

Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. *Include statements related to these programs as applicable.*

Hope VI, Mixed Finance Modernization or Development: RIHA does not currently have any pending proposals for Hope VI or Mixed Finance funding. However, should the opportunity for development arise where Hope VI or Mixed Finance funding would be appropriate and available, RIHA would seek funding through those programs.

Demolition and/or Disposition: In April 2003, RIHA conducted an asset management assessment and developed an Asset Management Plan based on that assessment. As part of the Asset Management Plan, each property was evaluated based on its present and future value for current and future residents, the City, the community and RIHA. This Plan recommend options and suggestions to keep and maintain, keep and upgrade or demolish and replace each RIHA property.

Demolition and Disposition initiatives under consideration for action during Fiscal Year beginning 10/1/2008 are as follows:

According to the Asset Management Plan, Spencer Towers should be kept in the RIHA inventory in some form and developed into a mixed-income housing opportunity. Ownership of the property should be transferred to RIHA's not-for-profit corporation. In moving forward with this Plan, RIHA may elect to apply to HUD for the disposition of Spencer Towers, the development referred to as IL018-006.

RIHA has applied for funding to develop housing to serve the disabled population of Rock Island.

The Asset Management Plan also noted that, due to their ages, both Lincoln Homes and Manor Homes should be reevaluated in the 5 to 10 year period after 2003 to determine their long-term value and sustainability as viable properties. This assessment has been completed, and the physical condition of Lincoln Homes, IL018-003, requires that residents be relocated and the buildings be demolished. Manor Homes has been found to be at the end of its viable life. Rock Island Housing Authority may elect to make application to HUD for the disposition and/or demolition of Manor Homes, IL018-002, as well.

RIHA may also make application to HUD for the disposition of the Hickman Center, referred to as IL018-002-00.

RIHA should also develop new housing opportunities, as suggested in the Asset Management Plan, to stabilize the City's neighborhoods and provide additional options and opportunities for current and future residents over the long-term, which will be accomplished through the construction of new, in-fill housing. This housing may be part of RIHA's Section 32 Homeownership Plan and may require the demolition of existing, dilapidated buildings on in-fill sites.

Conversion of Public Housing: None of Rock Island Housing Authority's developments or portions of developments have been identified by HUD or RIHA as covered under Section 202 of the HUD FY1996 Appropriations Act.

Homeownership Programs: When surveyed, over 70% of RIHA public housing residents indicated a desire to own their own homes. Responses also illustrated that residents were cognizant of the barriers associated with homeownership, including bad credit, financial illiteracy, budgeting and the lack of funds for a down payment. Survey results also indicate that more than 20% of RIHA residents earn \$20,000 or more per year, making them eligible for the RIHA Homeownership Program and related Community Supportive Services.

The RIHA decision to pursue homeownership options for its residents is supported by the RIHA residents, the community and the city and state governments. It is actively endorsed by the public and private partners and partnerships that have come together for this purpose and through the commitments of their time, talent and resources. Homeownership supports HUD's strategic goals and meets President George W. Bush's challenge to close the affordable housing gap, increasing homeownership for low-income families.

RIHA's major priority is to assist public housing residents in their efforts to become financially self-sufficient and less dependent upon direct government housing assistance. The RIHA Homeownership Program will enable public housing residents, including low- and moderate-income persons, persons with disabilities, the elderly and minorities to transition to the American Dream of homeownership with a strong emphasis on supportive services focused on ensuring the long-term success of each participant. In the past three years, 10 RIHA residents and one Section 8 participant have purchased their own homes.

Homebuyer Incentive Program

Objective: The objective of this Homebuyer Incentive Program Policy is to provide the mechanism by which low-income public housing families may be prepared to become homebuyers, with a strong emphasis on successful, long-term ownership of the home.

Plan Summary: Public housing residents will prepare to become homebuyers by participating in the Homebuyer Incentive Program (HIP). After meeting the minimum HIP requirements, program participants are given classroom and real-world living experiences that may prepare them to become homebuyers. HIP assesses each family's needs, develops a plan for strengthening identified weaknesses, and assists each family with implementing its personal plan. Real-world experiences occur as the result of requiring families to function as homeowners.

Families take an active role in the care and maintenance of their unit, paying all utilities, budgeting their income to handle routine, as well as meeting unexpected, expenses.

Eligible Participants: As the 2003 Asset Management Plan identified that certain properties should be revitalized or demolished, residents displaced as a result of such action will receive priority for admission to the program. If units remain after all qualified displaced residents have been assigned, residents of other RIHA low-rent public housing developments will be considered.

7.0

Minimum Qualifications

1. Current resident of RIHA low-rent public housing developments
2. Continuous RIHA residence for minimum of one year
3. Must be in good standing with RIHA management. Factors which will be considered include:
 - i. Prompt payment of rent
 - ii. Good neighbor, no substantiated complaints
 - iii. Complies with lease agreement
 - iv. No unusual resident-caused damage to unit
 - v. No major housekeeping complaints
 - vi. No criminal activity for a minimum of three years
4. Interested in homeownership and in participating in the HIP program

Selection: Separate waiting lists will be maintained for each unit size (number of bedrooms) for which the household is qualified. If the household is eligible for more than one unit size, the family must declare the desired unit size at the time of application.

Within each waiting list, priority will be given to displaced households. Within displaced households, those households continuously occupying since the date of Initiation of Negotiation (HUD approval of application for revitalization or demolition) a displacement dwelling will receive priority. Within each occupancy group, priority will be given to households based on income:

- i. Households with income equal to or greater than 50% but less than 80% of the median income for the Davenport-Moline-Rock Island metropolitan area for the household size.
- ii. Households with income equal to or greater than 30% but less than 50% of the median income.
- iii. Household with income less than 30% of the median income.

Within each income group, priority will be given based on the household's initial date of continuous occupancy of any RIHA low-rent public housing unit (original move-in date).

Income thresholds are published by HUD and are revised each year. For Fiscal Year 2009, the thresholds are as follows:

Household Size	30% of MFI	50% of MFI	80% of MFI
1 person	\$12,950	\$21,550	\$34,500
2 person	\$14,800	\$24,650	\$39,450
3 person	\$16,650	\$27,700	\$44,350
4 person	\$18,500	\$30,800	\$49,300
5 person	\$20,000	\$33,250	\$53,250
6 person	\$21,450	\$35,750	\$57,200
7 person	\$22,950	\$38,200	\$61,150
8 person	\$24,400	\$40,650	\$65,100

Certain changes in the household may affect priority position on the waiting lists. Upon any of the following events, the household will be placed in the proper position on the proper waiting list. The household's repositioning may result in the household being offered a unit sooner or later than it would have before the repositioning, or could result in the household not being offered a unit at all.

If the household composition changes, and that change is reported to the Relocation Specialist, its qualification for unit size or income group may be affected. At the time of application processing, household composition and income will be verified, and the qualification of the household for unit size or income group may be affected.

Time Frame: Participants must complete their HIP program and complete a home-purchase transaction within five years of moving into a HIP unit; however, the Executive Director or his/her designee may extend this timetable if the household is making adequate progress toward homeownership for a period of one year on up to two occasions. In no event should a household participate in the HIP program for more than seven years. Should a HIP participant household be determined by the Executive Director or his/her designee to fail to make adequate progress in a 24-month time period, it will be removed from the program and be required to move from the HIP unit. The household will be allowed to retain its Section 8 Housing Choice Voucher.

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Routine Home Maintenance: Every HIP participant will be responsible for the care and maintenance its home and yard as if the household owned the property. HIP participants will learn interior and exterior care and maintenance activities, such as, Maintaining good housekeeping, Painting, Resetting circuit breakers, Testing smoke and fire detectors, Unclogging plumbing fixtures using a plunger, Changing central heat/air conditioning filters, Keeping the outside air conditioning unit clean and free of debris or obstruction, Mowing grass, Watering the lawn, shrubs and plants, Edging walks and drives, Trimming around frees, buildings and fences, Trimming shrubs, Planting and cultivating flowers, Cleaning gutters, Removing snow from all sidewalks, Locating water shutoff valves, Locating water heater shutoff valve and Conserving energy.

Counseling and Training: HIP participants will receive counseling and training in Aspects of household financial management and self-sufficiency including Budgets, Credit history, Mortgage affordability, homebuying, homebuying terminology, Mortgages and interest rates, Homebuyer rights, Real estate agents, Home selection, Appraisals, Homeowners' insurance, Settlement and closing costs, Importance of consistent monthly loan payments, Home maintenance, Foreclosures and Good housekeeping.

Training will be provided by RIHA staff augmented by contracted community resources.

Termination and Grievances: Households who fail to make adequate progress in its HIP program as determined by the Executive Director or his/her designee will be removed from the program and will have to vacate its unit. The household may retain its Section 8 Housing Choice Voucher and move to another residence.

Households with serious or repeated lease violations will be removed from the program and will have to vacate its unit. The household may forfeit its Section 8 Housing Choice Voucher. If a participant feels that unfavorable action is taken by RIHA, it may appeal the action. The participant should follow the procedures in the RIHA Grievance Policy.

Project-Based Vouchers: RIHA currently has six project-based vouchers at the Sala Flats building, located at 1829 4th Avenue, Rock Island, Illinois. During the coming fiscal year, RIHA may elect to project-base vouchers at the Voss Brothers Lofts building, located at 219 21st Street, Rock Island, Illinois; RIHA would project-base the maximum number allowed by federal regulations on a tax credit property. RIHA may also elect to seek application for project-based vouchers for Douglas Park Place – at 7th Avenue and 9th Street, Rock Island - and its new Special Needs Facility – at 28th Avenue and 9th Street, Rock Island. All of these activities are consistent with actions described in this Agency Plan.

7.0

8.0 **Capital Improvements.** Please complete Parts 8.1 through 8.3, as applicable.

8.1 **Capital Fund Program Annual Statement/Performance and Evaluation Report.** As part of the PHA 5-Year and Annual Plan, annually complete and submit the *Capital Fund Program Annual Statement/Performance and Evaluation Report*, form HUD-50075.1, for each current and open CFP grant and CFFP financing.

See Attachment H (i018h01)

8.2 **Capital Fund Program Five-Year Action Plan.** As part of the submission of the Annual Plan, PHAs must complete and submit the *Capital Fund Program Five-Year Action Plan*, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.

See Attachment I (i018i01)

8.3 **Capital Fund Financing Program (CFFP).**

Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.

Housing Needs. Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.

Based on the City of Rock Island Consolidated Plan for FY2008-2013, the Comprehensive Housing Affordability Strategy dataset from the 2000 U.S. Census and its own low-income public housing and Section 8 waiting lists, RIHA has identified the following housing needs for our jurisdiction (the City of Rock Island):

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Affordability	Supply	Quality	Accessibility	Size	Location
Income <= 30% of AMI	2,679	5	5	5	3	2	4
Income >30% but <=50% of AMI	1,961	5	4	5	2	2	4
Income >50% but <80% of AMI	2,879	4	3	5	2	2	4
Elderly	2,372	5	4	5	4	1	4
Families with Disabilities	6,992 people	4	4	5	5	2	4
Black	2,501	5	5	5	3	3	4
Hispanic	632	5	5	5	3	3	4

9.0

Strategy for Addressing Housing Needs. Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. **Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.**

In the upcoming year, RIHA plans on employing the following strategies for addressing the housing needs of the families living in our jurisdiction and on our waiting lists:

NEED: Shortage of affordable housing for eligible populations

RIHA will **maximize the number of affordable housing units** by continuing to employ effective maintenance and management policies to minimize the number of public housing units offline, keep turnover time for vacated public housing units low, keep renovation time low for public housing units, undertake measures to ensure access to affordable housing among families we assist regardless of required unit size and seek replacement of public housing units lost to the inventory through mixed finance development and Section 8 replacement housing resources.

RIHA will also maintain or increase Section 8 lease-up rates through payment standards that allow families to rent throughout the City of Rock Island, by marketing the program to owners particularly those outside of areas of minority and poverty concentration and by effectively screening Section 8 applicants to increase owner acceptance of the program.

RIHA will **increase the number of affordable housing units** by applying for additional Section 8 units should they come available, leveraging affordable housing resources in the community through the creation of mixed finance housing, pursuing housing resources other than public housing or Section 8 tenant-based assistance and implement its Asset Management Plan which explores various opportunities including those listed above.

NEED: Families at or below 30% AMI

For these families, RIHA will **target assistance** by promoting the Family Self-Sufficiency Program and Escrow Accounts.

NEED: Families at or below 50% AMI

For these families, RIHA will **target assistance** by continuing to employ admissions preferences aimed at families who are working and through the promotion of the Family Self-Sufficiency Program and Escrow Accounts.

NEED: Elderly families

RIHA will **target assistance to elderly families** by seeking designation of public housing for the elderly, applying for special purpose vouchers targeted to the elderly should they become available and coordinating with providers of social services for the elderly.

NEED: Families with disabilities

RIHA will **target assistance to families with disabilities** by seeking designation of public housing for families with disabilities, applying for special purpose vouchers targeted to families with disabilities should they become available, affirmatively marketing to local non-profit agencies that assist families with disabilities, possibly implementing project-based Housing Choice Vouchers with preference to developments serving families with disabilities.

NEED: Races or ethnicities with disproportionate housing needs

To **increase awareness of PHA resources among these families**, RIHA will affirmatively market to races/ethnicities shown to have disproportionate housing needs. RIHA will market the Section 8 program to owners outside areas of poverty/minority concentrations to **affirmatively further fair housing**.

RIHA chose the above-mentioned strategies based on funding constraints, the extent to which particular housing needs are met by other organization in the community, evidence of housing needs as demonstrated in the City of Rock Island Consolidated Plan for 2008-2013 as well as other information, the influence of the housing market on RIHA programs, community priorities regarding housing assistance, results of consultation with residents, the Resident Advisory Board, community leaders, advocacy groups, neighborhood groups and local government.

