regardless who caused the actual damage or determine which failed items were caused by the tenant and require the tenant to make the repairs.
 - (a) **Time frames to correct the deficiencies:** LHA will give the responsible parties a reasonable amount of time to correct the deficiencies. 24 hours will be given to correct all repairs considered life-threatening. No more than 30 calendar days will be provided to correct all other repairs. Extensions are granted by Housing Supervisor or Manager approval.
 - (b) **Corrections of deficiencies:** Owner/Tenant must notify LHA when the repairs have been corrected. The Inspector will conduct a reinspection using the original inspection form dating and initialing the items which have been corrected. If at the time of the re-inspection, the repairs were not complete, LHA will determine who is responsible for the repairs.
 - (i) **Failure by owner** to correct the "owner-caused" deficiencies within the required time frame can result in abatement of the Housing Assistance Payment (HAP) until the correction and re-inspection is completed. The owner will be given notice when the HAP contract will be terminated.
 - (ii) **Failure by the tenant** to correct "tenant-caused" deficiencies within the established time frames can result in termination of assistance. LHA will not hold the owner responsible for a breach in HQS if it is determined to be caused by the family.

- (c) **Abatement:** After completion of the annual inspection the owner and the tenant will receive written notice of the defect(s) required to be repaired within 30 days. When it has been determined a unit on the program fails to meet the Housing Quality Standards and the owner has been given opportunity to correct the problem(s) but does not do so within the time frame established by LHA (up to 30 days), the rent for the unit may be abated for up to 30 days prior to the contract termination.

LHA will send the owner notification of abatement. The decision to abate HAP monies to an owner for HQS non-compliance will be final. Any abated monies will not be reimbursed to an owner except by approval of the Supervisor or Manager.

D. Scheduling Annual and Re-Inspections:

Annual inspections may be scheduled by the Inspection Clerk. LHA will conduct an annual inspection using the standards at least once every 12 months. If necessary, one re-inspection will be scheduled within 30 days.

Letters will be sent to the participant and respective owner notifying them of their scheduled annual inspection date. The letters will include the participant's obligation to cooperate with annual inspections, the benefit to the owner and participant in completing timely inspections, including timely renewal of their HAP, and the owner's responsibility to provide the tenant proper notice to inspect the unit without the tenant's presence.

LHA Inspectors will enter the unit in absence of the tenant, if the owner is present or authorized person.

E. Missed Appointments:

In the event the first Annual inspection or re-inspection appointment is not completed due to the absence of the participant or their designated representative a letter to the participant will be generated. For annual inspections, another scheduled inspection date will be established by LHA, and the participant must cooperate with enabling LHA to complete the inspection on the pre-assigned date. If it is a recheck, a letter will be sent requesting the participant to contact LHA within five (5) business days.

Second Missed Appointment:

In the event a second Annual inspection or re-inspection can not be completed due to the participant failure to cooperate with completing the inspection a termination notice will be sent with the right to an informal hearing. Good cause can be determined on the information provided by the participant and case worker along with knowledge of the participants ability to meet their obligations. If good cause exists prior to termination date, another appointment will be scheduled. The participant will be terminated if the participant fails to provide "good cause" for missing a second appointment.

F. Complaint inspections:

Complaint inspections can be made at the request of either the owner or participant. Complaint inspections are scheduled when there is an alleged HQS violation that constitutes a serious habitability impediment to the unit or the violation constitutes a serious threat to the

value and integrity of the property. A complaint inspection will only be done when it is determined the person responsible for the repairs has been given reasonable opportunity by the complainant to make repairs. The tenant must submit the complaint of the defect to the owner in writing providing a copy to LHA. If the owner fails to correct the problem within a reasonable time, the tenant should contact LHA to schedule an inspection to determine if it is a HQS defect. A determination on the seriousness of the alleged HQS violation will be made by the Inspections Department. Should the owner indicate they are not willing to fix the defects within the specified period, abatement may be waived or shortened at LHA's discretion, and a termination notice will be sent allowing the participant a reasonable time to locate a unit.

1. **HQS Violation Cited:** If the result of a complaint inspection determines an HQS violation, the inspector will determine whether the owner or participant is responsible to make the correction.
 - (a) **Owner Corrections:** The owner will be notified in the mail of the violation and given time to make the corrections based on the type of violation as follows:
 - (i) 24 hours for no hot or cold water, no heat , no electricity or for a condition which is imminently hazardous to life.
 - (ii) 72 hours for repair of refrigerator, range or oven or a major plumbing fixture supplied by the owner.
 - (iii) 10 - 14 days for all other repairs.

Failure on the part of the owner to make corrections can result in abatement and constitute grounds for possible termination of the HAP contract by LHA. If the contract is terminated, the participant will be issued a voucher to move. It will be the responsibility of the participant to allow the owner to make required repairs in an expedited fashion so the owner can fulfill his responsibility under the HAP Contract within the requested time frame.

- (b) **Participant Corrections:** The participant will be notified in the mail of the violation and given time to make their corrections based on the type of violation as follows:
 - (i) 24 hours for no hot or cold water, no heat , no electricity or for a condition which is imminently hazardous to life.
 - (ii) 72 hours for repair of refrigerator, range or oven or a major plumbing fixture supplied by the owner.
 - (iii) 10 - 14 days for all other repairs.
 - (iv) Failure to pay for any **utilities** the owner is not required to pay. Participants will be given a 24 hour notice to restore utilities. They may also be issued a 48 or 72 hour notice for non-compliance with HQS at the inspector's discretion.
 - (v) Fail to maintain any **appliances** the owner is not required to provide. Participants will be given a 24 hour notice to restore appliances. They may also be issued a 48 or 72 hour notice for non-compliance with HQS at the inspectors discretion. Failure on the part of the participant to make the corrections could result in termination of their rental assistance and participation with the program.

G. Denial of Owner Participation:

LHA may deny an owner participation from the program when the owner:

1. The owner has violated obligations under the Section 8 HAP contract;
2. as directed by HUD;
3. the owner has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;
4. has a history or practice of non-compliance with Housing Quality Standards;
5. has a history or practice renting units that fail to meet State or local housing codes.;
6. has not paid State or local real estate taxes, fines or assessments;
7. has a history or practice renting units to tenants who are disorderly and interfere with the neighbor's right to peaceful enjoyment; or
8. has engaged in drug-trafficking.

SECTION XII.
LEAD-BASED PAINT
(24 CFR Part 35 Subparts A, B, R & M)

The Lead Safe Housing Rule applies only to pre-1978 units occupied by families with a child under six (6) years old.

A. Exemptions to Lead Safe Housing Rules:

1. Residential property for which construction was completed on or after January 1, 1978;
2. A zero-bedroom dwelling including a single-room dwelling occupancy (SRO);
3. Housing for the elderly, or residential property designated exclusively for persons with disabilities, as long as no child under age six (6) is living or is expected to live in the unit; or
4. Residential property found not to have lead-based paint by a certified lead-based paint inspection, and a copy of the results of a certified test are provided to LHA. Results of additional tests by a certified lead-based paint inspector may be used to refute or confirm the prior finding.

B. Initial and Annual inspections on pre-1978 units occupied or will be occupied by families with children under six (6) years of age:

1. **Visual Assessment:** LHA-trained inspector or other designee will conduct a visual assessment for deteriorated paint surfaces on the dwelling unit and common areas. Common areas include areas where residents must gain access to the unit, areas frequented by resident child under six (6) years of age, including play areas, child care facilities, garages and fences.

Visual assessment will include looking for deteriorated paint (chipping, cracking, chalking, or paint that is damaged or separated from substrate), visible dust, paint chips or paint debris.

2. **Paint Stabilization:** If visual assessment indicates there is deteriorated paint and the De Minimis Rule does not apply, then the owner must stabilize the paint as it is an HQS violation.

Paint Stabilization:

- (a) Repair of any physical defect in substrate of painted surface or building component. Examples of defective substrate conditions include dry-rot, moisture-related defects, crumbling plaster, missing siding or other components not securely fastened;
- (b) Under safe work practices, removal of all loose paint and other loose material from the surface being treated; and
- (c) Application of new protective coat of paint to the stabilized surface.

Exception: A participant can move into the unit prior to paint stabilization and clearance when the inspection indicated a lead-based paint HQS violation on the exterior only, and LHA granted an extension due to weather to remedy the HQS violation. Due to local weather restrictions, LHA will grant exceptions on exterior violations during the months of October 1st - April 30th. Any unit granted an exterior exception from October - April must stabilize the unit and pass inspection by May 31st.

3. **Clearance:** After the owner stabilizes the paint, the owner will need to provide LHA a copy of the findings from the clearance examination and a completed and signed "Lead Paint Owners Certification" to meet HQS. The certification must be provided to LHA prior to occupancy or within thirty (30) days of notification of visual assessment, if already occupied. The HQS violation is considered closed when LHA receives an executed copy of the Lead-Based Paint Owner's Certification and a copy of the results from the clearance.

Clearance is an examination conducted to ensure the site and unit are safe for occupancy. The examination includes visual assessment and dust wipe testing. Clearance examinations must be performed by persons who have EPA or state-approved training and are licensed or certified to perform clearance examinations.

4. **Non-Cooperation:** Failure to comply with hazard activities and clearance within 30 days (or later if extension granted for exterior surfaces) of notification constitutes a violation of HQS, and appropriate actions must be taken if a program family occupies the unit. If the unit is vacant and failed the lead-based paint clearance, the unit may not be occupied by another assisted family, regardless of the ages of the children in the family, until compliance is met with the lead-based paint requirement.