9.1

	<p>Additional Information. Describe the following, as well as any additional information HUD has requested.</p> <p>(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA’s progress in meeting the mission and goals described in the 5-Year Plan.</p> <p>Between the introduction of the RIHA Asset Management Plan in 2003 and the reassessment at the end of 2008, the Agency completed well over 50% of the initiatives detailed in the plan. It also invested considerable time and energy in preparing financially, organizationally and structurally to complete the remaining Asset Management Plan recommendations. RIHA’s Asset Management Plan is included as part of the City of Rock Island Consolidated Plan, the New Old Chicago Redevelopment Plan, and the RiverVision Plan.</p> <p>The 2003 Asset Management Plan resulted in the following decisions:</p> <ul style="list-style-type: none"> • Keep and upgrade Spencer Towers • Keep and maintain Sunset Heights • Maintain and monitor both Lincoln Homes and Manor Homes • Demolish and replace Valley Homes • Create a not-for-profit corporation to become an integral partner in the provision of quality housing to a board-based market • Dispose of the six single-family scattered site homes • Acquire vacant lots or existing properties and develop new in-fill housing opportunities • Implement a Section 8 Housing Choice Voucher Homeownership program allowing participants to use their vouchers to help meet first-time homeownership expenses • Develop a Relocation Plan in accordance with the Uniform Relocation Act (URA) • Develop supportive housing for special populations such as elderly, non-elderly persons with disabilities and other special needs populations. Projects could include independent living developments, condominium units and small group homes with supportive services • Redevelopment of the Voss Brothers Warehouse in two phases <ul style="list-style-type: none"> o Phase I: RIHA administrative offices and retail spaces o Phase II: 35 mixed-income loft apartments • Develop 50 to 100 new housing opportunities per year. <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA’s definition of “significant amendment” and “substantial deviation/modification”</p> <p>RIHA defines substantial deviations and significant amendments to be actions including:</p> <ul style="list-style-type: none"> • Changes to rent or admissions policies or organization of the waiting list; • Changes in the use of Replacement Reserve Funds under the Capital Fund; • Changes in excess of 10% of the original work plan under the Capital Fund. <p>Additions of non-emergency work items (items not included in the current Annual Statement or Five-Year Action Plan) and any changes with regard to demolition or disposition, designation, homeownership programs or conversion activities are not considered to be substantial deviations or significant amendments.</p>
11.0	<p>Required Submission for HUD Field Office Review. In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. Note: Faxed copies of these documents will not be accepted by the Field Office.</p> <p>(a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights)</p> <p>(b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only)</p> <p>(c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only)</p> <p>(d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only)</p> <p>(e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only)</p> <p>(f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.</p> <p>(g) Challenged Elements</p> <p>(h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only)</p> <p>(i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)</p>

Chapter 3

ELIGIBILITY

INTRODUCTION

RIHA is responsible for ensuring that every individual and family admitted to the public housing program meets all program eligibility requirements. This includes any individual approved to join the family after the family has been admitted to the program. The family must provide any information needed by RIHA to confirm eligibility and determine the level of the family's assistance.

To be eligible for the public housing program:

- The applicant family must:
 - Qualify as a family as defined by HUD and RIHA.
 - Have income at or below HUD-specified income limits.
 - Qualify on the basis of citizenship or the eligible immigrant status of family members.
 - Provide social security number information for family members as required.
 - Consent to RIHA's collection and use of family information as provided for in RIHA-provided consent forms.
- RIHA must determine that the current or past behavior of household members does not include activities that are prohibited by HUD or RIHA.

This chapter contains three parts:

Part I: Definitions of Family and Household Members. This part contains HUD and RIHA definitions of family and household members and explains initial and ongoing eligibility issues related to these members.

Part II: Basic Eligibility Criteria. This part discusses income eligibility, and rules regarding citizenship, social security numbers, and family consent.

Part III: Denial of Admission. This part covers factors related to an applicant's past or current conduct (e.g. criminal activity) that can cause RIHA to deny admission.

PART I: DEFINITIONS OF FAMILY AND HOUSEHOLD MEMBERS

3-I.A. OVERVIEW

Some eligibility criteria and program rules vary depending upon the composition of the family requesting assistance. In addition, some requirements apply to the family as a whole and others apply to individual persons who will live in the public housing unit. This part provides information that is needed to correctly identify family and household members, and to apply HUD's eligibility rules.

3-I.B. FAMILY AND HOUSEHOLD [24 CFR 5.403 and HUD-50058 IB, p. 13]

The terms *family* and *household* have different meanings in the public housing program.

Family

To be eligible for admission, an applicant must qualify as a family. *Family* is defined by HUD as a single person or a group of persons, a family with a child or children, two or more elderly or disabled persons living together, and one or more elderly or disabled persons living with one or more live-in aides. RIHA has the discretion to determine if any other group of persons qualifies as a family.

Each family must identify the individuals to be included in the family at the time of application, and must update this information if the family's composition changes.

A household consisting exclusively of one or more full-time college students does not qualify as a family unless each individual in the household satisfies the following conditions:

The individual either must have established a household separate from his/her parents or legal guardians for a least one year prior to application for admission or must meet the U.S. Department of Education's definition of independent students.

The individual must not be claimed as a dependent by his/her parents or legal guardians pursuant to Internal Revenue Service (IRS) regulations.

Household

Household is a broader term that includes additional people who, with RIHA's permission, live in a public housing unit, such as live-in aides, foster children, and foster adults.

3-I.C. FAMILY BREAK-UP AND REMAINING MEMBER OF TENANT FAMILY

Family Break-up

When a family on the waiting list breaks up into two otherwise eligible families, only one of the new families may retain the original application date. Other former family members may make a new application with a new application date if the waiting list is open.

If a family breaks up into two otherwise eligible families while living in public housing, only one of the new families will continue to be assisted.

If a court determines the disposition of property between members of the applicant or resident family in a divorce or separation decree, RIHA will abide by the court's determination.

In the absence of a judicial decision or an agreement among the original family members, RIHA will determine which family retains their placement on the waiting list, or will continue in occupancy taking into consideration the following factors: (1) the interest of any minor children, including custody arrangements, (2) the interest of any ill, elderly, or disabled family members, (3) any possible risks to family members as a result of domestic violence or criminal activity, and (4) the recommendations of social service professionals.

Remaining Member of a Tenant Family [24 CFR 5.403]

The HUD definition of family includes the *remaining member of a tenant family*, which is a member of a resident family who remains in the unit when other members of the family have left the unit [PH Occ GB, p. 26]. Household members such as live-in aides, foster children, and foster adults do not qualify as remaining members of a family.

If dependents are the only “remaining members of a tenant family” and there is no family member able to assume the responsibilities of the head of household, see Chapter 6, Section 6-I.B, for the policy on “Caretakers for a Child.”

3-I.D. HEAD OF HOUSEHOLD [24 CFR 5.504(b)]

Head of household means the adult member of the family who is considered the head for purposes of determining income eligibility and rent. The head of household is responsible for ensuring that the family fulfills all of its responsibilities under the program, alone or in conjunction with a cohead or spouse.

The family may designate any qualified family member as the head of household.

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

3-I.E. SPOUSE, COHEAD, AND OTHER ADULT

A family may have a spouse or cohead, but not both [HUD-50058 IB, p. 13].

Spouse means the marriage partner of the head of household.

A *marriage partner* includes the partner in a "common law" marriage as defined in state law. The term “spouse” does not apply to friends, roommates, or significant others who are not marriage partners. A minor who is emancipated under state law may be designated as a spouse.

A *cohead* is an individual in the household who is equally responsible with the head of household for ensuring that the family fulfills all of its responsibilities under the program, but who is not a spouse. A family can have only one cohead.

Other adult means a family member, other than the head, spouse, or cohead, who is 18 years of age or older. Foster adults and live-in aides are not considered other adults [HUD-50058 IB, p. 14].

3-I.F. DEPENDENT [24 CFR 5.603]

A *dependent* is a family member who is under 18 years of age or a person of any age who is a person with a disability or a full-time student, except that the following persons can never be dependents: the head of household, spouse, cohead, foster children/adults and live-in aides. Identifying each dependent in the family is important because each dependent qualifies the family for a deduction from annual income as described in Chapter 6.

Joint Custody of Dependents

Dependents that are subject to a joint custody arrangement will be considered a member of the family, if they live with the applicant or resident family 50 percent or more of the time.

If there is a dispute about which family should claim them, RIHA will make the determination based on available documents such as court orders, or an IRS return showing which family has claimed the child for income tax purposes.

3-I.G. FULL-TIME STUDENT [24 CFR 5.603]

A *full-time student* (FTS) is a person who is attending school or vocational training on a full-time basis. The time commitment or subject load that is needed to be full-time is defined by the educational institution.

Identifying each FTS is important because (1) each family member that is an FTS, other than the head, spouse, or cohead, qualifies the family for a dependent deduction and (2) the income of such an FTS is treated differently from the income of other family members.

3-I.H. ELDERLY AND NEAR-ELDERLY PERSONS, AND ELDERLY FAMILY

Elderly Persons

An *elderly person* is a person who is at least 62 years of age [24 CFR 5.100].

Near-Elderly Persons

A *near-elderly person* is a person who is at least 50 years of age but below the age of 62 [24 CFR 945.105].

Elderly Family

An *elderly family* is one in which the head, spouse, cohead, or sole member is an elderly person [24 CFR 5.403]. Identifying elderly families is important because these families qualify for special deductions from income as described in Chapter 6 and may qualify for a particular type of development as noted in Chapter 4.

3-I.I. PERSONS WITH DISABILITIES AND DISABLED FAMILY [24 CFR 5.403]

Persons with Disabilities

Under the public housing program, special rules apply to persons with disabilities and to any family whose head, spouse, or cohead is a person with disabilities. The technical definitions of individual with handicaps and persons with disabilities are provided in Exhibit 3-1 at the end of this chapter. These definitions are used for a number of purposes including ensuring that persons with disabilities are not discriminated against based upon disability.

As discussed in Chapter 2, RIHA must make all aspects of the public housing program accessible to persons with disabilities and consider reasonable accommodations requested based upon a person's disability.

Disabled Family

A *disabled family* is one in which the head, spouse, or cohead is a person with disabilities. Identifying disabled families is important because these families qualify for special deductions from income as described in Chapter 6 and may qualify for a particular type of development as noted in Chapter 4.

Even though persons with drug or alcohol dependencies are considered persons with disabilities for the purpose of non-discrimination, this does not prevent RIHA from denying admission for reasons related to alcohol and drug abuse following policies found in Part III of this chapter, or from enforcing the lease following the policies in Chapter 13.

3-I.J. GUESTS [24 CFR 5.100]

A *guest* is defined as a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

The lease must provide that the tenant has the right to exclusive use and occupancy of the leased unit by the members of the household authorized to reside in the unit in accordance with the lease, including reasonable accommodation of their guests [24 CFR 966.4(d)]. The head of household is responsible for the conduct of visitors and guests, inside the unit as well as anywhere on or near RIHA premises [24 CFR 966.4(f)].

A resident family must notify RIHA when overnight guests will be staying in the unit for more than 3 days. A guest can remain in the unit no longer than 14 consecutive days or a total of 30 cumulative calendar days during any 12 month period.

A family may request an exception to this policy for valid reasons (e.g., care of a relative recovering from a medical procedure expected to last 20 consecutive days). An exception will not be made unless the family can identify and provide documentation of the residence to which the guest will return.

Children who are subject to a joint custody arrangement or for whom a family has visitation privileges, that are not included as a family member because they live outside of the public housing unit more than 50 percent of the time, are not subject to the time limitations of guests as described above.

Former residents who have been evicted are not permitted as overnight guests.

Guests who represent the unit address as their residence address for receipt of benefits or other purposes will be considered unauthorized occupants. In addition, guests who remain in the unit beyond the allowable time limit will be considered unauthorized occupants, and their presence constitutes violation of the lease.

3-I.K. FOSTER CHILDREN AND FOSTER ADULTS

Foster adults are usually persons with disabilities, unrelated to the tenant family, who are unable to live alone [24 CFR 5.609(c)(2)].

The term *foster child* is not specifically defined by the regulations.

Foster children and foster adults that are living with an applicant or resident family are considered household members but not family members. The income of foster children/adults is not counted in family annual income and foster children/adults do not qualify for a dependent deduction [24 CFR 5.603 and HUD-50058 IB, pp. 13-14].

A foster child is a child that is in the legal guardianship or custody of a state, county, or private adoption or foster care agency, yet is cared for by foster parents in their own homes, under some kind of short-term or long-term foster care arrangement with the custodial agency.

Children that are temporarily absent from the home as a result of placement in foster care are discussed in Section 3-I.L.

3-I.L. ABSENT FAMILY MEMBERS

Individuals may be absent from the family, either temporarily or permanently, for a variety of reasons including educational activities, placement in foster care, employment, and illness.

Definitions of Temporarily and Permanently Absent

Generally an individual who is or is expected to be absent from the public housing unit for 180 consecutive days or less is considered temporarily absent and continues to be considered a family member. Generally an individual who is or is expected to be absent from the public housing unit for more than 180 consecutive days is considered permanently absent and no longer a family member. Exceptions to this general policy are discussed below.

Absent Students

When someone who has been considered a family member attends school away from home, the person will continue to be considered a family member unless information becomes available to RIHA indicating that the student has established a separate household or the family declares that the student has established a separate household.

Absences Due to Placement in Foster Care [24 CFR 5.403]

Children temporarily absent from the home as a result of placement in foster care are considered members of the family.

If a child has been placed in foster care, RIHA will verify with the appropriate agency whether and when the child is expected to be returned to the home. Unless the agency confirms that the child has been permanently removed from the home, the child will be counted as a family member.

Absent Head, Spouse, or Cohead

An employed head, spouse, or cohead absent from the unit more than 180 consecutive days due to employment will continue to be considered a family member. Documentation of employment must be provided for the absence family member.

Individuals Confined for Medical Reasons

An individual confined to a nursing home or hospital on a permanent basis is not considered a family member.

If there is a question about the status of a family member, RIHA will request verification from a responsible medical professional every 60-days and will use this determination. If the responsible medical professional cannot provide a determination, the person generally will be considered temporarily absent. The family may present evidence that the family member is confined on a permanent basis and request that the person not be considered a family member.

A family member confined to a nursing home or hospital over 180 days will be considered permanently absent and will be removed from the lease. The Head-of-Household confined to a nursing home or hospital over 180 days will be considered permanently absent and will relinquish the unit to RIHA.

Individuals Incarcerated

If the Head-of-House is incarcerated for more than 30 consecutive days, he/she will be considered permanent absence. RIHA will consider the unit abandoned and will initiate court action to take possession of the unit. Family members of the household will be considered permanently absent and shall be deleted from the lease if he/she is incarcerated for 3 consecutive months.

Return of Permanently Absent Family Members

The family must request RIHA approval for the return of any adult family members that RIHA has determined to be permanently absent. The individual is subject to the eligibility and screening requirements discussed elsewhere in this chapter.

3-I.M. LIVE-IN AIDE

Live-in aide means a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who: (1) is determined to be essential to the care and well-being of the persons, (2) is not obligated for the support of the persons, and (3) would not be living in the unit except to provide the necessary supportive services [24 CFR 5.403].

RIHA must approve a live-in aide if needed as a reasonable accommodation in accordance with 24 CFR 8, to make the program accessible to and usable by a family member with disabilities.

A live-in aide is a member of the household, not the family, and the income of the aide is not considered in income calculations [24 CFR 5.609(c)(5)]. Relatives may be approved as live-in aides if they meet all of the criteria defining a live-in aide. However, a relative who serves as a live-in aide is not considered a family member and would not be considered a remaining member of a tenant family.

A family's request for a live-in aide must be made in writing. Written verification will be required from a reliable, knowledgeable professional of the family's choosing, such as a doctor, social worker, or case worker, that the live-in aide is essential for the care and well-being of the elderly, near-elderly, or disabled family member.

In addition, the family and live-in aide will be required to submit a certification stating that the live-in aide is (1) not obligated for the support of the person(s) needing the care, and (2) would not be living in the unit except to provide the necessary supportive services.

RIHA will not approve a particular person as a live-in aide, and may withdraw such approval if [24 CFR 966.4(d)(3)(i)]:

The person commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;

The person has a history of drug-related criminal activity or violent criminal activity; or

The person currently owes rent or other amounts to RIHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.

Within 10 business days of receiving a request for a live-in aide, including all required documentation related to the request, RIHA will notify the family of its decision in writing.

PART II: BASIC ELIGIBILITY CRITERIA

3-II.A. INCOME ELIGIBILITY AND TARGETING

Income Limits

HUD is required by law to set income limits that determine the eligibility of applicants for HUD's assisted housing programs, including the public housing program. The income limits are published annually and are based on HUD estimates of median family income in a particular area or county, with adjustments for family size.

Types of Low-Income Families [24 CFR 5.603(b)]

Low-income family. A family whose annual income does not exceed 80 percent of the median income for the area, adjusted for family size.

Very low-income family. A family whose annual income does not exceed 50 percent of the median income for the area, adjusted for family size.

Extremely low-income family. A family whose annual income does not exceed 30 percent of the median income for the area, adjusted for family size.

HUD may establish income ceilings higher or lower than 30, 50, or 80 percent of the median income for an area if HUD finds that such variations are necessary because of unusually high or low family incomes.

Using Income Limits for Eligibility [24 CFR 960.201]

Income limits are used for eligibility only at admission. Eligibility is established by comparing a family's annual income with HUD's published income limits. To be income-eligible, a family must be a *low-income* family.

Using Income Limits for Targeting [24 CFR 960.202(b)]

At least 40 percent of the families admitted to RIHA's public housing program during a PHA fiscal year from RIHA waiting list must be *extremely low-income* families. This is called the "basic targeting requirement".

If admissions of extremely low-income families to RIHA's housing choice voucher program during a PHA fiscal year exceed the 75 percent minimum targeting requirement for that program, such excess shall be credited against RIHA's public housing basic targeting requirement for the same fiscal year.

The fiscal year credit for housing choice voucher program admissions that exceed the minimum voucher program targeting requirement must not exceed the lower of:

- Ten percent of public housing waiting list admissions during the PHA fiscal year
- Ten percent of waiting list admission to RIHA's housing choice voucher program during the PHA fiscal year
- The number of qualifying low-income families who commence occupancy during the fiscal year of public housing units located in census tracts with a poverty rate of 30 percent or more. For this purpose, qualifying low-income family means a low-income family other than an extremely low-income family.

For discussion of how income targeting is used in tenant selection, see Chapter 4.

3-II.B. CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS [24 CFR 5, Subpart E]

Housing assistance is available only to individuals who are U.S. citizens, U.S. nationals (herein referred to as citizens and nationals), or noncitizens that have eligible immigration status. At least one family member must be a citizen, national, or noncitizen with eligible immigration status in order for the family to qualify for any level of assistance.

All applicant families must be notified of the requirement to submit evidence of their citizenship status when they apply. Where feasible, and in accordance with RIHA's Limited English Proficiency Plan, the notice must be in a language that is understood by the individual if the individual is not proficient in English.

Declaration [24 CFR 5.508]

HUD requires each family member to declare whether the individual is a citizen, a national, or an eligible noncitizen, except those members who elect not to contend that they have eligible immigration status. Those who elect not to contend their status are considered to be ineligible noncitizens. For citizens, nationals and eligible noncitizens the declaration must be signed personally by the head, spouse, cohead, and any other family member 18 or older, and by a parent or guardian for minors. The family must identify in writing any family members who elect not to contend their immigration status (see Ineligible Noncitizens below). No declaration is required for live-in aides, foster children, or foster adults.

U.S. Citizens and Nationals

In general, citizens and nationals are required to submit only a signed declaration that claims their status. However, HUD regulations permit RIHA to request additional documentation of their status, such as a passport.

Family members who declare citizenship or national status will not be required to provide additional documentation unless RIHA receives information indicating that an individual's declaration may not be accurate.

Eligible Noncitizens

In addition to providing a signed declaration, those declaring eligible noncitizen status must sign a verification consent form and cooperate with RIHA efforts to verify their immigration status as described in Chapter 7. The documentation required for establishing eligible noncitizen status varies depending upon factors such as the date the person entered the U.S., the conditions under which eligible immigration status has been granted, the person's age, and the date on which the family began receiving HUD-funded assistance.

Lawful residents of the Marshall Islands, the Federated States of Micronesia, and Palau, together known as the Freely Associated States, or FAS, are eligible for housing assistance under section 141 of the Compacts of Free Association between the U.S. Government and the Governments of the FAS [Public Law 106-504].

Ineligible Noncitizens

Those noncitizens who do not wish to contend their immigration status are required to have their names listed on a noncontending family members listing, signed by the head, spouse, or cohead

(regardless of citizenship status), indicating their ineligible immigration status. RIHA is not required to verify a family member's ineligible status and is not required to report an individual's unlawful presence in the U.S. to the United States Citizenship and Immigration Services (USCIS).

Providing housing assistance to noncitizen students is prohibited [24 CFR 5.522]. This prohibition extends to the noncitizen spouse of a noncitizen student as well as to minor children who accompany or follow to join the noncitizen student. Such prohibition does not extend to the citizen spouse of a noncitizen student or to the children of the citizen spouse and noncitizen student. Such a family is eligible for prorated assistance as a mixed family.

Mixed Families

A family is eligible for admission as long as at least one member is a citizen, national, or eligible noncitizen. Families that include eligible and ineligible individuals are considered *mixed families*. Such families will be given notice that their assistance will be prorated, and that they may request a hearing if they contest this determination. See Chapter 6 for a discussion of how rents are prorated, and Chapter 14 for a discussion of informal hearing procedures.

Ineligible Families [24 CFR 5.514(d), (e), and (f)]

RIHA may elect to provide assistance to a family before the verification of the eligibility of the individual or one family member [24 CFR 5.512(b)]. Otherwise, no individual or family may be assisted prior to the affirmative establishment by RIHA that the individual or at least one family member is eligible [24 CFR 5.512(a)].

RIHA will not provide assistance to a family before the verification of at least one family member as a citizen, national, or eligible noncitizen.

When RIHA determines that an applicant family does not include any citizens, nationals, or eligible noncitizens, following the verification process, the family will be sent a written notice within 10 business days of the determination.

The notice will explain the reasons for the denial of assistance, that the family may be eligible for proration of assistance, and will advise the family of its right to request an appeal to the United States Citizenship and Immigration Services (USCIS), or to request an informal hearing with RIHA. The informal hearing with RIHA may be requested in lieu of the USCIS appeal, or at the conclusion of the USCIS appeal process. The notice must also inform the applicant family that assistance may not be delayed until the conclusion of the USCIS appeal process, but that it may be delayed pending the completion of the informal hearing process.

Informal hearing procedures are contained in Chapter 14.

Timeframe for Determination of Citizenship Status [24 CFR 5.508(g)]

For new occupants joining the resident family RIHA must verify status at the first interim or regular reexamination following the person's occupancy, whichever comes first.

If an individual qualifies for a time extension for the submission of required documents, RIHA must grant such an extension for no more than 30 days [24 CFR 5.508(h)].

Each family member is required to submit evidence of eligible status only one time during continuous occupancy.

RIHA will verify the status of applicants at the time other eligibility factors are determined.

3-II.C. SOCIAL SECURITY NUMBERS [24 CFR 5.216 and 5.218]

For every family member age 6 or older the family must provide documentation of a valid Social Security Number (SSN) or a certification stating that no SSN has been issued. If a family member who is required to execute a certification is less than 18 years old, the certification must be executed by the individual's parent or guardian [24 CFR 5.216(j)]. Assistance cannot be provided to a family until all SSN documentation requirements are met. A detailed discussion of acceptable documentation is provided in Chapter 7.

If a new member who is at least six years of age is added to the family, the new member's SSN documentation must be submitted at the family's next interim or regular reexamination, whichever comes first. If any member of the family who is at least six years of age obtains a previously undisclosed SSN, or has been assigned a new SSN, the documentation must be submitted at the family's next regularly scheduled reexamination.

RIHA must deny admission to an applicant family if they do not meet the SSN disclosure, documentation and verification, and certification requirements contained in 24 CFR 5.216.

3-II.D. FAMILY CONSENT TO RELEASE OF INFORMATION [24 CFR 5.230]

HUD requires each adult family member, and the head of household, spouse, or cohead, regardless of age, to sign form HUD-9886, Authorization for the Release of Information/

Privacy Act Notice, and other consent forms as needed to collect information relevant to the family's eligibility and level of assistance. Chapter 7 provides detailed information concerning the consent forms and verification requirements.

RIHA must deny admission to the program if any member of the applicant family fails to sign and submit consent forms which allow RIHA to obtain information that RIHA has determined is necessary in administration of the public housing program [24 CFR 960.259(a) and (b)].

PART III: DENIAL OF ADMISSION

3-III.A. OVERVIEW

A family that does not meet the eligibility criteria discussed in Parts I and II, must be denied admission.

In addition, HUD requires or permits RIHA to deny admission based on certain types of current or past behaviors of family members as discussed in this part.

3-III.B. REQUIRED DENIAL OF ADMISSION [24 CFR 960.204]

RIHA is required to establish standards that prohibit admission of an applicant to the public housing program if they have engaged in certain criminal activity or if RIHA has reasonable cause to believe that a household member's current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

Where the statute requires that RIHA prohibit admission for a prescribed period of time after some disqualifying behavior or event, RIHA may choose to continue that prohibition for a longer period of time [24 CFR 960.203(c)(3)(ii)].

HUD requires RIHA to deny assistance in the following cases:

- Any member of the household has been evicted from federally-assisted housing in the last 5 years for drug-related criminal activity. HUD permits but does not require RIHA to admit an otherwise-eligible family if the household member has completed a RIHA-approved drug rehabilitation program or the circumstances which led to eviction no longer exist (e.g. the person involved in the criminal activity no longer lives in the household).

RIHA will admit an otherwise-eligible family who was evicted from federally-assisted housing within the past five (5) years for drug-related criminal activity, if RIHA is able to verify that the household member who engaged in the criminal activity has completed a supervised drug rehabilitation program, or the person who committed the crime, is no longer living in the household.

- RIHA determines that any household member is currently engaged in the use of illegal drugs. *Drug* means a controlled substance as defined in section 102 of the Controlled Substances Act [21 U.S.C. 802]. *Currently engaged in the illegal use of a drug* means a person has engaged in the behavior recently enough to justify a reasonable belief that there is continuing illegal drug use by a household member [24 CFR 960.205(b)(1)].

Currently engaged in is defined as any use of illegal drugs during the previous twelve months.

- RIHA has reasonable cause to believe that any household member's current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol, may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

In determining reasonable cause, RIHA will consider all credible evidence, including but not limited to, any record of convictions, arrests, or evictions of household members related to the use of illegal drugs or the abuse of alcohol.

- Any household member has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing.

If any household member has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine in any location, not just federally assisted housing, the family will be denied assistance.

- Any household member is subject to a lifetime registration requirement under a state sex offender registration program.

If any household member meets any of the following conditions, the family will be denied assistance:

- Any household member is subject to a lifetime registration requirement under a State sex offender registration program;
- Any household member is subject to a mandatory registration requirement of any length under a State sex offender registration program; or
- Any household member has been convicted of any criminal sex offense.

3-III.C. OTHER PERMITTED REASONS FOR DENIAL OF ADMISSION

HUD permits, but does not require RIHA to deny admission for the reasons discussed in this section.

Criminal Activity [24 CFR 960.203 (b) and (c)]

Under the Public Housing Assessment System (PHAS), PHAs that have adopted policies, implemented procedures and can document that they successfully screen out and deny admission to certain applicants with unfavorable criminal histories receive points.

RIHA is responsible for screening family behavior and suitability for tenancy. In doing so, RIHA may consider an applicant's history of 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 other tenants.

If any adult household member has been convicted of a felony in the last ten years.

If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past five years, the family will be denied admission.

Drug-related criminal activity, defined by HUD as the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug [24 CFR 5.100].

Violent criminal activity, defined by HUD as any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage [24 CFR 5.100].

Criminal activity that may threaten the health, safety, or welfare of other tenants [24 CFR 960.203(c)(3)].

Criminal activity that may threaten the health or safety of RIHA staff, contractors, subcontractors, or agents.

Criminal sexual conduct, including but not limited to sexual assault, incest, open and gross lewdness, or child abuse.

Evidence of such criminal activity includes, but is not limited to any record of convictions, arrests, or evictions for suspected drug-related or violent criminal activity of household members within the past 5 years or any record of a felony in the last 10 years.

In making its decision to deny assistance, RIHA will consider the factors discussed in Section 3-III.E and 3-III. F, and RIHA will also consider positive information when determining reasonable cause. Upon consideration of such factors, RIHA may, on a case-by-case basis, decide not to deny assistance.

Previous Behavior [960.203(c) and (d) and PH Occ GB, p. 48]

HUD authorizes RIHA to deny admission based on relevant information pertaining to the family's previous behavior and suitability for tenancy.

In the event of the receipt of unfavorable information with respect to an applicant, consideration must be given to the time, nature, and extent of the applicant's conduct (including the seriousness of the offense).

RIHA will deny admission to an applicant family if RIHA determines that the family:

Has a record of unsuitable past performance in meeting financial obligations, including rent within the past five years

Has a record of disturbance of neighbors, destruction of property, or living or housekeeping habits at prior residences within the past five years which may adversely affect the health, safety, or welfare of other tenants

Has a record of eviction from housing or termination from residential programs within the past five years (considering relevant circumstances)

Owes rent or other amounts to this or any other PHA or owner in connection with any assisted housing program

Misrepresented or does not provide complete information related to eligibility, including income, award of preferences for admission, expenses, family composition or rent

Has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program

Has engaged in or threatened violent or abusive behavior toward RIHA personnel

Abusive or violent behavior towards RIHA personnel includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior.

Threatening refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

In making its decision to deny admission, RIHA will consider the factors discussed in Section 3-III.E. Upon consideration of such factors, RIHA may, on a case-by-case basis, decide not to deny admission.

RIHA will consider the existence of mitigating factors, such as loss of employment or other financial difficulties, before denying admission to an applicant based on the failure to meet prior financial obligations.