C. The De Minimis Rule:

Paint stabilization and clearance is not required if disturbed painted surfaces do not exceed:

1. 20 square feet on exterior surfaces;
2. Two (2) square feet in any one interior room; or
3. 10% of the total surface of an interior or exterior-type component with a small surface area (e.g., window sills).

D. Procedures for Children under age six (6) with Environmental Intervention Blood Lead Level (EIBLL):

EIBLL is a blood level confirmed concentration of lead in the whole blood equal or greater than 20ug/dL (micrograms of lead per deciliter) for a single test or 15-19ug/dL in two tests taken at least three (3) months apart.

1. **EIBLL Reports:** LHA must verify all EIBLL reports by contacting either the public health department or medical health care providers. If the report is from a source other than the public health department, LHA must notify the public health department within five (5) working days.
2. **EIBLL Confirmation:** Once the EIBLL is confirmed in writing from the public health department or medical health care provider, LHA must have a risk assessment conducted within fifteen (15) days of receipt of the medical notification. A risk assessment is not required if the public health department has already conducted an

evaluation between the date the child's blood was last sampled and the date LHA received notification on the child's condition.

3. **Risk Assessments:** The risk assessment is conducted by the public health department, or LHA must hire and pay for a certified risk assessor. Upon completion of the risk assessment, LHA will provide a report to the owner and require any lead reduction activities to be completed within thirty (30) days.

Risk Assessments are on-site investigations to determine the existence, nature, severity and location of lead-based paint hazards.

4. The owner must notify the results of the risk assessment to the building residents within 15 days of receiving the report from LHA.
5. The owner must complete reduction of the identified lead-based paint hazards as identified in the risk assessment within 30 days (*or date specified by LHA if an extension is granted for exterior surfaces due to weather*). The owner must notify the building residents within fifteen (15) days of the completion of hazard activities.
6. LHA will consider the owner has complied with the lead reduction activities as prescribed by the risk assessor when the public health department certifies the hazard reduction is completed and a copy of the clearance examination findings and a signed and completed Lead Based Paint Owner's Certification form is provided to LHA.

E. Owner Responsibilities:

1. Disclose known lead-based paint hazards to all potential residents prior to execution of a lease and attach disclosure form to the lease.
2. The owner must provide all prospective families with a copy of "Protect Your Family From Lead In Your Home" pamphlet or EPA-approved alternative.
3. Perform paint stabilization using safe work practices according to HUD guidelines.
4. Notify tenants about the conduct of lead hazard reduction activities and clearance when required.
5. Conduct lead hazard reduction activities when required by LHA.
6. Obtain clearance examination on at own expense.
7. Provide LHA a copy of the clearance examination findings and signed and completed Lead Based Paint Owner's certification.
8. Perform ongoing maintenance.

Ongoing maintenance is a visual assessment by the owner for deteriorated paint and failure of any hazard reduction measures at each tenant change and every twelve (12) months of continued occupancy. A **written notice** must be provided by the owner to each assisted family asking occupants to report deteriorated paint. The notice must include the name, address and telephone number of the person responsible for accepting the occupant's complaint.

F. LHA Responsibilities:

1. Keep a record of the disclosure in the tenant file.
2. Provide a copy of the pamphlet "Protect Your Family From Lead In Your Home" or EPA alternative at the tenant briefing.
3. With a trained inspector, conduct visual assessments at each initial and annual inspection on pre-1978 units that will be or are occupied by children under age six (6).
4. Obtain findings of clearance examination and a signed owners certification from the owners for all required paint stabilization or hazard reduction activities prior to passing HQS inspections.
5. Make notation in the "notes" section of the inspectors' rent reasonableness computer software on all units cited for lead-based paint violations requiring a clearance examination and signed Lead Based Paint Owner's Certification prior to passing HQS even if the household does not have children under age six (6).
6. Attempt to obtain names and addresses of children under age six (6) with an identified EIBLL from the public health department and match with families on the program. **If match occurs**, LHA will follow the procedure of notifying the owners and conduct a risk assessment within fifteen (15) days.
7. LHA will report at least quarterly to the public health department a list of addresses of units occupied by children under age six (6) unless the public health department indicates otherwise.
8. Maintain a tracking report for all children with EIBLL until the child reaches age six (6).
9. All records shall be kept for three (3) years.

G. Exterior Extensions from October 1 through April 30.

LHA will not require clearance examinations and owner certifications until May 31st for property inspected from October 1st through April 30th and cited for a HQS violation for exterior paint issues .

1. Owners will be sent notification to contact LHA by May 1st if they plan to meet the exterior paint HQS requirements.
2. Tenants will be given the option to search for a new unit on May 1st if the Owner fails to respond or indicates they do not intend to comply with the Lead Based Paint HQS requirements.

Section XIII.
Rent Reasonableness & Rent Increases
(24 CFR 982.305 and 982.507)

A. Rent Reasonableness: Rent Reasonableness will be determined by the Inspections Department utilizing a base rent and amenities appraisal of comparable unassisted units. The base rent plus or minus the amenities plus owner paid utilities determines the reasonable rent.

Accessible Units: Approve higher rents to owners necessary for the provision of accessible units and structural modifications for persons with disabilities.

1. **Base Rent:** Base rent will be reviewed annually and is divided into the following seven (7) categories:

- (a) New, nice apartments and 60's built duplexes
- (b) Built duplexes
- (c) Nice older apartments and converted apartments
- (d) Older houses
- (e) Converted duplexes
- (f) Newer homes
- (g) Mobile homes

2. **Appraisal:** The following amenities and facilities are used to add or subtract dollar value:

- (a) Square footage
- (b) Age
- (c) Condition
- (d) Location- A dollar value will be added for areas outside of the poverty and minority concentrated census tract areas to promote de-concentration.
- (e) Dishwasher
- (f) Disposal
- (g) Microwave
- (h) Window A/C
- (i) Central air
- (j) Range
- (k) Refrigerator
- (l) Washer/Dryer hookups
- (m) Washer/Dryer
- (n) Extra bathroom (1/2, 3/4 or full)
- (o) Balcony/deck/patio
- (p) Fireplace/stove
- (q) Security building
- (r) Pool
- (s) Clubhouse
- (t) Cable TV
- (u) Basement finished/unfinished
- (v) Bedroom attic/basement
- (w) Storage closet/cage

- (x) Shed
- (y) Garage
- (z) Garden level or basement apt.
- (aa) No off street parking
- (bb) Unit not clean
- (cc) Carpet not shampooed
- (dd) Paint- not new or good

B. Rent Increases: The owner may **not** request a rent increase prior to the expiration of the first term of the lease. Rent Increases may become effective with a 60-day notice to the family and a copy to LHA. All rent increases are subject to LHA approval pursuant to rent reasonableness standards and HUD regulations.

Moderate Rehabilitation Program: LHA will process rent increases on an annual basis at the time of renewal of the contract according to HUD regulations.

C. Rent Decreases: LHA will provide the owner and participant with a 60 day notice when it is determined through a rent reasonableness appraisal the contract rents must be reduced.

D. Multi Unit Comparables: If the contract rent can not be met by LHA's appraisal system then LHA will consider recent comparable unassisted leases within the same Apartment complex and same bedroom size. Leases for college students or short term leases would not be considered comparable.

E. Single Dwelling Unit Comparables: If the contract rent can not be met by LHA's appraisal system then LHA will consider recent rent comparisons available to lease or leased on the open market. Three comparisons must be provided considering bedroom size, unit type, location, quality and age of the unit.

Section XIV.
PORTABILITY OF VOUCHERS
24 CFR 982.353 - 982.355

Portability Responsibilities and Requirements:

1. **Information:** Each voucher holder with an unexpired voucher will be advised of the portability option during the briefing and re-examination sessions.
2. **Residence outside LHA jurisdiction:** The participant must initially lease a unit located in LHA jurisdiction for 12 months before becoming eligible for portability if neither the head of household or spouse reside in the jurisdiction of LHA at the time the application is submitted.

3. **Port Out:**

Effective July 1, 1999, Moving to Work voucher participants will not be allowed to port out unless the family requests and is granted an exception to this rule for a reasonable accommodation for a disability, employment, education, safety or a medical need. The need for the reasonable accommodation must be verifiable.

Vouchers who are granted exceptions can be ported across state lines. When a participant is eligible to port out of LHA jurisdiction, LHA will complete Part I of the HUD form 52665 and attach copies of the participant's voucher, current form 50058 and income verifications. HUD form 52665 and the required copies will be forwarded to the receiving PHA. The receiving PHA completes the applicable portions of Part II of the HUD form 52665 and returns it to LHA (the initial PHA).

Port-outs over LHA payment standard: If LHA is unable to utilize all allocated vouchers due to insufficient funding, LHA will not permit the participant to port-out to housing authorities whose payment standard exceeds the LHA payment standard and will not absorb the LHA voucher.

4. **Port In:** LHA will operate in a cooperative and reciprocal manner with all established Housing Authorities in the portability feature. LHA will attempt to issue a voucher when a notification is received from another PHA that a voucher holder wishes to move to Lincoln, Nebraska. However, if funding is not available the issuing PHA will be notified their voucher will be used. LHA will notify initial authorities when a voucher has not been leased up prior to the expiration date of the voucher.

Port in voucher will be required to complete an application, interview and subject to verification process and criminal history checks prior to receiving their voucher.

Section XV. Transfer of Rental Assistance

Families are initially required to enter into a minimum of a twelve (12) month lease with an owner. Transfers to another unit will not be approved by LHA unless the family and the owner have signed a statement mutually terminating the initial lease agreement.