3-III.D. SCREENING

Screening for Eligibility

RIHA is authorized to obtain criminal conviction records from law enforcement agencies to screen applicants for admission to the public housing program. This authority assists RIHA in complying with HUD requirements and RIHA policies to deny assistance to applicants who are engaging in or have engaged in certain criminal activities. In order to obtain access to the records RIHA must require every applicant family to submit a consent form signed by each adult household member [24 CFR 5.903].

RIHA may not pass along to the applicant the costs of a criminal records check [24 CFR 960.204(d)].

RIHA will perform criminal background checks for all adult household members. If the results of the criminal background check indicate there may have been past criminal activity, but the results are inconclusive, RIHA will request a fingerprint card and will request information from the National Crime Information Center (NCIC).

RIHA may perform criminal background checks through local law enforcement.

RIHA is required to perform criminal background checks necessary to determine whether any household member is subject to a lifetime registration requirement under a state sex offender program in the state where the housing is located, as well as in any other state where a household member is known to have resided [24 CFR 960.204(a)(4)].

If RIHA proposes to deny admission based on a criminal record or on lifetime sex offender registration information, RIHA must notify the household of the proposed action and must provide the subject of the record and the applicant a copy of the record and an opportunity to dispute the accuracy and relevance of the information prior to a denial of admission [24 CFR 5.903(f) and 5.905(d)].

Obtaining Information from Drug Treatment Facilities [24 CFR 960.205]

HUD authorizes PHAs to request and obtain information from drug abuse treatment facilities concerning applicants. Specifically, RIHA may require each applicant to submit for all household members who are at least 18 years of age, and for each family head, spouse, or cohead regardless of age, one or more consent forms signed by such household members that requests any drug abuse treatment facility to inform RIHA whether the drug abuse treatment facility has reasonable cause to believe that the household member is currently engaging in illegal drug use.

Drug Abuse Treatment Facility means an entity that holds itself out as providing, and provides, diagnosis, treatment, or referral for treatment with respect to the illegal drug use, and is either an identified unit within a general care facility, or an entity other than a general medical care facility.

Currently engaging in illegal use of a drug means illegal use of a drug that occurred recently enough to justify a reasonable belief that there is continuing illegal drug use by a household member.

Any consent form used for the purpose of obtaining information from a drug abuse treatment facility to determine whether a household member is currently engaging in illegal drug use must expire automatically after RIHA has made a final decision to either approve or deny the admission of such person.

Any charges incurred by RIHA for information provided from a drug abuse treatment facility may not be passed on to the applicant or tenant.

If RIHA chooses to obtain such information, it must abide by the HUD requirements for records management and confidentiality as described in 24 CFR 960.205(f).

RIHA will submit a request for information only for certain household members, whose criminal record indicates prior arrests or conviction for any criminal activity that may be a basis for denial of admission or whose prior tenancy records indicate that the proposed household member engaged in destruction of property or violent activity against another person, or they interfered with the right of peaceful enjoyment of the premises of other residents.

RIHA will obtain information from drug abuse treatment facilities to determine whether any applicant family's household members are currently engaging in illegal drug activity only when RIHA has determined that the family will be denied admission based on a family member's drug-related criminal activity, and the family claims that the culpable family member has successfully completed a supervised drug or alcohol rehabilitation program.

Screening for Suitability as a Tenant [24 CFR 960.203(c)]

RIHA is responsible for the screening and selection of families to occupy public housing units. RIHA may consider all relevant information. Screening is important to public housing communities and program integrity, and to ensure that assisted housing is provided to those families that will adhere to lease obligations.

RIHA will consider the family's history with respect to the following factors:

Payment of rent and utilities

Caring for a unit and premises

Respecting the rights of other residents to the peaceful enjoyment of their housing

Criminal activity that is a threat to the health, safety, or property of others

Behavior of all household members as related to the grounds for denial as detailed in Sections 3-III. B and C

Compliance with any other essential conditions of tenancy

Resources Used to Check Applicant Suitability [PH Occ GB, pp. 47-56]

PHAs have a variety of resources available to them for determination of the suitability of applicants. Generally, PHAs should reject applicants who have recent behavior that would warrant lease termination for a public housing resident.

In order to determine the suitability of applicants RIHA will examine applicant history for the past five years. Such background checks will include:

Past Performance in Meeting Financial Obligations, Especially Rent

PHA and landlord references for the past five years, gathering information about past performance meeting rental obligations such as rent payment record, late payment record, whether PHA/landlord ever began or completed lease termination for non-payment, and whether utilities were ever disconnected in the unit. PHAs and landlords will be asked if they would rent to the applicant family again.

Utility company references covering the monthly amount of utilities, late payment, disconnection, return of a utility deposit and whether the applicant can get utilities turned on in his/her name. (Use of this inquiry will be reserved for applicants applying for units where there are tenant-paid utilities.)

If an applicant has no rental payment history RIHA will check court records of eviction actions and other financial judgments, and credit reports. A lack of credit history will not disqualify someone from becoming a public housing resident, but a poor credit rating may.

Applicants with no rental payment history will also be asked to provide RIHA with personal references. The references will be requested to complete a verification of the applicant's ability to pay rent if no other documentation of ability to meet financial obligations is available. The applicant will also be required to complete a checklist documenting their ability to meet financial obligations.

If previous landlords or the utility company do not respond to requests from RIHA, the applicant may provide other documentation that demonstrates their ability to meet financial obligations (e.g. rent receipts, cancelled checks, etc.)

Disturbances of Neighbors, Destruction of Property or Living or Housekeeping Habits at Prior Residences that May Adversely Affect Health, Safety, or Welfare of Other Tenants, or Cause Damage to the Unit or the Development

PHA and landlord references for the past five years, gathering information on whether the applicant kept a unit clean, safe and sanitary; whether they violated health or safety codes; whether any damage was done by the applicant to a current or previous unit or the development, and, if so, how much the repair of the damage cost; whether the applicant's housekeeping caused insect or rodent infestation; and whether the neighbors complained

about the applicant or whether the police were ever called because of disturbances.

Police and court records within the past five years will be used to check for any evidence of disturbance of neighbors or destruction of property that might have resulted in arrest or conviction.

A personal reference will be requested to complete a verification of the applicant's ability to care for the unit and avoid disturbing neighbors if no other documentation is available. In these cases, the applicant will also be required to complete a checklist documenting their ability to care for the unit and to avoid disturbing neighbors.

Home visits may be used to determine the applicant's ability to care for the unit.

3-III.E. CRITERIA FOR DECIDING TO DENY ADMISSION

Evidence

RIHA will use the concept of the preponderance of the evidence as the standard for making all admission decisions.

Preponderance of the evidence is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not.

Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

Consideration of Circumstances [24 CFR 960.203(c)(3) and (d)]

HUD authorizes RIHA to consider all relevant circumstances when deciding whether to deny admission based on a family's past history except in the situations for which denial of admission is mandated (see Section 3-III.B).

In the event RIHA receives unfavorable information with respect to an applicant, consideration must be given to the time, nature, and extent of the applicant's conduct (including the seriousness of the offense). In a manner consistent with its policies, RIHA may give consideration to factors which might indicate a reasonable probability of favorable future conduct.

RIHA will consider the following factors when making its decision:

The seriousness of the case, especially with respect to how it would affect other residents

The effects that denial of admission may have on other members of the family who were not involved in the action or failure

The extent of participation or culpability of individual family members, including whether the culpable family member is a minor or a person with disabilities

The length of time since the violation occurred, the family's recent history and the likelihood of favorable conduct in the future

Evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling service programs

In the case of drug or alcohol abuse, whether the culpable household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully

RIHA will require the applicant to submit evidence of the household member's current participation in or successful completion of a supervised drug or alcohol rehabilitation program, or evidence of otherwise having been rehabilitated successfully.

Removal of a Family Member's Name from the Application [24 CFR 960.203(c)(3)(i)]

HUD permits RIHA to impose as a condition of admission, a requirement that family members who participated in or were culpable for an action or failure to act which warrants denial of admission, to not reside in the unit.

As a condition of receiving assistance, a family may agree to remove the culpable family member from the application. In such instances, the head of household must certify that the family member will not be permitted to visit or to stay as a guest in the public housing unit.

After admission to the program, the family must present evidence of the former family member's current address upon RIHA request.

Reasonable Accommodation [PH Occ GB, pp. 58-60]

If the family includes a person with disabilities, RIHA's decision concerning denial of admission is subject to consideration of reasonable accommodation in accordance with 24 CFR Part 8.

If the family indicates that the behavior of a family member with a disability is the reason for the proposed denial of admission, RIHA will determine whether the behavior is related to the disability. If so, upon the family's request, RIHA will determine whether alternative measures are appropriate as a reasonable accommodation. RIHA will only consider accommodations that can reasonably be expected to address the behavior that is the basis of the proposed denial of admission. See Chapter 2 for a discussion of reasonable accommodation.

3-III.F. PROHIBITION AGAINST DENIAL OF ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING [Pub.L. 109-162]

The Violence against Women Reauthorization Act of 2005 (VAWA) prohibits denial of admission to an otherwise qualified applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking. Specifically, Section 607(2) of VAWA adds the following provision to Section 6 of the U.S. Housing Act of 1937, which lists contract provisions and requirements for the public housing program:

Every contract for contributions shall provide that . . . the public housing agency shall not deny admission to the project to any applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking if the applicant otherwise qualifies for assistance or admission, and that nothing in this section shall be construed to

supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, or stalking.

Definitions

As used in VAWA:

- The term *domestic violence* includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- The term *dating violence* means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship
 - The type of relationship
 - The frequency of interaction between the persons involved in the relationship
- The term *stalking* means:
 - To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or
 - To place under surveillance with the intent to kill, injure, harass, or intimidate another person; and
 - In the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (1) that person, (2) a member of the immediate family of that person, or (3) the spouse or intimate partner of that person.
- The term *immediate family member* means, with respect to a person –
 - A spouse, parent, brother or sister, or child of that person, or an individual to whom that person stands in the position or place of a parent; or
 - Any other person living in the household of that person and related to that person by blood and marriage.

Notification

RIHA acknowledges that a victim of domestic violence, dating violence, or stalking may have an unfavorable history (e.g., a poor credit history, a record of previous damage to an apartment, a prior arrest record) that would warrant denial under RIHA's policies. Therefore, if RIHA makes a determination to deny admission to an applicant family, RIHA will include in its notice of denial:

A statement of the protection against denial provided by VAWA

A description of RIHA confidentiality requirements

A request that an applicant wishing to claim this protection submit to RIHA documentation meeting the specifications below with her or his request for an informal hearing (see section 14-I.B)

Documentation

Victim Documentation

An applicant claiming that the cause of an unfavorable history is that a member of the applicant family is or has been a victim of domestic violence, dating violence, or stalking must provide documentation (1) demonstrating the connection between the abuse and the unfavorable history and (2) naming the perpetrator of the abuse. The documentation may consist of any of the following:

A statement signed by the victim certifying that the information provided is true and correct and that it describes bona fide incident(s) of actual or threatened domestic violence, dating violence, or stalking

A police or court record documenting the domestic violence, dating violence, or stalking

Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, or stalking, or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; an attorney; or a medical or other knowledgeable professional. The person signing the documentation must attest under penalty of perjury to the person's belief that the incidents in question are bona fide incidents of abuse. The victim must also sign the documentation.

Perpetrator Documentation

If the perpetrator of the abuse is a member of the applicant family, the applicant must provide additional documentation consisting of one of the following:

A signed statement (1) requesting that the perpetrator be removed from the application and (2) certifying that the perpetrator will not be permitted to visit or to stay as a guest in the public housing unit

Documentation that the perpetrator has successfully completed, or is successfully undergoing, rehabilitation or treatment. The documentation must be signed by an employee or agent of a domestic violence service provider or by a medical or other knowledgeable professional from whom the perpetrator has sought or is receiving assistance in addressing the abuse. The signer must attest under penalty of perjury to his or her belief that the rehabilitation was successfully completed or is progressing successfully. The victim and perpetrator must also sign or attest to the documentation.

Time Frame for Submitting Documentation

The applicant must submit the required documentation with her or his request for an informal hearing (see section 14-I.B) or must request an extension in writing at that time. If the applicant so requests, RIHA will grant an extension of 10 business days and will postpone scheduling the applicant's informal hearing until after it has received the documentation or the extension period has elapsed. If, after reviewing the documentation provided by the applicant, RIHA determines that the family is eligible for assistance, no informal hearing will be scheduled, and RIHA will proceed with admission of the applicant family.

RIHA Confidentiality Requirements

All information provided to RIHA regarding domestic violence, dating violence, or stalking, including the fact that an individual is a victim of such violence or stalking, must be retained in confidence and may neither be entered into any shared database nor provided to any related entity, except to the extent that the disclosure (a) is requested or consented to by the individual in writing, (b) is required for use in an eviction proceeding, or (c) is otherwise required by applicable law.

If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, RIHA will inform the victim before disclosure occurs so that safety risks can be identified and addressed

3-III.G. NOTICE OF ELIGIBILITY OR DENIAL

RIHA will notify an applicant family of its final determination of eligibility in accordance with the policies in Section 4-III.E.

If RIHA uses a criminal record or sex offender registration information obtained under 24 CFR 5, Subpart J, as the basis of a denial, a copy of the record must precede the notice to deny, with an opportunity for the applicant to dispute the accuracy and relevance of the information before RIHA can move to deny the application. In addition, a copy of the record must be provided to the subject of the record [24 CFR 5.903(f) and 5.905(d)].

If, based on a criminal record or sex offender registration information an applicant family appears to be ineligible, RIHA will notify the family in writing of the proposed denial and provide a copy of the record to the applicant and to the subject of the record. The family will be given 10 business days to dispute the accuracy and relevance of the information. If the family does not contact RIHA to dispute the information within that 10 day period, RIHA will proceed with issuing the notice of denial of admission. A family that does not exercise their right to dispute the accuracy of the information prior to issuance of the official denial letter will still be given the opportunity to do so as part of the informal hearing process.

Notice requirements related to denying admission to noncitizens are contained in Section 3-II.B.

Notice policies related to denying admission to applicants who may be victims of domestic violence, dating violence, or stalking are contained in Section 3-III.F.

EXHIBIT 3-1: DETAILED DEFINITIONS RELATED TO DISABILITIES

Person with Disabilities [24 CFR 5.403]

The term *person with disabilities* means a person who has any of the following types of conditions.