Families will be allowed to transfer only once during any one-year period. Exceptions may be granted by a supervisor or manager for families who are “fleeing for their safety”, or have a serious medical condition which requires relocation. A criminal history check will be completed on all adult household members prior to the issuance of a transfer voucher.

A. Approval to move to a new unit:

A family may move to a new unit with continued tenant-based assistance if:

1. The HAP contract has been terminated for owner breach; or
2. The lease has terminated by mutual agreement.; or
3. The owner has requested and received approval of the opt-out requirement for business or economic reasons, after the first year of the initial lease.; or
4. After the first year, the tenant has given a 30 day notice of lease termination
An exception is given for the mutual termination requirement when a participant provides verification they are involved a domestic violence situation which involves serious endangerment.

5. Information provided to owners:

To assist the owners with the placement of LHA assisted tenants, LHA will respond to a potential landlord’s written request for information on past tenancy. LHA will provide the following information to owners upon request:

1. Family’s current address as shown in LHA records.
2. Name and address of current and prior landlords.
3. Factual tenant history on file.

6. Overlapping Subsidized Payments:

1. **Transfers with Section 8 vouchers:** At the receiving owner’s request, LHA will allow seven (7) days of overlapping on Section 8 voucher assistance to assist a tenant during a move. Overlapping will not be allowed if the tenant does not provide a 30 day notice to the owner unless the owner agrees to mutually terminate.
Note: If a tenant is transferring units with the same owner, overlapping will not be allowed.
2. **Canceling Section 8 vouchers to move to Public Housing:** LHA will allow seven (7) days of overlapping on Section 8 voucher assistance to assist a tenant to move into Public Housing.

Section XVI. Collections

In the interest of sound fiscal management and program integrity, LHA will make every effort to collect amounts owed to the agency as a result of unreported information or amounts paid to owners during the Section 8 certificate program on behalf of participants for unpaid rent, vacancy or damage claims. The following procedure will be followed to ensure maximum collection of applicant/participant debt.

- A. Applicant:** Applicants will not be admitted to the voucher or Mod Rehab program until all debt owed to LHA or another PHA have been paid or a repayment agreement has been signed and payments are being made as agreed.

In order to be placed on the waiting list an applicant must:

- A. Have no debt with other PHAs or other federally subsidized housing programs.
- B. If no repayment agreement was established for debts owed to LHA then a repayment agreement must be signed; and
- C. All LHA repayment agreements must be in current status.
- D. All debt incurred due to fraudulent actions with LHA must be repaid in full prior to admittance to the waiting list.

Vouchers will not be issued until all repayments are in current status. If an applicant with a federal preference reaches the top of the waiting list before their repayment agreement becomes effective, they will be required to pay LHA at least one payment prior to receiving a voucher or mod rehab unit.

- B. Participants:** Participants in the voucher or Mod Rehab program must agree to pay back any amounts owed LHA and stay current with their payments to avoid jeopardizing their continued housing assistance. Continued housing assistance will not be permitted if a second repayment is determined to be needed with the same participant, thus the participant will be terminated for the program for fraudulent actions. These procedures will be followed for program participants who owe money to LHA for unreported information or damages:

- 1. A limited payback arrangement will be negotiated, once the housing subsidy overpayment or damages has been established. A repayment agreement will be executed based upon financial circumstances of the family, whenever possible and previous repayment history. An attempt will be made to ensure the full amount of the overpayment is reimbursed to LHA within 12 months of the date the repayment agreement was negotiated. A one-time revision to a current repayment may be negotiated during the term of the repayment. Every attempt will be made to limit the minimum monthly payment to no less than \$25.00 per agreement.

If a participant fails to sign a repayment agreement and/or does not provide make the initial payment by the agreed due date then a termination letter is sent providing a 30 day notice.

2. A participant who is delinquent two payments will receive a reminder notice (#1) to pay the past due amount within seven (7) calendar days or the entire balance is due at the end of the month. A warning will be included in the notice that failure to pay may result in termination.
3. If the participant does not meet the request of the first “reminder notice”:
 - (i) A second reminder notice (#2) is sent.
 - (ii) The second reminder will require the participant to pay the entire repayment balance in full or assistance will be terminated. This notice will be provided 30 days before the termination date and the right to an informal hearing.
 - (iii) Once the participant is terminated, reinstatement is not possible.

C. Judicial Action: LHA may pursue collection of all debt through the judicial system in order to secure judgement and enhance the potential for collection. This action will be taken on a case-by-case basis when it is deemed most prudent.

D. Landlord Collections: LHA will require owners who wish to participate in the Section 8 Housing Choice Voucher program to repay all debts owed to the program within a maximum of twelve (12) month period. In accordance with the HAP contract, LHA has the right to recover overpayments through deductions of any amounts due to the owner including amounts due under any other Section 8 assistance contracts).

**Section XVII.
Special Purpose Housing**

Special Purpose Housing (i.e. Independent Group Residence, mobile home parks and etc) as eligible under the Section 8 program, are eligible for occupancy under this Administrative plan. However, no separate waiting list for these specialized units will be maintained. Applicants interested in these specialized living accommodations must come through the program waiting list and request to be placed in a specific unit. Process for the specialized housing will be conducted on an exception basis in accordance with applicable regulation. LHA retains the right to allow any specialized housing for participation under the program.

**Section XVIII.
Family Self-Sufficiency**

LHA operates a Family Self-Sufficiency program in accordance with HUD regulations and an LHA Public Housing and Section 8 Action Plan for Family Self-Sufficiency. This action plan has been developed and is periodically updated by the FSS Program Coordinating Committee. This action plan contains the following:

1. Family Demographics
2. Estimate of Participating Families
3. Eligible Families from other Self-Sufficiency programs
4. FSS Family Selection Procedures
5. Incentives to Encourage Participation
6. Outreach efforts
7. FSS Activities and Support Services
8. Method for Identification of Family Support Needs
9. Program Termination; Withholding of Services and Available Hearing Procedures.
10. Assurance of Non-Interference with the Rights on Non-participating Families
11. Timetable for Implementation
12. Certificate of Coordination
13. Optional Additional Information

**SECTION XIX.
TERMINATIONS/DENIALS**

- A. Denial of Assistance for an Applicant:** Denial of assistance for an applicant includes denying an applicant to be placed on the waiting list, denying or withdrawing a voucher, refusing to enter into a HAP contract or approve a lease, and refusing to process or provide assistance under portability procedures [982.552 (2)].
- B. Termination of Assistance for a Participant:** Termination of assistance for a participant includes refusing to enter into a HAP contract or approve a lease, terminating housing assistance payments under an outstanding HAP contract, denial of a new voucher and refusing to process or provide assistance under portability procedures [982.552 (3)].
- C. Causes for Termination or Denial** [982.551, 982.552, 982.553]

Violence Against Women Act of 2005 exception to a Termination or Denial:

LHA will not deny participation or admission to the program on the basis of a person's victim status, if the person otherwise qualifies for admission or a continuation of assistance. LHA will follow the policies and requirements as stated in the Violence against Women Act of 2005 and as stated in the Tenancy Addendum under "Protections for Victims of Abuse".

Causes for Termination or Denial:

The following are reasons LHA will deny an applicant or terminate a participants' program assistance:

1. **Evictions:** An applicant or participant may not reapply for one (1) year from the date of termination from the assisted housing program.
 - (a) Family is evicted from subsidized housing.
 - (b) If any family member has been evicted from federally-assisted housing.
2. **Failure to Cooperate:** If any member of the family fails to cooperate with determining eligibility including failing to sign and submit consent forms for obtaining information. LHA will request in writing the necessary documentation or action a minimum of two (2) times before applicant is denied or participant is terminated. The applicant or participant may reapply for the program at any time as long as the family member cooperate with LHA to obtain the previous requested information.
3. **Citizenship:** If a family member fails to certify citizenship, eligible immigration status or sign the non-contending form. LHA will request in writing the necessary documentation or action a minimum of two (2) times before applicant is denied or participant is terminated. The applicant or participant may reapply at anytime.
4. **Fraud:** Any family member has committed fraud, bribery or any other corrupt criminal act in connection with any Federal housing program. The applicant will be denied rental assistance for three years from the date of termination action.

The participant/applicant must cooperate with the Program Integrity program to assist

with obtaining accurate information to determine program eligibility. Should the participant fail to cooperate in obtaining the requested information, the household would be terminated and could not reapply for assistance until cooperation with the Program Integrity is satisfied.

All debt incurred due to fraudulent actions with LHA must be repaid in full prior to admittance to the waiting list.

5. **Violation of family obligations:** The family must meet all family obligations as defined by HUD in 24 CFR 982.551. The participant will be terminated from the program and may not reapply for one (1) year from the date of termination. The applicant/participant may reapply immediately after termination for those family obligation violations indicated with an asterisk (*).

Violation of any of these family obligations will cause termination:

- (a) Failure to supply the required information.(*)
- (b) HQS breached by the family. Examples include but are not limited to:
 - (i) Participant fails to pay for any **utilities** the owner is not required to pay. Participants will be given a 24 hour notice to restore utilities. They may also be issued a 48 or 72 hour notice for non-compliance with HQS at the inspector's discretion.
 - (ii) Participants fail to maintain any **appliances** the owner is not required to provide. Participants will be given a 24 hour notice to restore appliances. They may also be issued a 48 or 72 hour notice for non-compliance with HQS at the inspector's discretion.
 - (iii) Any household member or guest damages beyond ordinary wear and tear. Participants will be given a 30 day notice to repair defects. Extensions may be granted upon request.
- (c) Violation of lease. Family has committed any serious or repeated violations of the lease. Examples include but are not limited to:
 - (i) Participant's owner refuses to sign a mutual release from the lease.
 - (ii) Eviction established through legal process.
 - (iii) Failure to provide written notification to LHA before vacating the unit or terminating the lease.
- (d) Failure to provide LHA or owner notice of move or lease termination.
- (e) Failure to allow LHA to complete an inspection. After two notices have been sent requesting an inspection at reasonable times, the participant will be sent a final notice of termination. If the participant does not cooperate with the final notice by specified date, the participant will be terminated from the program and must reapply.(*)

- (f) Using assisted unit for more than a family residence.
- (g) The dwelling unit is not used solely for residence of the participant and authorized household members. LHA will request the tenant to provide documentation the alleged unauthorized person(s) is/are residing in another unit. Examples of documentation can include rent receipts, leases and rental agreements. LHA may verify all persons receiving mail at the address in question.