- Has a disability, as defined in 42 U.S.C. Section 423(d)(1)(A), which reads:

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

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 ability comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time.
- Has a developmental disability as defined in the Developmental Disabilities Assistance and Bill of Rights Act [42 U.S.C.6001(8)], which defines developmental disability in functional terms as:

A severe, chronic disability of a person 5 years of age or older which:

 - Is attributable to a mental or physical impairment or combination of mental and physical impairments
 - Is manifested before the person attains age twenty-two
 - Is likely to continue indefinitely
 - Results in substantial functional limitations in three or more of the following areas of major life activity: (i) self-care, (ii) receptive and responsive language, (iii) learning, (iv) mobility, (v) self-direction, (vi) capacity for independent living, and (vii) economic self-sufficiency
 - Reflects the person’s need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are of lifelong or extended duration and are individually planned and coordinated; except that such term, when applied to infants and young children, means individuals from birth to age 5, inclusive, who have substantial developmental delay or specific congenital or acquired conditions with a high probability of resulting in developmental disabilities if services are not provided.”
- Has a physical, mental, or emotional impairment that is expected to be of long-continued and indefinite duration; substantially impedes his or her ability to live independently, and is of such a nature that the ability to live independently could be improved by more suitable housing conditions.

People with the acquired immunodeficiency syndrome (AIDS) or any conditions arising from the etiologic agent for AIDS are not excluded from this definition.

A person whose disability is based solely on any drug or alcohol dependence does not qualify as a person with disabilities for the purposes of this program.

For purposes of reasonable accommodation and program accessibility for persons with disabilities, the term person with disabilities refers to an individual with handicaps.

Individual with Handicaps [24 CFR 8.3]

Individual with handicaps means any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment. The term does not include any individual who is an alcoholic or drug abuser whose current use of alcohol or drugs prevents the individual from participating in the program or activity in question, or whose participation, by reason of such current alcohol or drug abuse, would constitute a direct threat to property or the safety of others. As used in this definition, the phrase:

- (1) Physical or mental impairment includes:
 - (a) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine
 - (b) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term physical or mental impairment includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.
- (2) Major life activities means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
- (3) Has a record of such an impairment means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
- (4) Is regarded as having an impairment means:
 - (a) Has a physical or mental impairment that does not substantially limit one or more major life activities but that is treated by a recipient as constituting such a limitation
 - (b) Has a physical or mental impairment that substantially limits one or more major life activities only as a result of the attitudes of others toward such impairment
 - (c) Has none of the impairments defined in paragraph (a) of this section but is treated by a recipient as having such an impairment

Chapter 4

APPLICATIONS, WAITING LIST AND TENANT SELECTION

INTRODUCTION

When a family wishes to reside in public housing, the family must submit an application that provides RIHA with the information needed to determine the family's eligibility. HUD requires RIHA to place all eligible families that apply for public housing on a waiting list. When a unit becomes available, RIHA must select families from the waiting list in accordance with HUD requirements and RIHA policies as stated in its Admissions and Continued Occupancy Policy (ACOP) and its annual plan.

RIHA is required to adopt a clear approach to accepting applications, placing families on the waiting list, and selecting families from the waiting list, and must follow this approach consistently. The actual order in which families are selected from the waiting list can be affected if a family has certain characteristics designated by HUD or RIHA to receive preferential treatment.

HUD regulations require that RIHA comply with all equal opportunity requirements and it must affirmatively further fair housing goals in the administration of the program [24 CFR 960.103, PH Occ GB p.13]. Adherence to the selection policies described in this chapter ensures that RIHA will comply with all relevant fair housing requirements, as described in Chapter 2.

This chapter describes HUD and RIHA policies for taking applications, managing the waiting list and selecting families from the waiting list. RIHA's policies for assigning unit size and making unit offers are contained in Chapter 5. Together, Chapters 4 and 5 of the ACOP comprise RIHA's Tenant Selection and Assignment Plan (TSAP).

The policies outlined in this chapter are organized into three sections, as follows:

Part I: The Application Process. This part provides an overview of the application process, and discusses how applicants can obtain and submit applications. It also specifies how RIHA will handle the applications it receives.

Part II: Managing the Waiting List. This part presents the policies that govern how RIHA's waiting list is structured, when it is opened and closed, and how the public is notified of the opportunity to apply for public housing. It also discusses the process RIHA will use to keep the waiting list current.

Part III: Tenant Selection. This part describes the policies that guide RIHA in selecting families from the waiting list as units become available. It also specifies how in-person interviews will be used to ensure that RIHA has the information needed to make a final eligibility determination.

PART I: THE APPLICATION PROCESS

4-I.A. OVERVIEW

This part describes the policies that guide RIHA's efforts to distribute and accept applications, and to make preliminary determinations of applicant family eligibility that affect placement of the family on the waiting list. This part also describes RIHA's obligation to ensure the accessibility of the application process.

4-I.B. APPLYING FOR ASSISTANCE

Any family that wishes to reside in public housing must apply for admission to the program [24 CFR 1.4(b)(2)(ii), 24 CFR 960.202(a)(2)(iv), and PH Occ GB, p. 68]. HUD permits RIHA to determine the format and content of its applications, as well how such applications will be made available to interested families and how applications will be accepted by RIHA.

Depending upon the length of time that applicants may need to wait to be housed, RIHA may use a one- or two-step application process.

A one-step process will be used when it is expected that a family will be selected from the waiting list within 60 days of the date of application. At application, the family must provide all of the information necessary to establish family eligibility and the amount of rent the family will pay.

A two-step process will be used when it is expected that a family will not be selected from the waiting list for at least 60 days from the date of application. Under the two-step application process, RIHA initially will require families to provide only the information needed to make an initial assessment of the family's eligibility, and to determine the family's placement on the preliminary waiting list. The family will be required to provide all of the information necessary to establish family eligibility and the amount of rent the family will pay when selected from the waiting list.

Families may obtain application forms from RIHA's office during normal business hours. Families may also request – by telephone or by mail – that a form be sent to the family via first class mail.

Completed applications must be returned to RIHA by mail, by fax, or submitted in person during normal business hours. Applications must be complete in order to be accepted by RIHA for processing. If an application is incomplete, RIHA will notify the family of the additional information required.

4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS

RIHA must take a variety of steps to ensure that the application process is accessible to those people who might have difficulty complying with the normal, standard RIHA application process.

Disabled Populations [24 CFR 8; PH Occ GB, p. 68]

RIHA must provide reasonable accommodation to the needs of individuals with disabilities. The application-taking facility and the application process must be fully accessible, or RIHA must provide an alternate approach that provides equal access to the application process. Chapter 2

provides a full discussion of RIHA's policies related to providing reasonable accommodations for people with disabilities.

Limited English Proficiency

RIHA is required to take reasonable steps to ensure meaningful access to their programs and activities by persons with limited English proficiency [24 CFR 1]. Chapter 2 provides a full discussion on RIHA's policies related to ensuring access to people with limited English proficiency (LEP).

4-I.D. PLACEMENT ON THE WAITING LIST

RIHA must review each completed application received and make a preliminary assessment of the family's eligibility. RIHA must place on the preliminary waiting list families for whom the list is open unless RIHA determines the family to be ineligible. Where the family is determined to be ineligible, RIHA must notify the family in writing [24 CFR 960.208(a); PH Occ GB, p. 41]. Where the family is not determined to be ineligible, the family will be placed on a waiting list of applicants.

No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list.

Ineligible for Placement on the Waiting List

If RIHA can determine from the information provided that a family is ineligible, the family will not be placed on the waiting list. Where a family is determined to be ineligible, RIHA will send written notification of the ineligibility determination within 10 business days of receiving a completed application. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal hearing and explain the process for doing so (see Chapter 14).

Eligible for Placement on the Waiting List

RIHA will send written notification of the preliminary eligibility determination within 10 business days of receiving a completed application. If applicable, the notice will also indicate the waiting list preference(s) for which the family appears to qualify.

Placement on the waiting list does not indicate that the family is, in fact, eligible for admission. A final determination of eligibility and qualification for preferences will be made when the family is selected from the waiting list.

Applicants will be placed on the waiting list according to RIHA preference(s) and the date and time their complete application is received by RIHA.

RIHA will assign families on the waiting list according to the bedroom size for which a family qualifies as established in its occupancy standards (see Chapter 5). Families may request to be placed on the waiting list for a unit size smaller than designated by the occupancy guidelines (as long as the unit is not overcrowded according to RIHA standards and local codes). However, in these cases, the family must agree not to request a transfer for two years after admission, unless they have a change in family size or composition.

PART II: MANAGING THE WAITING LIST

4-II.A. OVERVIEW

RIHA must have policies regarding the type of waiting list it will utilize as well as the various aspects of organizing and managing the waiting list of applicant families. This includes opening the list to new applicants, closing the list to new applicants, notifying the public of waiting list openings and closings, updating waiting list information, purging the list of families that are no longer interested in or eligible for public housing, and conducting outreach to ensure a sufficient number of applicants.

In addition, HUD imposes requirements on how RIHA may structure its waiting list and how families must be treated if they apply for public housing at a PHA that administers more than one assisted housing program.

4-II.B. ORGANIZATION OF THE WAITING LIST

RIHA's public housing waiting list must be organized in such a manner to allow RIHA to accurately identify and select families in the proper order, according to the admissions policies described in this ACOP.

The waiting list will contain the following information for each applicant listed:

Name and social security number of head of household

Unit size required (number of family members)

Amount and source of annual income

Accessibility requirement, if any

Date and time of application or application number

Household type (family, elderly, disabled)

Admission preference, if any

Race and ethnicity of the head of household

The specific site(s) selected (only if RIHA offers site-based waiting lists)

RIHA may adopt one community-wide waiting list or site-based waiting lists. RIHA must obtain approval from HUD through submission of its Annual Plan before it may offer site-based waiting lists. Site-based waiting lists allow families to select the development where they wish to reside and must be consistent with all applicable civil rights and fair housing laws and regulations [24 CFR 903.7(b)(2)].

RIHA will maintain one single community-wide waiting list for its developments. Within the list, RIHA will designate subparts to easily identify who should be offered the next available unit (i.e. mixed populations, general occupancy, unit size, and accessible units).

RIHA may adopt site-based waiting lists.

HUD directs that a family that applies to reside in public housing must be offered the opportunity to be placed on the waiting list for any tenant-based or project-based voucher or moderate rehabilitation program that RIHA operates if 1) the other programs' waiting lists are open, and 2) the family is qualified for the other programs [24 CFR 982.205(a)(2)(i)].

HUD permits, but does not require, that PHAs maintain a single merged waiting list for their public housing, Section 8, and other subsidized housing programs [24 CFR 982.205(a)(1)].

RIHA will not merge the public housing waiting list with the waiting list for any other program RIHA operates.

4-II.C. OPENING AND CLOSING THE WAITING LIST

Closing the Waiting List

RIHA is permitted to close the waiting list, in whole or in part, if it has an adequate pool of families to fill its developments. RIHA may close the waiting list completely, or restrict intake by preference, type of project, or by size and type of dwelling unit. [PH Occ GB, p. 31].

RIHA will close the waiting list when the estimated waiting period for housing applicants on the list reaches 24 months for the most current applicants. Where RIHA has particular preferences or other criteria that require a specific category of family, RIHA may elect to continue to accept applications from these applicants while closing the waiting list to others.

RIHA will announce by public notice the closing of the waiting list. If the list remains open to certain categories of families, this information will be contained in the notice. The notice will be published at least 10 business days prior to RIHA closing the list

Reopening the Waiting List

If the waiting list has been closed, it may be reopened at any time. RIHA should publish a notice in local newspapers of general circulation, minority media, and other suitable media outlets that RIHA is reopening the waiting list. Such notice must comply with HUD fair housing requirements. RIHA should specify who may apply, and where and when applications will be received.

RIHA will announce the reopening of the waiting list at least 10 business days prior to the date applications will first be accepted. If the list is only being reopened for certain categories of families, this information will be contained in the notice. The notice will specify where, when, and how applications are to be received.

RIHA will give public notice by publishing the relevant information in suitable media outlets including, but not limited to:

The Rock Island Argus

The Dispatch

The Leader

Association for Retarded Citizens for Iowa/Illinois

Independent Living Center

Alliance for the Mentally Ill

Robert Young Center

Department of Rehab Services

4-II.D. FAMILY OUTREACH [24 CFR 903.2(d); 24 CFR 903.7(a) and (b)]

RIHA should conduct outreach as necessary to ensure that RIHA has a sufficient number of applicants on the waiting list to fill anticipated vacancies and to assure that RIHA is affirmatively furthering fair housing and complying with the Fair Housing Act.

Because HUD requires RIHA to serve a specified percentage of extremely low income families, RIHA may need to conduct special outreach to ensure that an adequate number of such families apply for public housing.

RIHA outreach efforts must comply with fair housing requirements. This includes:

- Analyzing the housing market area and the populations currently being served to identify underserved populations
- Ensuring that outreach efforts are targeted to media outlets that reach eligible populations that are underrepresented in the program
- Avoiding outreach efforts that prefer or exclude people who are members of a protected class

RIHA outreach efforts must be designed to inform qualified families about the availability of units under the program. These efforts may include, as needed, any of the following activities:

- Submitting press releases to local newspapers, including minority newspapers
- Developing informational materials and flyers to distribute to other agencies
- Providing application forms to other public and private agencies that serve the low income population
- Developing partnerships with other organizations that serve similar populations, including agencies that provide services for persons with disabilities

RIHA will monitor the characteristics of the population being served and the characteristics of the population as a whole in RIHA's jurisdiction. Targeted outreach efforts will be undertaken as needed if a comparison suggests that certain populations are being underserved.

4-II.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES

While the family is on the waiting list, the family must inform RIHA, within 10 business days, of changes in family size or composition, preference status, or contact information, including current residence, mailing address, and phone number. The changes must be submitted in writing.

Changes in an applicant's circumstances while on the waiting list may affect the family's qualification for a particular bedroom size or entitlement to a preference. When an applicant reports a change that affects their placement on the waiting list, the waiting list will be updated accordingly.

4-II.F. UPDATING THE WAITING LIST

HUD requires RIHA to establish policies to use when removing applicant names from the waiting list [24 CFR 960.202(a)(2)(iv)].

Purging the Waiting List

The decision to withdraw an applicant family that includes a person with disabilities from the waiting list is subject to reasonable accommodation. If the applicant did not respond to RIHA's request for information or updates because of the family member's disability, RIHA must, upon the family's request, reinstate the applicant family to their former position on the waiting list as a reasonable accommodation [24 CFR 8.4(a), 24 CFR 100.204(a), and PH Occ GB, p. 39 and 40]. See Chapter 2 for further information regarding reasonable accommodations.

The waiting list will be updated at least annually to ensure that all applicants and applicant information is current and timely.

To update the waiting list, RIHA will send an update request via first class mail to each family on the waiting list to determine whether the family continues to be interested in, and to qualify for, the program. This update request will be sent to the last address that RIHA has on record for the family. The update request will provide a deadline by which the family must respond and will state that failure to respond will result in the applicant's name being removed from the waiting list.