Unauthorized individual is defined as an individual living in the unit, other than those listed on the lease or application. This includes any person who is not named on the lease and lives and/or stays with the participant one or more nights per week on a repetitive basis.

- (h) The unit is not the participant's principle place of residence. If LHA suspects the participant family is not using the unit as the principle residence the landlord may be requested to verify the participant is residing in the unit.
- (i) If the sole household member is absent from the unit in excess of 30 days without prior written approval of LHA, the unit will be considered abandoned and participant without reasonable explanation is terminated from the program. With reasonable explanation such as a medical need, LHA can consider an additional 150 days. *
- (j) If the head of household's vacation or incarceration remains longer than 60 days as it is not considered a reasonable cause for being absent from the unit. *
- (k) Failure to notify and obtain written approval from LHA to add a person to the unit. Written notification shall be provided to LHA of the birth, adoption or court-awarded custody of a child or obtain written LHA approval to add any family member as an occupant of the unit. The landlord must also agree to add the person to the lease.
- (l) Subleasing or subletting the assisted unit.
- (m) Assigning or transferring the assisted unit.
- (n) Not living in the assisted unit or providing the required documentation to resolve any discrepancies in reported absence(s) from the unit.
- (o) A family member owns or has an interest in his/her subsidized unit other than in a manufactured home assisted under Subpart F or 24 CFR Part 882. Example: If a participant owns a trailer house on a rented lot only the lot rent is subsidized.

6. **Owes:** If the family owes rent or other amounts to any PHA in connection with Section 8 or public housing assistance under the 1937 Act the applicant/participant will be denied/terminated according to the following guidelines.

- A. **Family owes money to LHA** - The applicant/participant will be denied/terminated from the program if the applicant 1) refuses to establish a

repayment agreement on money owed to LHA or 2) fails to make consecutive payments on an executed repayment agreement.

Note: Participants will be encouraged to pay amounts owed to LHA within one (1) year.

B. Family owes money to another PHA or any other Federal housing programs-

- (i) The **applicant** will be denied from the program until all money owed is repaid to the PHA or other Federal Housing programs.
- (ii) The **participant** will be terminated if they fail to repay the other PHA or Federal Housing program within the specified period.

Examples may include, but are not limited to the following:

- (i) if the family breaches a repayment agreement with any PHA owed.
- (ii) If the family member has not reimbursed the PHA for amounts paid to the owner under a HAP contract for rent, damages to the unit or other amounts owed by the family under the lease.

7. Drug related criminal activity, violent or other criminal activity:

LHA policy for drug-related criminal activity, violent or other criminal activity, and alcohol abuse by applicants or assisted households, their guests, and other persons under the tenant's control.

The receipt of rental assistance under the Section 8 Housing Choice Voucher program is a privilege. The number of households participating in the Section 8 program is limited by the amount of federal housing assistance approved each year by Congress. Not every low-income household which qualifies for and needs assistance will receive assistance. Because the amount of assistance is limited in comparison to the need for assistance, the policy of the Lincoln Housing Authority is to assist only those households or persons who have not recently committed drug-related crimes, violent or other criminal activity, or abuse in the use of alcohol.

(a) Prohibited Admissions:

The LHA prohibits admission to its assisted housing programs if the LHA has determined that any applicant or household member has engaged currently or during the past three (3) years in: (1) criminal activity which may threaten the health and safety or right of peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; (2) drug-related criminal activity; (3) alcohol abuse; or (4) violent criminal activity. To enforce this policy, the LHA will rely upon background checks of all household members including, but not limited to police reports, newspaper and media reports, and past housing experiences to determine whether a household will be denied admission to the Section 8 program waiting list.

The following households or persons will be prohibited admission to the Section 8 Housing Choice Voucher waiting list and program in accordance with the U. S. Department of Housing and Urban Development regulations:

- (i). Drug-Related Activities: The LHA prohibits admission to the Section 8 waiting list and program if any applicant or household member is currently

engaged in or has engaged in any drug-related activity. A person is considered to be “currently engaged” if he or she has been arrested or convicted for drug-related activity within the past three (3) years. The LHA will not admit the applicant or members of the applicant’s household to the Section 8 Voucher program for three (3) years after the completion of time served (including parole and probation), or after the assessed fine is paid. The LHA may waive this restriction if the applicant clearly demonstrates that (a) the household member is no longer engaging in the illegal use of a controlled substance, and (b) the person has successfully completed an approved, supervised drug rehabilitation program, or the household member is currently participating in a supervised drug rehabilitation program, has participated for a minimum of thirty (30) days prior to the Section 8 application, and will continue to participate until the successful completion of the program. The applicant will be required to submit written evidence showing current successful participation or past successful completion of a supervised drug rehabilitation program. An applicant who is participating in a supervised drug rehabilitation program may stay on the Section 8 waiting list, and must successfully complete the program before a Section 8 Voucher will be issued to the household member.

A member of an applicant’s household will be permanently prohibited from receiving federal assistance if the member has ever been convicted of drug-related criminal activity for the manufacture or production of methamphetamine on the premises of any housing assisted by the federal government.

LHA will prohibit admission to any applicant who has been evicted or terminated for drug-related criminal activity for Public Housing, Indian Housing, any Section 8 program or any other assisted housing program within the last three years.

- ii. Alcohol Abuse: The LHA prohibits admission to the Section 8 waiting list or program if any applicant or household member is currently engaged in, or has engaged in alcohol abuse which will or may threaten the health, safety, or right to peaceful enjoyment of the premises occupied by household members, other residents, or persons residing in the vicinity of the applicant or household members. A person is considered to be currently engaged if he or she has been convicted of an alcohol-related offense within the past three (3) years. The LHA will not admit the applicant’s household members for three (3) years after the completion of sentence or payment of fines for an alcohol-related offense or the termination of housing assistance due to alcohol abuse. The LHA may waive this restriction if the applicant clearly demonstrates that (a) the household member is no longer engaged in the abuse of alcohol and (b) has successfully completed a supervised alcohol rehabilitation program, or is currently participating in a supervised alcohol rehabilitation program, has participated in the program for a minimum of thirty (30) days prior to the Section 8 application, and will continue to participate successfully until the completion of the program. The applicant will be required to submit written evidence to verify successful participation in or completion of a supervised alcohol rehabilitation program. An applicant

who is participating in an alcohol rehabilitation program at the time of application must successfully complete the program before the LHA will give the household a Voucher or permission to move in with a currently-assisted family member.

- (iii) Violent and Other Criminal Activity: The LHA prohibits admission to the Section 8 program if an applicant or household member is currently engaged in or has engaged in violent criminal activity or other criminal activity which will or may threaten the health, safety or right to peaceful enjoyment of the premises occupied by household members, other residents or persons residing in the vicinity of the applicant or household members. The LHA will not admit the applicant or members of the applicant's household for three (3) years from completion of time served (including probation and parole) or payment of the assessed fine. The LHA will permanently prohibit admission to the Section 8 program if an applicant or any member of the applicant's household has a felony conviction for a sexual assault or any other sex-related offense. LHA will deem ineligible permanently any applicant who is subject to a lifetime registration requirement under any state sex offender registration program , or is in the State of Nebraska as a High Risk/Level Three sex offender. If an applicant or any member of the applicant's household has an extensive criminal history consisting of 20 or more arrests or convictions during a three-year period, the LHA will prohibit admission into the Section 8 program until the household member has an arrest-free record for three years after the last conviction.
- (iv) Threats Towards LHA Workers/Agent: Any applicant or other household member who makes threatening or abusive remarks or exhibits violent behavior towards any LHA employee or agent during the application and waiting list period will be removed from the waiting list and may not be admitted to the Section 8 program for three (3) years after the incident.

(b) **Termination of Assistance:**

The U.S. Department of Housing and Urban Development requires housing authorities to provide a written policy concerning when Section 8 housing assistance will be terminated for drug-related criminal activity, alcohol abuse, violent criminal activity, or other criminal activity. In determining whether to terminate a family or household member from the Section 8 program, the Lincoln Housing Authority will rely upon background checks of all household members including, but not limited to police reports, newspaper and other media reports, and past history with any housing authority or landlord. If the LHA proposes to terminate assistance for criminal activity as shown by a criminal record, the LHA will notify the household of the action it proposes to take and will provide the head of household with a copy of the criminal record. The LHA will give the household an opportunity to dispute the accuracy and relevance of that record in accordance with the hearing process set forth in 24 CFR 982.555.

The Lincoln Housing Authority will terminate the housing assistance of participants and other household members in accordance with HUD's rules and regulations, for the following conduct:

- (i) **Drug-Related Criminal Activity:** The sale or use of illicit drugs has consequences that negatively affect the lives of family members, neighbors and the Lincoln community as a whole. The negative consequences include a strong

correlation with acts of violence committed against innocent people, which damage the lives of families affected by drug use and effectively end the household's ability to become self-sufficient.

(a) The LHA will terminate Section 8 housing assistance for any family or household member who is currently engaged in or has engaged in any drug-related activity regardless of arrest or conviction status. LHA will terminate Section 8 housing assistance for any household or household member engaged in drug-related activity on or off the assisted premises. If the household member has been arrested for a drug-related criminal activity involving use or possession, but not production, manufacture, or sale, the family's housing assistance will not be terminated if the household member enters into a drug treatment program approved by the LHA within sixty (60) days of LHA's notification to the head of household of drug-related criminal activity. Failure to actively participate in or complete the drug treatment program successfully will result in termination of the Section 8 assistance for the entire household.

- The LHA will terminate Section 8 housing assistance for drug-related criminal activity in or near the participant's unit when the crime is committed by a guest or other persons who is under the control of a member of the household. This provision will not apply if (a) the head of household has called the law enforcement agency to report or turn in their guests or other persons under the participant's control for having engaged in a drug-related criminal activity on or near the participant's residence, and (b) an arrest is made of the guest or other person under the participant's control without arresting or citing the participant or head of household.
- If an assisted adult household member contacts the law enforcement agency specifically about drug use or drug possession by other adult members of the household on or off the premises, the LHA will continue to provide Section 8 assistance if (a) the adult member arrested is removed from the premises and (b) the arrested household member is removed from the lease for the unit and barred from living with the family at the assisted address for a minimum of three (3) years. To be readmitted into the household after the mandatory three-year separation, the adult member must meet all admission and waiting list requirements under LHA policies and HUD rules and regulations.
- If a minor household member (under age 19) is arrested for drug-related activity on or off of the premises, the LHA will terminate the household's Section 8 assistance unless the minor household member enrolls in a supervised drug treatment program approved by the LHA within sixty (60) days of LHA's notification to the head of household of drug-related criminal activity. The minor household member must successfully complete the drug treatment within the time prescribed by the treatment program. If the minor household member refuses to start or complete the drug treatment program, the minor household member must be removed from the assisted household for a minimum of three (3) years. To be readmitted into the household after the mandatory three-year separation, the minor household member must meet all admission requirements under LHA policies and HUD rules and regulations. If the head of household refuses to remove the minor household member from the premises and lease, the household's housing assistance will be terminated.

until the Total Tenant Payment equals the gross rent. Termination of eligibility will not affect the participant's other rights and obligations under the lease. Housing Assistance Payments may be resumed if the gross rent becomes more than the Total Tenant Payment as a result of a change (i.e. rent , income and etc.) during the term of the contract. If six (6) months elapses without a Housing Assistance payment then the contract will be terminated.

E. Insufficient funds: Should program funding be insufficient to support continued housing assistance for the current Housing Choice Voucher participants the following procedures have been established in hierarchal order until funding is deemed sufficient:

1. **Vouchers searching:** All participants at admissions who are searching for a unit will be re-instated to the waiting list according to time and date of their original application and the voucher will be revoked immediately.
2. **Port-outs over LHA payment standard:** All participants ported out of the LHA jurisdiction whose payment standard is above LHA's current payment standard will be terminated from the program.
3. **Delinquent repayments:** All participants with delinquent payment status will be terminated.
4. **Single/Couples:** Any household without children and contain no disabled or elderly household members will be terminated
5. **HAP Payments \$100 or less:** All participants whose housing assistance payments are \$100 or less. Their housing assistance will be terminated and they will be returned to the waiting list according to the date and time of their original application. The order of selection in this category will be the lowest HAP are to be removed first. If the HAP amounts are equal in the selection process, the participant with the most recent admission date would be terminated first.
6. **Most current admission dates:** Participants with the most current admission dates would be terminated from the program. The participant would be returned to the waiting list according to the time and date of their original application.

Section XX.
Hearing Procedures
for
Applicants and Participants
(24 CFR 982.554, 982.55 and 982.158)

All Section 8 applicants have the right to request an informal review.

All Section 8 participants have the right to an informal hearing when LHA decision(s) may affect their status as a participant and the type and scope of benefits that are afforded to them under the Section 8 program. An informal hearing allows a participant an opportunity to present the participant's individual circumstances or personal hardship, which could reverse or modify LHA's initial decision.

Both informal reviews and informal hearings provide an opportunity to review LHA's initial proposed decision(s) for compliance of HUD regulations and LHA policies. The hearing officer may reverse, modify or affirm with or without conditions, LHA's initial or proposed decision as long as the hearing officer's decision is not contrary to HUD regulations or requirements or otherwise contrary to federal, state and local law.

A. Exemptions from Informal Review or Hearing Procedures:

1. Discretionary administrative determinations;
2. General policy issues or class grievances;
3. Establishing or reviewing LHA utility allowances;
4. Extending or suspending a term of a voucher;
5. Approving a unit or owner's lease;
6. HQS determination on a unit;
7. HQS occupancy violations because of family size;
8. LHA's contractual right and remedies with an owner.

B. Notification

LHA will notify an applicant or participant in writing of a decision to deny eligibility for Section 8 assistance or waiting list. The written decision will afford the applicant the right to request an informal review and the participant the right to request an informal hearing within seven (7) calendar days from the date of the LHA written decision. In case where there is an active Housing Assistance Payment contract, LHA will provide an opportunity for an Informal Hearing before the actual termination of the housing assistance payments.

In denying admission for criminal activity, LHA must provide the applicant with a copy of the criminal record before the informal review.

All requests for an informal review/hearing must be made in writing within seven (7) calendar days from the date of the written decision.

The participant/applicant must bear the burden of proof for any claim of lost or undelivered mail. LHA will maintain all copies of correspondence in the applicant/participant's file. All reviews and hearings will be held at the LHA office located at 5700 R Street, Lincoln, Nebraska.

C. Hearing Officer

The hearing officer will be neither the person who made or approved the decision under review or a subordinate of such person. Hearing Officers may be LHA employees appointed by the Executive Director.

The Hearing Officer shall regulate the conduct of the hearing in accordance with LHA hearing procedures. The Hearing Officer shall conduct the hearing informally.

D. Informal Review Procedures:

1. An informal review will be convened within ten (10) business days from the date of the applicants written request.
2. The applicant may present oral or written arguments relative to the decision under review.
3. LHA will notify the applicant in writing of the results of the informal review within 10 business days after the informal review.
4. LHA's decision is final.

E. Informal Hearing Procedures:

1. LHA will schedule the Informal Hearing within ten (10) business days from the participant's written request. A written confirmation notice will be sent to the participant stating the date, time and location of the informal hearing. The confirmation notice will be sent to the participant's last known address.
2. The procedures for conducting the informal hearing will be mailed to the participant.
3. The voucher or Mod Rehab participant may, at the participant's own expense, be represented by a lawyer or other representative.
4. The informal hearing may be recorded or transcribed at the sole party who has arranged for the service.
5. The Hearing Officer will be responsible to conduct the hearing in accordance with the following guidelines:
 - a. LHA's representative will be given an opportunity to explain the LHA decision. LHA may present evidence and question witnesses.
 - b. The participant will have the opportunity to question any LHA witnesses.
 - c. The participant or participant's representative will have an opportunity to present his/her objections to the decision in question. Information related to only the specific LHA decision will be allowed at this hearing. The participant may present evidence or question witnesses at this time.
 - d. The participant may contact LHA before the informal hearing to examine any Housing Authority documents that are directly related to the hearing or receive more information on the basis of the violation(s). The participant may copy any

such document at the participant's expense. If LHA does not make the document available for examination upon the request of the participant, LHA may not rely on the document at the hearing.

- e. Only evidence submitted at or before the hearing will be considered by the Hearing Officer. After the hearing, the Hearing Officer will not perform any independent investigation based on statements made by the participant at the time of the hearing.
- f. Participants must provide credible verification of any statements at the time of the hearing. Verification of statements will not be considered after the hearing.
- g. All written documents submitted by the participant at the time of the hearing and were not signed by a person not in attendance at the hearing must be notarized. Contents of statements not notarized will not be considered by the Hearing Officer.
- h. LHA can help verify information before the Informal Hearing, but the request to verify information must be provided to LHA at least two (2) business days prior to the hearing. LHA is not required to call as witnesses those persons whose testimony would relate only to verification or non-verification of information provided by the participant.
- i. If unverified or uncorroborated documents, or statements, or oral testimony are presented at the informal hearing, the hearing officer will give the evidence the weight and credibility deemed appropriate.
- j. The participant may receive, upon request, at the hearing, copies of any written evidence or reports submitted by LHA to the Hearing Officer.
- k. The Hearing Officer will issue a written decision based on the original request for the informal hearing. The Hearing Officer may consider all applicable federal and state law, HUD rules and regulations and LHA rules and regulations as well as the record and evidence presented at the hearing. The Hearing Officer may reverse, modify, or affirm with or without conditions LHA's decision. The Hearing Officer will issue a written decision stating the reasons for the decision within thirty (30) calendar days of the informal hearing. A copy of the written decision shall be mailed to the participant within three (3) business days after the written and signed decision by the Hearing Officer.
- l. LHA shall not be bound by the Hearing Officer's decision when:
 - (i) LHA is not required to provide an opportunity for an informal hearing, or the matter exceeds the authority of the person conducting the hearing under these procedures.
 - (ii) The decision is contrary to HUD regulations or requirements, or otherwise contrary to federal, state or local law.
 - (iii) If LHA determines it is not bound by the hearing decision, LHA will promptly notify the participant of the determination and the reasons for the

determination.