The family's response must be in writing and may be delivered in person, by mail, or by fax. Responses should be postmarked or received by RIHA not later than 15 business days from the date of RIHA letter.

If the family fails to respond within 15 business days, the family will be removed from the waiting list without further notice.

If the notice is returned by the post office with no forwarding address, the applicant will be removed from the waiting list without further notice.

If the notice is returned by the post office with a forwarding address, the notice will be re-sent to the address indicated. The family will have 15 business days to respond from the date the letter was re-sent. If the family fails to respond within this time frame, the family will be removed from the waiting list without further notice.

When a family is removed from the waiting list during the update process for failure to respond, no informal hearing will be offered. Such failures to act on the part of the applicant prevent RIHA from making an eligibility determination; therefore no informal hearing is required.

If a family is removed from the waiting list for failure to respond, the Executive Director or h/her designee may reinstate the family if s/he determines the lack of response was due to RIHA error, or to circumstances beyond the family's control.

Removal from the Waiting List

RIHA will remove applicants from the waiting list if they have requested that their name be removed. In such cases no informal hearing is required.

If RIHA determines that the family is not eligible for admission (see Chapter 3) at any time while the family is on the waiting list the family will be removed from the waiting list.

If a family is removed from the waiting list because RIHA has determined the family is not eligible for admission, a notice will be sent to the family's address of record as well as to any alternate address provided on the initial application. The notice will state the reasons the family was removed from the waiting list and will inform the family how to request an informal hearing regarding RIHA's decision (see Chapter 14) [24 CFR 960.208(a)].

PART III: TENANT SELECTION

4-III.A. OVERVIEW

RIHA must establish tenant selection policies for families being admitted to public housing [24 CFR 960.201(a)]. RIHA must not require any specific income or racial quotas for any developments [24 CFR 903.2(d)]. RIHA must not assign persons to a particular section of a community or to a development or building based on race, color, religion, sex, disability, familial status or national origin for purposes of segregating populations [24 CFR 1.4(b)(1)(iii) and 24 CFR 903.2(d)(1)].

The order in which families will be selected from the waiting list depends on the selection method chosen by RIHA and is impacted in part by any selection preferences that the family qualifies for. The availability of units also may affect the order in which families are selected from the waiting list.

RIHA must maintain a clear record of all information required to verify that the family is selected from the waiting list according to RIHA's selection policies [24 CFR 960.206(e)(2)]. RIHA's policies must be posted any place where RIHA receives applications. RIHA must provide a copy of its tenant selection policies upon request to any applicant or tenant. RIHA may charge the family for providing a copy of its tenant selection policies [24 CFR 960.202(c)(2)].

When an applicant or resident family requests a copy of RIHA's tenant selection policies, RIHA will provide copies to them free of charge.

4-III.B. SELECTION METHOD

PHAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that RIHA will use.

Local Preferences [24 CFR 960.206]

PHAs are permitted to establish local preferences and to give priority to serving families that meet those criteria. HUD specifically authorizes and places restrictions on certain types of local preferences. HUD also permits RIHA to establish other local preferences, at its discretion. Any local preferences established must be consistent with RIHA plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources [24 CFR 960.206(a)].

RIHA will use the following local preference:

Victims of Domestic Violence (20 points)

Families that have been Involuntarily Displaced (10 points) (see below)

Working Families (5 points) where the head, spouse, cohead, or sole member is employed at least 20 hours per week for three (3) consecutive months. As required by HUD, families where the head, spouse, cohead, or sole member is a person age 62 or older, or is a person with disabilities will also be given the benefit of the working preference [24 CFR 960.206(b)(2)].

Applicant over 50 years and under 62 years (1 point)

Involuntary Displacement: Involuntarily displaced applicants are applicants who have been involuntarily displaced and are not living in standard, permanent replacement housing, or will be involuntarily displaced within no more than six months from the date of preference status certification by the family. Families are considered involuntarily displaced if they are required to vacate housing as a result of:

- (1) A disaster, (fire, flood, earthquake, etc.) has made the unit uninhabitable.
- (2) Code enforcement, public improvement or development program activities by an U.S. agency or a State or Local governmental body of agency.
- (3) The housing owner has taken an action that forces the applicant to vacate the unit; such as, The action was beyond the applicant's ability to control or prevent; The action occurred despite the applicant's having met all previously imposed conditions of occupancy; and The action was not a rent increase or eviction for non-payment of rent.

If the owner is an immediate family member and there has been no previous rental agreement and the applicant has been part of the owner's family immediately prior to application, the applicant will not be considered involuntarily displaced.

For the purposes of this definitional element, reasons for an applicant having to vacate a housing unit include, but are not limited to:

- Conversion of an applicant's housing unit to non-rental or non-residential use.
 - Closure of an applicant's housing unit for rehabilitation or non-residential use.
 - Notice to an applicant that s/he must vacate a unit because the owner wants the unit for the owner's personal or family use or occupancy.
 - Sale of a housing unit in which an applicant resides under an agreement that the unit must be vacant when possession is transferred.
 - Any other legally authorized act that results, or will result, in the withdrawal by the owner of the unit or structure from the rental market.
- (4) To avoid reprisals because the family provided information on criminal activities to a law enforcement agency and, after a threat assessment, the law enforcement agency recommends re-housing the family to avoid or reduce the risk of violence against the family.

The family must be part of the Witness Protection Program, or the HUD office or law enforcement agency must have informed RIHA that the family is part of a similar program.

RIHA will take precautions to ensure that the new location of the family is concealed in cases of witness protection.

- (5) One or more members of the applicant's family have been the victim of one or more hate crimes and the applicant has vacated a housing unit because of such crime or fear

associated with such crime has destroyed the applicant's peaceful enjoyment of the unit.

A hate crime is actual or threatened physical violence or intimidation that is directed against a person or his property and is based on the person's race, color, religion, sex, national origin, disability, familial status or sexual orientation and occurred within the last Thirty (30) days or is of a continuing nature.

- (6) A member of the family has a mobility or other impairment that makes the person unable to use critical elements of the unit and the owner is not legally obligated to make the changes to the unit that would make critical elements accessible to the disabled person as a reasonable accommodation

Critical elements are: entry and egress of the unit and building; a sleeping area; a full bathroom; a kitchen if the person with a disability must do their own food preparation

- (7) Due to HUD disposition of a multifamily project under Section 203 of the Housing and Community Development Amendments of 1978.

In order to receive the displacement preference, applicants who have been displaced must not be living in "standard replacement housing."

Standard replacement housing is defined as housing that is decent, safe and sanitary according to Local Housing Code, that is adequate for the family size according to RIHA Occupancy Standards, and that the family is occupying pursuant to a written or oral lease or occupancy agreement.

Standard replacement housing does not include transient facilities, hotels, motels, temporary shelters, and (in case of victims of domestic violence) housing occupied by the individual who engages in such violence.

It does not include any individual imprisoned or detained pursuant to state law or an Act of Congress. Shared housing with family or friends is not considered temporary and is not considered standard replacement housing.

Income Targeting Requirement [24 CFR 960.202(b)]

HUD requires that extremely low-income (ELI) families make up at least 40% of the families admitted to public housing during RIHA's fiscal year. ELI families are those with annual incomes at or below 30% of the area median income. To ensure this requirement is met, RIHA may skip non-ELI families on the waiting list in order to select an ELI family.

If a PHA also operates a housing choice voucher (HCV) program, admissions of extremely low-income families to RIHA's HCV program during a PHA fiscal year that exceed the 75% minimum target requirement for the voucher program, shall be credited against RIHA's basic targeting requirement in the public housing program for the same fiscal year. However, under these circumstances the fiscal year credit to the public housing program must not exceed the lower of: (1) ten percent of public housing waiting list admissions during RIHA fiscal year; (2) ten percent of waiting list admissions to RIHA's housing choice voucher program during the PHA fiscal year; or (3) the number of qualifying low-income families who commence occupancy during the fiscal year of public housing units located in census tracts with a poverty rate of 30 percent or more. For this purpose, qualifying low-income family means a low-income family other than an extremely low-income family.

RIHA will monitor progress in meeting the ELI requirement throughout the fiscal year. ELI families will be selected ahead of other eligible families on an as-needed basis to ensure that the income targeting requirement is met.

Mixed Population Developments [24 CFR 960.407]

A mixed population development is a public housing development or portion of a development that was reserved for elderly families and disabled families at its inception (and has retained that character) or RIHA at some point after its inception obtained HUD approval to give preference in tenant selection for all units in the development (or portion of a development) to elderly and disabled families [24 CFR 960.102]. Elderly family means a family whose head, spouse, cohead, or sole member is a person who is at least 62 years of age. Disabled family means a family whose head, spouse, cohead, or sole member is a person with disabilities [24 CFR 5.403]. RIHA must give elderly and disabled families equal preference in selecting these families for admission to mixed population developments. RIHA may not establish a limit on the number of elderly or disabled families that may occupy a mixed population development. In selecting elderly and disabled families to fill these units, RIHA must first offer the units that have accessibility features for families that include a person with a disability and require the accessibility features of such units. RIHA may not discriminate against elderly or disabled families that include children (Fair Housing Amendments Act of 1988).

Units Designated for Elderly or Disabled Families [24 CFR 945]

RIHA may designate projects or portions of a public housing project specifically for elderly or disabled families. RIHA must have a HUD-approved allocation plan before the designation may take place.

Among the designated developments, RIHA must also apply any preferences that it has established. If there are not enough elderly families to occupy the units in a designated elderly development, RIHA may allow near-elderly families to occupy the units [24 CFR 945.303(c)(1)]. Near-elderly family means a family whose head, spouse, or cohead is at least 50 years old, but is less than 62 [24 CFR 5.403].

If there are an insufficient number of elderly families and near-elderly families for the units in a development designated for elderly families, RIHA must make available to all other families any unit that is ready for re-rental and has been vacant for more than 60 consecutive days [24 CFR 945.303(c)(2)].

The decision of any disabled family or elderly family not to occupy or accept occupancy in designated housing shall not have an adverse affect on their admission or continued occupancy in public housing or their position on or placement on the waiting list. However, this protection does not apply to any family who refuses to occupy or accept occupancy in designated housing because of the race, color, religion, sex, disability, familial status, or national origin of the occupants of the designated housing or the surrounding area [24 CFR 945.303(d)(1) and (2)].

This protection does apply to an elderly family or disabled family that declines to accept occupancy, respectively, in a designated project for elderly families or for disabled families, and requests occupancy in a general occupancy project or in a mixed population project [24 CFR 945.303(d)(3)].

RIHA does have designated housing. RIHA's development with designated housing is as follows:

Spencer Towers, 111 – 20th Street, Rock Island, IL is designated elderly/disabled housing.

Deconcentration of Poverty and Income-Mixing [24 CFR 903.1 and 903.2]

RIHA's admission policy must be designed to provide for deconcentration of poverty and income-mixing by bringing higher income tenants into lower income projects and lower income tenants into higher income projects. A statement of RIHA's deconcentration policies must be included in its annual plan [24 CFR 903.7(b)].

RIHA's deconcentration policy must comply with its obligation to meet the income targeting requirement [24 CFR 903.2(c)(5)].

Developments subject to the deconcentration requirement are referred to as 'covered developments' and include general occupancy (family) public housing developments. The following developments are not subject to deconcentration and income mixing requirements: developments operated by a PHA with fewer than 100 public housing units; mixed population or developments designated specifically for elderly or disabled families; developments operated by a PHA with only one general occupancy development; developments approved for demolition or for conversion to tenant-based public housing; and developments approved for a mixed-finance plan using HOPE VI or public housing funds [24 CFR 903.2(b)].

Steps for Implementation [24 CFR 903.2(c)(1)]

To implement the statutory requirement to deconcentrate poverty and provide for income mixing in covered developments, RIHA must comply with the following steps:

Step 1. RIHA must determine the average income of all families residing in all RIHA's covered developments. RIHA may use the median income, instead of average income, provided that RIHA includes a written explanation in its annual plan justifying the use of median income.

RIHA will determine the average income of all families in all covered developments on an annual basis.

Step 2. RIHA must determine the average income (or median income, if median income was used in Step 1) of all families residing in each covered development. In determining average income for each development, RIHA has the option of adjusting its income analysis for unit size in accordance with procedures prescribed by HUD.

RIHA will determine the average income of all families residing in each covered development (not adjusting for unit size) on an annual basis.

Step 3. RIHA must then determine whether each of its covered developments falls above, within, or below the established income range (EIR), which is from 85% to 115% of the average family income determined in Step 1. However, the upper limit must never be less than the income at which a family would be defined as an extremely low income family (30% of median income).

Step 4. RIHA with covered developments having average incomes outside the EIR must then determine whether or not these developments are consistent with its local goals and annual plan.

Step 5. Where the income profile for a covered development is not explained or justified in the annual plan submission, RIHA must include in its admission policy its specific policy to provide for deconcentration of poverty and income mixing.

Depending on local circumstances RIHA's deconcentration policy may include, but is not limited to the following:

- Providing incentives to encourage families to accept units in developments where their income level is needed, including rent incentives, affirmative marketing plans, or added amenities
- Targeting investment and capital improvements toward developments with an average income below the EIR to encourage families with incomes above the EIR to accept units in those developments
- Establishing a preference for admission of working families in developments below the EIR
- Skipping a family on the waiting list to reach another family in an effort to further the goals of deconcentration
- Providing other strategies permitted by statute and determined by RIHA in consultation with the residents and the community through the annual plan process to be responsive to local needs and RIHA strategic objectives

A family has the sole discretion whether to accept an offer of a unit made under RIHA's deconcentration policy. RIHA must not take any adverse action toward any eligible family for choosing not to accept an offer of a unit under RIHA's deconcentration policy [24 CFR 903.2(c)(4)].

If, at annual review, the average incomes at all general occupancy developments are within the EIR, RIHA will be considered to be in compliance with the deconcentration requirement and no further action is required.

For developments outside the EIR RIHA will take the following actions to provide for deconcentration of poverty and income mixing:

RIHA will strive to create mixed-income communities and lessen the concentration of very-low income families within the Housing Authority's public housing developments through admissions policies designed to bring higher income tenants into lower income developments and lower income tenants into higher income developments. This policy shall not be construed to impose or require any specific income or racial quotas for any public housing development owned by RIHA.

Order of Selection [24 CFR 960.206(e)]

RIHA system of preferences may select families either according to the date and time of application or by a random selection process.

Families will be selected from the waiting list based on preference. Among applicants with the same preference, families will be selected on a first-come, first-served basis according to the date and time their complete application is received by RIHA.