F. Reasonable accommodations:

LHA will provide reasonable accommodation for persons with disabilities to participate in the hearing. Reasonable accommodations may include qualified sign language interpreters, readers, accessible locations or attendants. The participant must notify LHA within two business days of the hearing regarding the need for a reasonable accommodation.

Section XXI Homeless Program

The Homeless program began in May of 1998 to provide housing and continued supportive assistance to homeless families and individuals so as to stabilize the family and/or individual in order to encourage the passing of the family or individual through the need for rent and supportive assistance and to assist the family in breaking the cycle of homelessness.

Sixty-five (65) Housing Choice Vouchers are allocated to the Homeless Program with 55 vouchers serving families, disabled and elderly and 10 vouchers serving the single, non-elderly and non-disabled or two adults without children.

A Homeless Committee has been established with bylaws. The committee shall follow the bylaws and procedures established in the procedure guidance "Program and Case Management Information and Guidelines".

A separate waiting list is established for the 65 homeless vouchers.

- A. Placement on the Homeless Waiting list:** Applications are submitted to LHA by a Homeless Committee member and remain on the waiting list according to the date and time the application is received.

- B. Admission to the Homeless Voucher Program:** When the applicant's name arrives at the top of the waiting list, based on time and date of the application, the Homeless committee member (case manager) will conduct a pre-screening and case plan with goals with the applicant. The case manager will present the applicant and case plan to the Homeless Committee for approval as stated in the procedure guidance.

- C. Continued Assistance:** Participants of the Homeless program are able to continue participation for a maximum of five (5) years. The case manager will submit a request to the Homeless Committee to transfer the participant to the Housing Choice Voucher program when their case plan is completed.

The Homeless program is subject to the rules and regulations of the Housing Choice Voucher program and the LHA Administrative Plan.

Section XXII. Project Based Vouchers

Lincoln Housing Authority may set aside Section 8 Housing Choice Vouchers for Project- Based Housing assistance according to regulations cited in 24 CFR 983.

The number of vouchers converted to project based housing will be determined based on the housing and service needs within the LHA jurisdiction and the regulations cited in 24 CFR 983.

A request for proposal (RFP) will be advertised within the community as the need for project based assistance is identified for the area. Projects will be selected following an application process that requires a commitment to construct a new building or rehabilitate an existing one. Selection criteria for project based voucher applications will be developed by LHA prior to the advertisement of the RFP. LHA will create a selection committee and scoring process to select the most qualified and appropriate application. Rent Subsidy contracts are available up to five (5) years with possibility of extensions.

LHA may opt to have a separate waiting list for the project based vouchers and could determine a preference selection from the waiting list for disabled and/or elderly households needing a specific service to maintain their housing.

Project Based Housing units must meet HQS standards and be considered Rent Reasonable. Rents can not exceed 110% of the Fair Market rent or the Rent Reasonableness test.

Project Based Housing participants are bound by the same rules and regulations as a Housing Choice Voucher participant unless otherwise stated in 24 CFR 983 or this Administrative Plan.

Section XXIII. Mainstream Housing Opportunities for Persons with Disabilities program

Effective August 1, 2006, Lincoln Housing Authority was awarded funding for twenty (20) vouchers to be utilized by eligible disabled families as defined in 42 U.S.C. 423. Applicants meeting the “disabled” criteria will be selected from the waiting list based on date and time of the application and if the household meets any of the local preferences.

The first twenty (20) applicants meeting the disability requirements will be selected from the HCV waiting list to determine eligibility for admission to the program.

Lincoln Housing Authority will operate the Mainstream Housing program by following the policy sent forth in accordance with HUD regulations and requirements governing the Housing Choice Voucher Program, the policy established by LHA’s current Administrative Plan and Moving-to-Work agreement and as identified within the Mainstream Program Operating Plan.

APPENDIX A GLOSSARY OF TERMS

Administrative Plan - The plan required by HUD for Public Housing and Section 8 Tenant-Based program administrators (Public Housing Agencies) that detail the administrator's policies and procedures.

Adjusted Income - Annual income, less allowable HUD and approved MTW deductions.

Anniversary Date -

1. When the effective date of the current lease is the first day of a month, that is also the anniversary date.
2. When the effective date of a current lease is any day other than the first day of the month, the anniversary date is the first day of the month.

Annual Income - The anticipated total income from all sources received by family members (even if a member is temporarily absent) for the 12-month period following the effective date of initial admissions or re-examination. The following lists specifies income inclusions and exclusions.

Annual income includes, but is not limited to, the following:

1. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips, bonuses, and other compensation for personal services
2. The net income from operation of a business or profession, including any withdrawal of cash or assets from the operation of the business. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining the net income from a business. An allowance for the straight line depreciation of assets used in a business or profession may be deducted as provided in IRS regulations. Withdrawals of cash or assets will not be considered income when used to reimburse the family for cash or assets invested in the business;
3. Interest, dividends, and net income of any kind from real or personal property. Where the family has net assets in excess of \$5,000, annual income shall include 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 the Department of Housing and Urban Development (HUD).
4. The full amount received of periodic payments from Social Security, annuities, insurance policies, retirement income, pensions, benefits for disability or death, and other similar types of periodic receipts. This includes a lump-sum payment for the delayed start of a periodic payment, except for SSI and Social Security.
5. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay.
6. Welfare assistance payments, including General Assistance, Temporary Assistance to Needy Families, and Aid to Families with Dependent Children.
7. Periodic and determinable allowances, such as alimony and child support payments, and regular contribution or gifts, including amounts received from any person not residing in the dwelling.
8. All regular pay, special pay and allowances, (such as longevity, overseas duty, rental allowances, allowances for dependents, etc.) of a member of the Armed Forces (whether or not living in the dwelling) who is head of the family, spouse, or other person whose dependents are living in the dwelling.

9. Minimum Earned Income. The greater of the Minimum Earned Income or the actual earned income for a household will be included in accordance with the policy in the Income Section of this document.

Annual income does not include:

1. Temporary, non-recurring, or sporadic income, including gifts.
2. Income from employment of children (including foster children) under the age of 18.
3. Payments received for the care of foster children or foster adults.
4. Lump-sum additions to family assets, such as inheritances, insurance payments, capital gains, and settlement for personal property losses. Lump-sum payments for delayed start of Social Security and SSI are also excluded.
5. Amounts received by the family, that are specifically for or in reimbursement of the cost of medical expenses for any family member.
6. Income of a Live-in Aide.
7. The full amount of student financial assistance paid directly to the student or the educational institution.
8. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.
9.
 - (1) Amounts received under training programs funded by HUD;
 - (2) Amounts received by a disabled person 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 which are specifically for, or in reimbursement of, out-of-pocket expenses (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
 - (4) A Resident Service Stipend. A modest amount (not to exceed \$200 per month) received by a public housing resident for performing a service for LHA, on a part-time basis, that enhances the quality of life in public housing; or
 - (5) Incremental earnings and/or benefits resulting to any family member from participation in qualifying state or local employment training program (including training programs not affiliated with the local government), and training of family members 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 a limited period as determined in advance by the LHA;.
10. 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.
11. Earnings in excess of \$480 for each full-time student under 22 years old (excluding the head of household and spouse).
12. Adoption assistance payments in excess of \$480 per adopted child.
13. Deferred periodic payments of supplemental security income and social security benefits that are received in a lump sum payment.

14. 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;
15. Amounts paid by a State agency to a family with a developmentally disabled family member living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; and
16. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the United States Housing Act of 1937. The current exclusions include:
 - (1) Value of allotment provided to eligible households under the Food Stamp Act of 1977.
 - (2) Payments to volunteers under the Domestic Volunteer Services Act of 1973. Examples of programs under this Act include but are not limited to: the Retired Senior Volunteer Program (RSVP), Foster Grandparent Program (FGP), Senior Companion Program (SCP), and the Older American Committee Service Program; National Volunteer Antipoverty Programs such as VISTA, Peace Corps, Service Learning Program, and Special Volunteer Programs; and Small Business Administration Programs such as the National Volunteer Program to Assist Small Business and Promote Volunteer Service to Persons with Business Experience, Service Corps of Retired Executives (SCORE), and Active Corps of Executives (ACE);
 - (3) Payments received under the Alaska Native Claims Settlement Act.
 - (4) Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes.
 - (5) Payments or allowances made under the Department of Health and Human Services Low-Income Home Energy Assistance Program.
 - (6) Payments received under programs funded in whole or in part under the Job Training Partnership Act (JPTA).
 - (7) Income derived from the disposition of funds of the Grand River Band of Ottawa Indians.
 - (8) The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Grant of Claims or from funds held in trust for an Indian tribe by the Secretary of the Interior.
 - (9) Amounts of scholarships funded under Title IV of the Higher Education Act of 1965, including awards under the Federal Work Study Program or under the Bureau of Indian Affairs Student Assistance. Examples of Title IV programs include but are not limited to: Basic Educational Opportunity Grants (Pell Grants), Supplemental Opportunity Grants, State Student Incentive Grants, College Work Study, and Byrd Scholarships.
 - (10) Payments received from programs funded under Title V of the Older Americans Act of 1965. Examples of programs under this act include but are not limited to: Senior Community Services Employment Program (CSEP), National Caucus Center on the Black Aged, National Urban League, Association National Pro Personas Mayores, National Council on Aging, American Association of Retired Persons, National Council on Senior Citizens, and Green Thumb
 - (11) Payments received after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established in the In Re Agent Orange product liability litigation, M.D.L. No. 381. (E.D.N.Y.)
 - (12) Payments received under the Maine Indian Claim Settlement Act of 1980. (Pub. L. 96-420, 94 Stat. 1785).
 - (13) 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.
 - (14) Earned Income Tax Credit Refunds received on or after January 1, 1991.
 - (15) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation.
 - (16). Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990.

- (17) 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
- (18) 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.
- (19) Allowances, earnings, and payments to individuals participating in programs under the Workforce Investment Act of 1998.

Applicable Payment Standard - The payment standard that applies to a given family, based on the family size and composition.

Assets - Net Family Assets - 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 the equity in a housing cooperative unit or in a manufactured home in which the family resides. The value of necessary items of personal property such as furniture and automobiles shall be excluded. (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 Gross Income.) In determining Net Family Assets, LHA shall include the value of any 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 thereof. 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 market value if the applicant or tenant receives important consideration not measurable in dollar terms.

Assisted Tenant - A tenant who pays less than the market rent as defined in the regulations. Includes tenants receiving rent supplement, Rental Assistant Payments, or Section 8 assistance and all other 236 and BMIR tenants, except those paying the 236 market rent or 120% of the BMIR rent, respectively.

Calculated Voucher Payment - The lesser of the estimated voucher payment or the amount by which the gross rent exceeds the actual total tenant payment.

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

Child Care Expenses - Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period of which annual income is computed, but only where such care is necessary to enable a family member to 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 child care; and, in the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of income received from such employment.

Citizen - Citizen/national of the United States.

Computer Matching Agreements - The agreements between HUD and the Internal Revenue Service (IRS) and the Social Security Administration (SSA) that allow the matching of data between each entities' databases.

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

Contract Rent - The rent HUD, a public housing agency (PHA) or Contract Administrator authorizes an owner to collect for a unit (not public housing) occupied by a family receiving rental assistance. In the

Section 8 Certificate Program, Contract Rent is the total rent paid to the owner, including the tenant payment and the HAP payment from the HA.

Contract Term - No definite date of termination is set forth in the contract. The contract continues until the lease terminates or for the term of the ACC , whichever occurs first.

Dating Violence- Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim or where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship;
- the type of the relationship; and
- the frequency of interaction between the persons involved in the relationship.

Dependent - A member of the family household (excluding foster children) other than the family head or spouse, who is under 18 years of age or is a disabled person or is a full-time student under the age of 22.

Dilapidated Housing Unit - A housing unit is considered dilapidated if it does not provide safe and adequate shelter, and in its present condition endangers the health, safety, or well-being of a family, or it has one or more critical defects, or a combination of intermediate defects in sufficient number or extent to require considerable repair or rebuilding. The defects may involve original construction, or they may result from continued neglect or lack of repair or from serious damage to the structure.

Disabled Expenses Allowance- The amount anticipated to be paid out by the family for attendant care and/or auxiliary apparatus expenses that are necessary to enable a family member (including the disabled member) to be employed. The amount deducted shall be the lesser of the amount by which the total expenses for disable typed assistance exceeds 3% of the annual income or the employment or the employment income the adult members will earn because the assistance is available. For elderly families, the 3% of annual income is first deducted from disable expenses and any remainder is deducted from medical expenses. The expenses are not deducted if they are paid to a family member living in the household or if they are paid for or reimbursed by an outside source.

Disabled Person - A person who is any of the following:

1. A person who has a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423). Section 223 of the Social Security Act defines disability as:
 - a. Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; or
 - b. In case of an individual who has attained the age of 55 and is blind (within the meaning of "blindness as defined in Section 416(l)(1) of this title), inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he/she has previously engaged with some regularity and over a substantial period of time.
2. A person who has a physical, mental or emotional impairment that:
 - a. Is expected to be of long, continued and indefinite duration;
 - b. Substantially impedes his or her ability to live independently; and
 - c. Is of such nature that ability to live independently could be improved by more suitable housing conditions.
3. A person who has a developmental disability as defined in Section 102(7) of the Development Disabilities Services Assistance and Bill of Rights Act (42 U.S.C. 6001 (7)). Section 102 (7) of that Act defines developmental disabilities as:

A disability attributable to mental retardation, cerebral palsy, epilepsy, or another neurological condition found by the Secretary of Health Education, and Welfare to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which can be expected to continue indefinitely and which constitutes a substantial handicap to such individual.

Discretionary Policies - Those instances in which HUD regulations do not specify the policies or activities a PHA must adopt, leaving the PHA the freedom to make its own choices.

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.

Domicile - The legal residence of the household head or spouse as determined in accordance with State and local law.

Domestic Violence- Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, committed by a person with whom the victim shares a child in common, committed by a person who is cohabitating with or has cohabitated with the victim as a spouse, committed by a person similarly situated to a spouse of the victim under the domestic violence or family violence laws or committed by any other person against an adult or youth victim, who is protected from that person's acts under the domestic violence or family violence laws.

Drug-related criminal activity - The illegal manufacture, sale or distribution, or the possession with intent to manufacture, sell, or distribute, of a controlled substance (as defined in section 102 of the Controlled Substance Act (21 U.S.C. 802)

Earned Income - Income from wages, tips, salaries, other employee compensation and any earnings from self-employment.

Effective Date - This date refers to an examination or re-examination (i) in the case of an examination for admission, the date of initial occupancy and (ii) in the case of re-examination of an existing tenant, the date the redetermined rent becomes effective.

Elderly Person - A person who is at least 62 years of age.

Eligible Immigration Status - An immigration status in one of the following categories:

1. A non-citizen lawfully admitted for permanent residence, as defined by Section 101(a)(20) of the Immigration and Nationality Act (INA), as an immigrant, as defined by section 101(a)(15) of the INA non-citizen admitted under section 210 or 210A of the INA (8 U.S.C. 1160 or 1161), (special agricultural worker), who has been granted lawful temporary resident status);
2. A non-citizen who entered the United States before January 1, 1972, or such later date as enacted by law, and has continuously maintained residence in the United States since then, and who is not eligible for citizenship, but who is deemed to be lawfully admitted for permanent residence as a result of an exercise of discretion by the Attorney General under Section 249 of the INA (8 U.S.C. 1259);
3. A non-citizen who is lawfully present in the United States pursuant to an admission under section 207 of the INA (8 U.S.C. 1157)(refugee status); pursuant to the grant of asylum (which) has not been granted conditional entry under Section 203(a)(7) of the INA (8 U.S.C. 1153(a)(7)) before April 1, 1980, because of persecution or fear of persecution on account of race, religion, or political opinion or because of being uprooted by catastrophic

national calamity;

4. A non-citizen who is lawfully present in the United States as a result of an exercise of discretion by Attorney General for emergent reasons or reasons deemed strictly in the public interest under section 212 (d)(5) of the INA (8 U.S.C. 1182(d)(5))(parole status);
5. A non-citizen who is lawfully present in the United States as a result of the Attorney General's withholding deportation under section 234(h) of the INA (8 U.S.C. 1253(h))(threat to life or freedom);
6. A non-citizen lawfully admitted for temporary or permanent residence under section 245A of the INA (8 U.S.C. 1255a)(amnesty granted under INA 245A).

Eligible Family - A family whom the HA has determined meets the criteria for receiving housing assistance. 'Family' as defined by the HA, approved by HUD, is listed elsewhere in the glossary.

Escrow Account - An interest bearing savings account established for a Family Self-Sufficiency participant. A credit of a portion of the rent increase, which is a result of earned income.

Estimated Voucher Payment - The amount by which the applicable payment standard exceeds 30% of the tenant income.

Exception Rent - In the voucher program, the HA may adopt a payment standard up to the exception rent limit approved by HUD.

Excess Rental Assistance - The difference between the amount of rental assistance received by a tenant based on reported income and the amount of rental assistance the tenant was entitled to receive.

Evidence of Eligible Immigration Status - The documents which must be submitted to establish citizenship or eligible immigration status.

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

Family Composition - A Family:

- (1) May be a single person or group of persons;
- (2) includes a family with a child or children;
- (3) A group of persons consisting of two or more elderly persons or disabled persons living together, or one or more elderly or disabled persons living with one or more live-in aides is a family;
- (4) A single person family may be:
 - (i) an elderly person,
 - (ii) a displaced person,
 - (iii) a disabled person,
 - (iv) any other single person;
- (5) A child who is temporarily away from the home because of placement in foster care is considered a member of the family.

Family Self-Sufficiency (FSS) - FSS is a program established by LHA to promote self-sufficiency among participants, including the provision of "supportive services" to these participants.

Foster Care Payment - Payments to eligible households by state, local, or private agencies.

Fraud - Willful and intentional deception to obtain monies and/or services which the recipient would not normally be entitled.

Full-time Student - A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree.

Gross Rent (total tenant rent) - The total monthly cost of housing an eligible family, which is the sum of the Contract Rent and any Utility Allowance for the assisted unit. In the case of rental of a manufactured home space only, Gross Rent also includes the Family's monthly payment to amortize the purchase price of the manufactured home.

HA - Housing Authority

Head of Household - The adult family member who is legally able to enter into a lease under state or local law, and in whose name the voucher is issued, and who is considered responsible for the payment of rent and held accountable for the actions, conduct and behavior of the Family.

Homeless Family - For selection preference purposes, and applicant is considered a Homeless Family if they:

1. Lack a fixed, regular and adequate nighttime residence; or
2. Have a primary nighttime residence that is:
 - a. A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters and transitional housing);
 - b. An institution that provides a temporary residence for individuals intended to be institutionalized; or
 - c. A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

A Homeless Family does not include any individual imprisoned or otherwise detained pursuant to a Federal, State or local law.

Housing Assistance Payment (HAP) - The monthly assistance payment by the HA. The total assistance payment consists of:

1. A payment to the owner for rent to owner under the family's lease.
2. A payment to the family if the total assistance payment exceeds the rent to owner.