When selecting applicants from the waiting list RIHA will match the characteristics of the available unit (unit size, accessibility features, unit type) to the applicants on the waiting lists. RIHA will offer the unit to the highest ranking applicant who qualifies for that unit size or type, or that requires the accessibility features.

By matching unit and family characteristics, it is possible that families who are lower on the waiting list may receive an offer of housing ahead of families with an earlier date and time of application or higher preference status.

Factors such as deconcentration or income mixing and income targeting will also be considered in accordance with HUD requirements and RIHA policy.

4-III.C. NOTIFICATION OF SELECTION

When the family has been selected from the waiting list, RIHA must notify the family.

RIHA will notify the family by first class mail when it is selected from the waiting list.

The notice will inform the family of the following:

- Date, time, and location of the scheduled application interview, including any procedures for rescheduling the interview

- Who is required to attend the interview

- Documents that must be provided at the interview to document the legal identity of household members, including information about what constitutes acceptable documentation

- Documents that must be provided at the interview to document eligibility for a preference, if applicable

- Other documents and information that should be brought to the interview

If a notification letter is returned to RIHA with no forwarding address, the family will be removed from the waiting list without further notice. Such failure to act on the part of the applicant prevents RIHA from making an eligibility determination; therefore no informal hearing will be offered.

4-III.D. THE APPLICATION INTERVIEW

HUD recommends that RIHA obtain the information and documentation needed to make an eligibility determination through a private interview. Being invited to attend an interview does not constitute admission to the program.

Reasonable accommodation must be made for persons with disabilities who are unable to attend an interview due to their disability [24 CFR 8.4(a) and 24 CFR 100.204(a)].

Families selected from the waiting list are required to participate in an eligibility interview.

The head of household and the spouse/cohead will be strongly encouraged to attend the interview together. However, either the head of household or the spouse/cohead may attend the interview on behalf of the family. Verification of information pertaining to adult members of the household not present at the interview will not begin until signed release forms are returned to RIHA.

The interview will be conducted only if the head of household or spouse/cohead provides appropriate documentation of legal identity (Chapter 7 provides a discussion of proper documentation of legal identity). If the family representative does not provide the required documentation, the appointment may be rescheduled when the proper documents have been obtained.

If the family is claiming a waiting list preference, the family must provide documentation to verify their eligibility for a preference (see Chapter 7). If the family is verified as eligible for the preference, RIHA will proceed with the interview. If RIHA determines the family is not eligible for the preference, the interview will not proceed and the family will be placed back on the waiting list according to the date and time of their application.

The family must provide the information necessary to establish the family's eligibility, including suitability, and to determine the appropriate amount of rent the family will pay. The family must also complete required forms, provide required signatures, and submit required documentation. If any materials are missing, RIHA will provide the family with a written list of items that must be submitted.

Any required documents or information that the family is unable to provide at the interview must be provided within 10 business days of the interview (Chapter 7 provides details about longer submission deadlines for particular items, including documentation of Social Security numbers and eligible noncitizen status). If the family is unable to obtain the information or materials within the required time frame, the family may request an extension. If the required documents and information are not provided within the required time frame (plus any extensions), the family will be sent a notice of denial (see Chapter 3).

An advocate, interpreter, or other assistant may assist the family with the application and the interview process.

Interviews will be conducted in English. For limited English proficient (LEP) applicants, RIHA will provide translation services in accordance with RIHA's LEP plan.

If the family is unable to attend a scheduled interview, the family should contact RIHA in advance of the interview to schedule a new appointment. In all circumstances, if a family does not attend a scheduled interview, RIHA will send another notification letter with a new interview appointment time. Applicants who fail to attend two scheduled interviews without RIHA approval will have their applications made inactive based on the family's failure to supply information needed to determine eligibility. The second appointment letter will state that failure to appear for the appointment without a request to reschedule will be interpreted to mean that the family is no longer interested and their application will be made inactive. Such failure to act on the part of the applicant prevents RIHA from making an eligibility determination, therefore RIHA will not offer an informal hearing.

4-III.E. FINAL ELIGIBILITY DETERMINATION [24 CFR 960.208]

RIHA must verify all information provided by the family (see Chapter 7). Based on verified information related to the eligibility requirements, including RIHA suitability standards, RIHA must make a final determination of eligibility (see Chapter 3).

When a determination is made that a family is eligible and satisfies all requirements for admission, including tenant selection criteria, the applicant must be notified of the approximate date of occupancy insofar as that date can be reasonably determined [24 CFR 960.208(b)].

RIHA will notify a family in writing of their eligibility within 10 business days of the determination and will provide the approximate date of occupancy insofar as that date can be reasonably determined.

RIHA must promptly notify any family determined to be ineligible for admission of the basis for such determination, and must provide the applicant upon request, within a reasonable time after the determination is made, with an opportunity for an informal hearing on such determination [24 CFR 960.208(a)].

If RIHA determines that the family is ineligible, RIHA will send written notification of the ineligibility determination within 10 business days of the determination. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal hearing (see Chapter 14).

If RIHA uses a criminal record or sex offender registration information obtained under 24 CFR 5, Subpart J, as the basis of a denial, a copy of the record must precede the notice to deny, with an opportunity for the applicant to dispute the accuracy and relevance of the information before RIHA can move to deny the application. See Section 3-III.F. for RIHA's policy regarding such circumstances.

Chapter 3

ELIGIBILITY

INTRODUCTION

RIHA is responsible for ensuring that every individual and family admitted to the HCV program meets all program eligibility requirements. This includes any individual approved to join the family after the family has been admitted to the program. The family must provide any information needed by RIHA to confirm eligibility and determine the level of the family's assistance.

To be eligible for the HCV program:

- The applicant family must:
 - Qualify as a family as defined by HUD and RIHA.
 - Have income at or below HUD-specified income limits.
 - Qualify on the basis of citizenship or the eligible immigrant status of family members.
 - Provide social security number information for family members as required.
 - Consent to RIHA's collection and use of family information as provided for in RIHA-provided consent forms.
- RIHA must determine that the current or past behavior of household members does not include activities that are prohibited by HUD or RIHA.

This chapter contains three parts:

Part I: Definitions of Family and Household Members. This part contains HUD and RIHA definitions of family and household members and explains initial and ongoing eligibility issues related to these members.

Part II: Basic Eligibility Criteria. This part discusses income eligibility, and rules regarding citizenship, social security numbers, and family consent.

Part III: Denial of Assistance. This part covers factors related to an applicant's past or current conduct (e.g. criminal activity) that can cause RIHA to deny assistance.

PART I: DEFINITIONS OF FAMILY AND HOUSEHOLD MEMBERS

3-I.A. OVERVIEW

Some eligibility criteria and program rules vary depending upon the composition of the family requesting assistance. In addition, some requirements apply to the family as a whole and others apply to individual persons who will live in the assisted unit. This part provides information that is needed to correctly identify family and household members, and to apply HUD's eligibility rules.

3-I.B. FAMILY AND HOUSEHOLD [24 CFR 982.201(c), HUD-50058 IB, p. 13]

The terms *family* and *household* have different meanings in the HCV program.

Family

To be eligible for assistance, an applicant must qualify as a family. A family may be a single person or a group of persons. *Family* as defined by HUD includes a family with a child or children, two or more elderly or disabled persons living together, one or more elderly or disabled persons living with one or more live-in aides, or a single person. A single person family may be an elderly person, a displaced person, a disabled person, or any other single person. RIHA has the discretion to determine if any other group of persons qualifies as a family.

Each family must identify the individuals to be included in the family at the time of application, and must update this information if the family's composition changes.

To qualify as a family when proposed family members are not related by blood, marriage, adoption, or other operation of law, RIHA will require applicants to demonstrate that the individuals have lived together previously, or certify that each individual's income and other resources will be available to meet the needs of the family.

Household

Household is a broader term that includes additional people who, with RIHA's permission, live in an assisted unit, such as live-in aides, foster children, and foster adults.

3-I.C. FAMILY BREAK-UP AND REMAINING MEMBER OF TENANT FAMILY

Family Break-up [24 CFR 982.315]

RIHA has discretion to determine which members of an assisted family continue to receive assistance if the family breaks up. However, if a court determines the disposition of property between members of the assisted family in a divorce or separation decree, RIHA is bound by the court's determination of which family members continue to receive assistance.

When a family on the waiting list breaks up into two otherwise eligible families, only one of the new families may retain the original application date. Other former family members may make a new application with a new application date if the waiting list is open.

If a family breaks up into two otherwise eligible families while receiving assistance, only one of the new families will continue to be assisted.

In the absence of a judicial decision, or an agreement among the original family members, RIHA will determine which family retains their placement on the waiting list, or will continue to receive assistance taking into consideration the following factors: (1) the interest of any minor children, including custody arrangements, (2) the interest of any ill, elderly, or disabled family members, (3) any possible risks to family members as a result of domestic violence or criminal activity, and (4) the recommendations of social service professionals.

Remaining Member of a Tenant Family [24 CFR 5.403]

The HUD definition of family includes the *remaining member of a tenant family*, which is a member of an assisted family who remains in the unit when other members of the family have left the unit. Household members such as live-in aides, foster children, and foster adults do not qualify as remaining members of a family.

If dependents are the only “remaining members of a tenant family” and there is no family member able to assume the responsibilities of the head of household, see Chapter 6, Section 6-I.B, for the policy on “Caretakers for a Child.”

3-I.D. HEAD OF HOUSEHOLD [24 CFR 5.504(b)]

Head of household means the adult member of the family who is considered the head for purposes of determining income eligibility and rent. The head of household is responsible for ensuring that the family fulfills all of its responsibilities under the program, alone or in conjunction with a cohead or spouse.

The family may designate any qualified family member as the head of household.

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

3-I.E. SPOUSE, COHEAD, AND OTHER ADULT

A family may have a spouse or cohead, but not both [HUD-50058 IB, p. 13].

Spouse means the marriage partner of the head of household.

A *marriage partner* includes the partner in a "common law" marriage as defined in state law. The term “spouse” does not apply to friends, roommates, or significant others who are not marriage partners. A minor who is emancipated under state law may be designated as a spouse.

A *cohead* is an individual in the household who is equally responsible with the head of household for ensuring that the family fulfills all of its responsibilities under the program, but who is not a spouse. A family can have only one cohead.

Minors who are emancipated under state law may be designated as a cohead.

Other adult means a family member, other than the head, spouse, or cohead, who is 18 years of age or older. Foster adults and live-in aides are not considered other adults.

3-I.F. DEPENDENT [24 CFR 5.603]

A *dependent* is a family member who is under 18 years of age or a person of any age who is a person with a disability or a full-time student, except that the following persons can never be dependents: the head of household, spouse, cohead, foster children/adults and live-in aides. Identifying each dependent in the family is important because each dependent qualifies the family for a deduction from annual income as described in Chapter 6.

Joint Custody of Dependents

Dependents that are subject to a joint custody arrangement will be considered a member of the family, if they live with the applicant or participant family 50 percent or more of the time.

When more than one applicant or participant family is claiming the same dependents as family members, the family with primary custody at the time of the initial examination or reexamination will be able to claim the dependents. If there is a dispute about which family should claim them, RIHA will make the determination based on available documents such as court orders, or an IRS return showing which family has claimed the child for income tax purposes.

3-I.G. FULL-TIME STUDENT [24 CFR 5.603; HCV GB, p. 5-29]

A *full-time student* (FTS) is a person who is attending school or vocational training on a full-time basis. The time commitment or subject load that is needed to be full-time is defined by the educational institution.

Identifying each FTS is important because: (1) each family member that is an FTS, other than the head, spouse, or cohead, qualifies the family for a dependent deduction, and (2) the income of such an FTS is treated differently from the income of other family members.

3-I.H. ELDERLY AND NEAR-ELDERLY PERSONS, AND ELDERLY FAMILY [24 CFR 5.100 and 5.403]

Elderly Persons

An *elderly person* is a person who is at least 62 years of age.

Near-Elderly Persons

A *near-elderly person* is a person who is 50-60 years of age.

Elderly Family

An *elderly family* is one in which the head, spouse, cohead, or sole member is an elderly person. Identifying elderly families is important because these families qualify for special deductions from income as described in Chapter 6.

3-I.I. PERSONS WITH DISABILITIES AND DISABLED FAMILY [24 CFR 5.403]

Persons with Disabilities

Under the HCV program, special rules apply to persons with disabilities and to any family whose head, spouse, or cohead is a person with disabilities. The technical definitions of individual with handicaps and persons with disabilities are provided in Exhibit 3-1 at the end of this chapter.

These definitions are used for a number of purposes including ensuring that persons with disabilities are not discriminated against based upon disability.

As discussed in Chapter 2, RIHA must make all aspects of the HCV program accessible to persons with disabilities and consider reasonable accommodations requested based upon a person's disability.

Disabled Family

A *disabled family* is one in which the head, spouse, or cohead is a person with disabilities. Identifying disabled families is important because these families qualify for special deductions from income as described in Chapter 6.

Even though persons with drug or alcohol dependencies are considered persons with disabilities for the purpose of non-discrimination, this does not prevent RIHA from denying assistance for reasons related to alcohol and drug abuse following policies found in Part III of this chapter, or from terminating assistance following the policies in Chapter 12.

3-I.J. GUESTS [24 CFR 5.100]

A *guest* is a person temporarily staying in the unit with the consent of a member of the household who has express or implied authority to so consent.

A guest can remain in the assisted unit no longer than 30 consecutive days or a total of 90 cumulative calendar days during any 12 month period.

Children who are subject to a joint custody arrangement or for whom a family has visitation privileges, that are not included as a family member because they live outside of the assisted household more than 50 percent of the time, are not subject to the time limitations of guests as described above.

A family may request an exception to this policy for valid reasons (e.g., care of a relative recovering from a medical procedure is expected to last 40 consecutive days). An exception will not be made unless the family can identify and provide documentation of the residence to which the guest will return.

3.I.K. FOSTER CHILDREN AND FOSTER ADULTS

Foster adults are usually persons with disabilities, unrelated to the tenant family, who are unable to live alone [24 CFR 5.609].

The term *foster child* is not specifically defined by the regulations.

Foster children and foster adults that are living with an applicant or assisted family are considered household members but not family members. The income of foster children/adults is not counted in family annual income, and foster children/adults do not qualify for a dependent deduction [24 CFR 5.603 and HUD-50058 IB, p. 13].

A *foster child* is a child that is in the legal guardianship or custody of a state, county, or private adoption or foster care agency, yet is cared for by foster parents in their own homes, under some kind of short-term or long-term foster care arrangement with the custodial agency.

A foster child or foster adult may be allowed to reside in the unit if their presence would not result in a violation of HQS space standards according to 24 CFR 982.401.

Children that are temporarily absent from the home as a result of placement in foster care are discussed in Section 3-I.L.