Housing Assistance Payment Contract (HAP Contract) - A written contract between the HA and an owner in the form prescribed by HUD, in which the HA agrees to make housing assistance payments to the owner on behalf of an eligible family.

Housing Quality Standards (HQS) - The HUD minimum quality standards for housing being assisted under the voucher programs.

Housing Choice Voucher - A document issued by a HA declaring a Family to be eligible for participation in the Housing Voucher Program and stating the terms and conditions for the Family's participation.

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

Immediate Family Member- A spouse, parent, brother or sister, or child of a victim or individual to whom the victim stands in the loco parent; or any other person living in the household of the victim and related to the victim by blood or marriage.

Income Limits - A schedule of incomes that do not exceed a percent of the median income for the area as determined by HUD with adjustments for smaller or larger Families, except that HUD may establish income limits higher or lower on the basis of its findings that such variations are necessary because of the prevailing levels of construction costs, unusually high or low incomes, or other factors.

Initial Lease Term - The initial term of the assisted lease. The initial lease term must be for at least one year.

Initial PHA - A HA administering a Section 8 increment to a Section 8 participant who desires to move or who has moved to another area.

USCIS - The U.S. Immigration and Naturalization Service.

Interim Re-certification Policy - The policy that determines when a tenant should report income increases. The policy also identifies if a PHA recalculates rental assistance and if so, when rental assistance will be increased.

Landlord - Either the owner of the property or his/her representative or the managing agent or his/her representative, as shall be designated by the owner.

Lease - A written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP Contract between the owner and the HA.

Lease Addendum - In the lease between the tenant and the owner, the lease language required by HUD.

LHA - Lincoln Housing Authority

Live-in Aide - A person who resides with an elderly, disabled or disabled person or persons and who (a) is determined by LHA to be essential to the care and well-being of the person; (b) is not obligated for support of the person; and (c) would not be living in the unit except to provide necessary supportive services and is not otherwise eligible for assistance.

Local Preference - see Preference

Long-term Housing: Housing that is sustainable, accessible, affordable and safe for the foreseeable future which:

- a person rents or owns;
- is subsidized by a voucher or other program as long as the person meets the eligibility requirements of the program;
- directly provided by PHA, is not time limited and the person meets eligibility requirements of the program.

Market Rent - HUD's determination of the rent, including utilities (except telephone), range and refrigerator, parking and all maintenance, management and other essential housing services, which would be required to obtain privately owned rental housing of modest design with suitable amenities in a particular market area.

Medical Expenses - Those medical expenses, including medical insurance premiums, that are anticipated to be paid by the elderly, disabled or disabled family during the period for which annual income is computed, and that are not covered by insurance.

Member of the Armed Forces - A person in the active Military or Naval Service of the United States Army,

Navy, Air Force, Marine Corps, or Coast Guard including people in public health services..

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

Mixed Family - A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.

Monthly Adjusted Income - One-twelfth of the annual income after allowances or adjusted income.

Monthly Income - One-twelfth of Annual Income.

Multifamily Tenant Characteristics System (MTCS) - HUD's tenant database for PIH programs.

National - A person who owes permanent allegiance to the United States.

Net Family Assets - Value of equity in savings, checking, IRA and Keogh accounts, real property, stocks, bonds and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles is excluded from the definition. In cases where a trust fund has been established and the trust is not revokable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered as asset so long as the fund continues to be held in trust.

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

Overcrowded - Two or more families living together in one dwelling unit or a family living in a dwelling unit in which more than two persons must share a sleeping area as defined by HUD HQS standards.

Owner - Any person or entity having legal right to lease or sublease Decent, Safe, and Sanitary Housing.

Participant (Participant Family) - A family that has been admitted to the HA program, and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP Contract executed by the HA for the family (first day of initial lease term.)

Payment Standard - In the voucher program, an amount used by the HA to calculate the Housing assistance payment for a family. Each payment standard amount is based on the FMR. The HA adopts a payment standard for each bedroom size HA's jurisdiction. The payment standard for a family is the maximum monthly subsidy payment.

Perpetrator- A person who commits an act of domestic violence, dating violence, or stalking against a victim.

PHA - Public Housing Agency that administer's HUD's public housing and Section 8 tenant-based programs and some Section 8 project-based programs.

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

Preference - LHA will select families for participation in the Voucher and Mod Rehab program in accordance with the select preferences. All applicants who qualify for a preference will be offered a voucher or Mod Rehab unit before any family that does not qualify for a preference.

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

Program Integrity - Addresses all areas dealing with fraud in public housing. Violation of rules determining eligibility can be programmatic or criminal.

Public Assistance - Welfare or other payments to families or individuals, based on need, which are made under programs funded, separately or jointly by federal, state or local governments.

Reasonable Rent - A rent to an owner that is not more than either:

1. Rent charged for comparable units in the private unassisted market; or
2. Rent charged by the owner for a comparable assisted or unassisted unit in the same building or premises.

Receiving PHA - An HA administering a Section 8 Housing Voucher Program that accepts a Housing Voucher holder from another HA.

Re-certification - Sometimes called re-examination. The process of securing documentation to determine the rent the tenant will pay for the next 12 months if there are no additional changes to be reported. There are annual and interim /recertifications.

Remaining Member of Tenant Family - person left in assisted housing who may or may not qualify for assistance on own circumstances (i.e., widow age 47, not disable or disabled).

Repayment Agreement - Instrument used with an applicant or participant in the collection of monies paid to an individual or family who has indebtedness to LHA.

Security Deposit - A dollar amount (maximum set according to the regulations) which can be used for unpaid rent or damages to the owner upon termination of lease.

Section 8 Project-Based Programs - The rental assistance programs administered by either owners or agents and, in some instances, public housing agencies.

Section 8 Tenant-Based Programs - The rental assistance programs administered by public housing agencies in which tenants receive certificates or vouchers.

Service Person - A person in the active military or naval service (including the active reserve) of the United States.

Shared Housing - A housing unit occupied by two or more families consisting of common space for shared use by the occupants of the units and separate private space for each assisted family.
Individual Lease Shared Housing - The type of shared housing in which the HA enters into a separate housing contract for each assisted family residing in a shared housing unit.

Single Person - A person who lives alone or intends to live alone, and who does not qualify as an elderly or displaced person, a person with disabilities, or (for continued occupancy) as the remaining member of a family.

Social Security Number (SSN) - The number assigned to a person by the Social Security Administration of the Department of Health and Human Services which identifies the record of the person's earnings that are reported to the Administration.

Special Admission - Admission of an applicant that is not on the HA waiting list, or without considering the applicant's waiting list position.

Spouse - Husband or wife of the Head of Household.

Stalking- To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass or intimidate the victim; to place under surveillance with the intent to kill, injure, harass or intimidate the victim; in the course of, or as a result of such following, pursuit, surveillance, or repeatedly committed acts, to place the victim in reasonable fear of death of or serious bodily injury to the victim; or to cause substantial emotional harm to the victim, a member of the immediate family of the victim or spouse or intimate partner with the victim.

Subsidy Standards - Standards established by the HA to determine the appropriate number of bedrooms and amount of subsidy for families of different sites and compositions.

Suspension - Stopping the clock on the term of a family's voucher, for such period as determined appropriate by the HA. For example, when a participant has filed a discrimination claim against a landlord under the protected class ordinance or when the HA is unable to inspect an available unit prior to the expiration of a voucher.

Targeted Housing Voucher - Circumstances in which HUD provides Voucher funding specifically for applicant families living in certain types of projects.

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

Tenant Identifiers - The tenant's name, social security number and date of birth.

Tenant Rent - The amount payable monthly by the Family as rent to the owner.

Tenant History - LHA will provide by telephone upon request of a prospective landlord, the names, addresses, and phone numbers of a maximum of three previous landlords in the most recent three year period.

Terminally Ill - A person is considered terminally ill if the individual has a medical prognosis of life expectancy of 3 years or less.

TIV - Tenant income verification.

Total Tenant Payment (TTP) - Tenant Rent, plus the HA's estimate of the cost to the tenant of reasonable quantities of utilities, determined in accordance with the HA's schedule of allowances for such utilities, where such utilities are purchased by the tenant and not included in the Tenant Rent. Total Tenant Payment does not include charges for excess utility consumption and other miscellaneous charges. The Total Tenant Payment shall be calculated at the percentage allowed by federal law. (Does not apply to the Section 8 Voucher program.)

Transitional Housing - A special program designed to issue vouchers to homeless families residing in Lancaster County shelters.

Unauthorized Guest - A visitor of a participant family who stays overnight more than 14 days in the lease year. Unauthorized guests constitute lease and program violations subject to termination of family participation in Section 8 Voucher rental assistance.

Unreported Income - The difference between the amount of income a tenant reports and the amount of income a tenant is required to report (minus some exclusions).

Utility Allowance - An amount determined by the LHA as an allowance for the cost of utilities. Utilities include water, electricity, gas, other heating, refrigeration and cooking fuels, trash collection and sewer services. Telephone and TV cable are not included as a utility. This allowance is used when a family is responsible for the cost of some or all of the utilities. Included also is an amount for range and refrigerator if these must be provided by the tenant.

Verification - The confirmation of information with employers or financial institutions disclosed to LHA.

Very Low-Income Family - A lower income family whose annual gross income does not exceed 50% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.

Victim- Is a person who is the victim of domestic violence, dating violence, or stalking under The Violence Against Women Act of 2005 and who has timely and completely completed their Certification of Domestic Violence, Dating Violence and Stalking format as requested by LHA.

Violent Criminal Activity - Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.