3-I.L. ABSENT FAMILY MEMBERS

Individuals may be absent from the family, either temporarily or permanently, for a variety of reasons including educational activities, placement in foster care, employment, illness, incarceration, and court order.

Definitions of Temporarily and Permanently Absent

Generally an individual who is or is expected to be absent from the assisted unit for 180 consecutive days or less is considered temporarily absent and continues to be considered a family member.

Generally an individual who is or is expected to be absent from the assisted unit for more than 180 consecutive days is considered permanently absent and no longer a family member. Exceptions to this general policy are discussed below.

Absent Students

When someone who has been considered a family member attends school away from home, the person will continue to be considered a family member unless information becomes available to RIHA indicating that the student has established a separate household or the family declares that the student has established a separate household.

Absences Due to Placement in Foster Care [24 CFR 5.403]

Children temporarily absent from the home as a result of placement in foster care are considered members of the family.

If a child has been placed in foster care, RIHA will verify with the appropriate agency whether and when the child is expected to be returned to the home. Unless the agency confirms that the child has been permanently removed from the home, the child will be counted as a family member.

Absent Head, Spouse, or Cohead

An employed head, spouse, or co-head absent from the unit more than 180 consecutive days due to employment will continue to be considered a family member, providing that person's income is counted as part of the household.

Family Members Permanently Confined for Medical Reasons [HCV GB, p. 5-22]

If a family member is confined to a nursing home or hospital on a permanent basis, that person is no longer considered a family member and the income of that person is not counted [HCV GB, p. 5-22].

RIHA will request verification from a responsible medical professional and will use this determination. If the responsible medical professional cannot provide a determination, the person generally will be considered temporarily absent. The family may present evidence that the family member is confined on a permanent basis and request that the person not be considered a family member.

Return of Permanently Absent Family Members

The family must request RIHA approval for the return of any adult family members that RIHA has determined to be permanently absent. The individual is subject to the eligibility and screening requirements discussed elsewhere in this chapter.

3-I.M. LIVE-IN AIDE

Live-in aide means a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who: (1) is determined to be essential to the care and well-being of the persons, (2) is not obligated for the support of the persons, and (3) would not be living in the unit except to provide the necessary supportive services [24 CFR 5.403].

RIHA must approve a live-in aide if needed as a reasonable accommodation in accordance with 24 CFR 8, to make the program accessible to and usable by the family member with disabilities.

A live-in aide is a member of the household, not the family, and the income of the aide is not considered in income calculations [24 CFR 5.609(b)]. Relatives may be approved as live-in aides if they meet all of the criteria defining a live-in aide. However, a relative who serves as a live-in aide is not considered a family member and would not be considered a remaining member of a tenant family.

A family's request for a live-in aide must be made in writing. Written verification will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or case worker, that the live-in aide is essential for the care and well-being of the elderly, near-elderly, or disabled family member.

In addition, the family and live-in aide will be required to submit a certification stating that the live-in aide is (1) not obligated for the support of the person(s) needing the care, and (2) would not be living in the unit except to provide the necessary supportive services.

RIHA will not approve a particular person as a live-in aide, and may withdraw such approval if [24 CFR 982.316(b)]:

- The person commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;

- The person commits drug-related criminal activity or violent criminal activity; or

- The person currently owes rent or other amounts to RIHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.

Within 10 business days of receiving a request for a live-in aide, including all required documentation related to the request, RIHA will notify the family of its decision in writing.

PART II: BASIC ELIGIBILITY CRITERIA

3-II.A. INCOME ELIGIBILITY AND TARGETING

Income Limits

HUD is required by law to set income limits that determine the eligibility of applicants for HUD's assisted housing programs, including the housing choice voucher program. The income limits are published annually and are based on HUD estimates of median family income in a particular area or county, with adjustments for family size.

Types of Low-Income Families [24 CFR 5.603(b)]

Low-income family. A family whose annual income does not exceed 80 percent of the median income for the area, adjusted for family size.

Very low-income family. A family whose annual income does not exceed 50 percent of the median income for the area, adjusted for family size.

Extremely low-income family. A family whose annual income does not exceed 30 percent of the median income for the area, adjusted for family size.

HUD may establish income ceilings higher or lower than 30, 50, or 80 percent of the median income for an area if HUD finds that such variations are necessary because of unusually high or low family incomes.

Using Income Limits for Eligibility [24 CFR 982.201]

Income limits are used for eligibility only at admission. Eligibility is established by comparing a family's annual income with HUD's published income limits. To be income-eligible, a family must be one of the following:

- A *very low-income* family
- A *low-income* family that has been "continuously assisted" under the 1937 Housing Act. A family is considered to be continuously assisted if the family is already receiving assistance under any 1937 Housing Act program at the time the family is admitted to the HCV program [24 CFR 982.4]
- A low-income family that qualifies for voucher assistance as a non-purchasing household living in HOPE 1 (public housing homeownership), HOPE 2 (multifamily housing homeownership) developments, or other HUD-assisted multifamily homeownership programs covered by 24 CFR 248.173
- A low-income or moderate-income family that is displaced as a result of the prepayment of a mortgage or voluntary termination of a mortgage insurance contract on eligible low-income housing as defined in 24 CFR 248.101

HUD permits RIHA to establish additional categories of low-income families that may be determined eligible. The additional categories must be consistent with RIHA plan and the consolidated plans for local governments within RIHA's jurisdiction.

RIHA has not established any additional categories of eligible low-income families.

Using Income Limits for Targeting [24 CFR 982.201]

At least 75 percent of the families admitted to RIHA's program during a PHA fiscal year must be extremely low-income families. HUD may approve exceptions to this requirement if RIHA demonstrates that it has made all required efforts, but has been unable to attract an adequate number of qualified extremely low-income families.

Families continuously assisted under the 1937 Housing Act and families living in eligible low-income housing that are displaced as a result of prepayment of a mortgage or voluntary termination of a mortgage insurance contract are not subject to the 75 percent restriction.

3-II.B. CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS [24 CFR 5, Subpart E]

Housing assistance is available only to individuals who are U.S. citizens, U.S. nationals (herein referred to as citizens and nationals), or noncitizens that have eligible immigration status. At least one family member must be a citizen, national, or noncitizen with eligible immigration status in order for the family to qualify for any level of assistance.

All applicant families must be notified of the requirement to submit evidence of their citizenship status when they apply. Where feasible, and in accordance with RIHA's Limited English Proficiency Plan, the notice must be in a language that is understood by the individual if the individual is not proficient in English.

Declaration [24 CFR 5.508]

HUD requires each family member to declare whether the individual is a citizen, a national, or an eligible noncitizen, except those members who elect not to contend that they have eligible immigration status. Those who elect not to contend their status are considered to be ineligible noncitizens. For citizens, nationals and eligible noncitizens the declaration must be signed personally by the head, spouse, cohead, and any other family member 18 or older, and by a parent or guardian for minors. The family must identify in writing any family members who elect not to contend their immigration status (see Ineligible Noncitizens below). No declaration is required for live-in aides, foster children, or foster adults.

U.S. Citizens and Nationals

In general, citizens and nationals are required to submit only a signed declaration that claims their status. However, HUD regulations permit RIHA to request additional documentation of their status, such as a passport.

Family members who declare citizenship or national status will not be required to provide additional documentation unless RIHA receives information indicating that an individual's declaration may not be accurate.

Eligible Noncitizens

In addition to providing a signed declaration, those declaring eligible noncitizen status must sign a verification consent form and cooperate with RIHA efforts to verify their immigration status as described in Chapter 7. The documentation required for establishing eligible noncitizen status varies depending upon factors such as the date the person entered the U.S., the conditions under which eligible immigration status has been granted, the person's age, and the date on which the family began receiving HUD-funded assistance.

Lawful residents of the Marshall Islands, the Federated States of Micronesia, and Palau, together known as the Freely Associated States, or FAS, are eligible for housing assistance under section 141 of the Compacts of Free Association between the U.S. Government and the Governments of the FAS [Public Law 106-504].

Ineligible Noncitizens

Those noncitizens who do not wish to contend their immigration status are required to have their names listed on a noncontending family members listing, signed by the head, spouse, or cohead (regardless of citizenship status), indicating their ineligible immigration status. RIHA is not required to verify a family member's ineligible status and is not required to report an individual's unlawful presence in the U.S. to the United States Citizenship and Immigration Services (USCIS).

Providing housing assistance to noncitizen students is prohibited [24 CFR 5.522]. This prohibition extends to the noncitizen spouse of a noncitizen student as well as to minor children who accompany or follow to join the noncitizen student. Such prohibition does not extend to the citizen spouse of a noncitizen student or to the children of the citizen spouse and noncitizen student. Such a family is eligible for prorated assistance as a mixed family.

Mixed Families

A family is eligible for assistance as long as at least one member is a citizen, national, or eligible noncitizen. Families that include eligible and ineligible individuals are considered *mixed families*. Such families will be given notice that their assistance will be prorated, and that they may request a hearing if they contest this determination. See Chapter 6 for a discussion of how rents are prorated, and Chapter 16 for a discussion of informal hearing procedures.

Ineligible Families [24 CFR 5.514(d), (e), and (f)]

RIHA may elect to provide assistance to a family before the verification of the eligibility of the individual or one family member [24 CFR 5.512(b)]. Otherwise, no individual or family may be assisted prior to the affirmative establishment by RIHA that the individual or at least one family member is eligible. Verification of eligibility for this purpose occurs when the individual or family members have submitted documentation to RIHA in accordance with program requirements [24 CFR 5.512(a)].

RIHA will not provide assistance to a family before the verification of at least one family member.

When RIHA determines that an applicant family does not include any citizens, nationals, or eligible noncitizens, following the verification process, the family will be sent a written notice within 10 business days of the determination.

The notice will explain the reasons for the denial of assistance, that the family may be eligible for proration of assistance, and will advise the family of its right to request an appeal to the United States Citizenship and Immigration Services (USCIS), or to request an informal hearing with RIHA. The informal hearing with RIHA may be requested in lieu of the USCIS appeal, or at the conclusion of the USCIS appeal process. The notice must also inform the applicant family that assistance may not be delayed until the conclusion of the USCIS appeal process, but that it may be delayed pending the completion of the informal hearing process.

Informal hearing procedures are contained in Chapter 16.

Timeframe for Determination of Citizenship Status [24 CFR 5.508(g)]

For new occupants joining the assisted family, RIHA must verify status at the first interim or regular reexamination following the person's occupancy, whichever comes first.

If an individual qualifies for a time extension for the submission of required documents, RIHA must grant such an extension for no more than 30 days [24 CFR 5.508(h)].

Each family member is required to submit evidence of eligible status only one time during continuous occupancy.

RIHA will verify the status of applicants at the time other eligibility factors are determined.

3-II.C. SOCIAL SECURITY NUMBERS [24 CFR 5.216 and 5.218]

For every family member age 6 or older the family must provide documentation of a valid Social Security Number (SSN) or a certification stating that no SSN has been issued. If a family member who is required to execute a certification is less than 18 years old, the certification must be executed by the individual's parent or guardian [24 CFR 5.216(j)]. Assistance cannot be provided to a family until all SSN documentation requirements are met. A detailed discussion of acceptable documentation is provided in Chapter 7.

If a new member who is at least six years of age is added to the family, the new member's SSN documentation must be submitted at the family's next interim or regular reexamination, whichever comes first. If any member of the family who is at least six years of age obtains a previously undisclosed SSN, or has been assigned a new SSN, the documentation must be submitted at the family's next regularly scheduled reexamination.

RIHA must deny assistance to an applicant family if they do not meet the SSN disclosure, documentation and verification, and certification requirements contained in 24 CFR 5.216.

3-II.D. FAMILY CONSENT TO RELEASE OF INFORMATION [24 CFR 5.230, HCV GB, p. 5-13]

HUD requires each adult family member, and the head of household, spouse, or cohead, regardless of age, to sign form HUD-9886, Authorization for the Release of Information/Privacy Act Notice, and other consent forms as needed to collect information relevant to the family's eligibility and level of assistance. Chapter 7 provides detailed information concerning the consent forms and verification requirements.

RIHA must deny admission to the program if any member of the applicant family fails to sign and submit the consent forms for obtaining information in accordance with 24 CFR 5, Subparts B and F [24 CFR 982.552(b)(3)].

3-II.E. STUDENTS ENROLLED IN INSTITUTIONS OF HIGHER EDUCATION [24 CFR 5.612 and FR Notice 4/10/06]

Section 327 of Public Law 109-115 and the implementing regulation at 24 CFR 5.612 established new restrictions on the eligibility of certain students (both part- and full-time) who are enrolled in institutions of higher education.

If a student enrolled at an institution of higher education is under the age of 24, is not a veteran, is not married, and does not have a dependent child, [and is not a person with disabilities](#)

[receiving HCV assistance as of November 30, 2005](#), the student's eligibility must be examined along with the income eligibility of the student's parents. In these cases, both the student and the student's parents must be income eligible for the student to receive HCV assistance. If, however, a student in these circumstances is determined independent from his/her parents in accordance with RIHA policy, the income of the student's parents will not be considered in determining the student's eligibility.

The new law does not apply to students who reside with parents who are applying to receive HCV assistance. It is limited to students who are seeking assistance on their own, separately from their parents.

Definitions

In determining whether and how the new eligibility restrictions apply to a student, RIHA will rely on the following definitions [FR 4/10/06, p. 18148].

Dependent Child

In the context of the student eligibility restrictions, *dependent child* means a dependent child of a student enrolled in an institution of higher education. The dependent child must also meet the definition of *dependent* in 24 CFR 5.603, which states that the dependent must be a member of the assisted family, other than the head of household or spouse, who is under 18 years of age, or is a person with a disability, or is a full-time student. Foster children and foster adults are not considered dependents.

Independent Student

RIHA will consider a student "independent" from his or her parents and the parents' income will not be considered when determining the student's eligibility if the following four criteria are all met:

The individual is of legal contract age under state law.

The individual has established a household separate from his/her parents for at least one year prior to application for occupancy or the individual meets the U.S. Department of Education's definition of independent student.

To be considered an *independent student* according to the Department of Education, a student must meet one or more of the following criteria:

Be at least 24 years old by December 31 of the award year for which aid is sought

Be an orphan or a ward of the court through the age of 18

Be a veteran of the U.S. Armed Forces

Have one or more legal dependents other than a spouse (for example, dependent children or an elderly dependent parent)

Be a graduate or professional student

Be married

The individual was not claimed as a dependent by his/her parents pursuant to IRS regulations, as demonstrated on the parents' most recent tax forms.

The individual provides a certification of the amount of financial assistance that will be provided by his/her parents. This certification must be signed by the individual providing the support and must be submitted even if no assistance is being provided.

RIHA will verify that a student meets the above criteria in accordance with the policies in Section 7-II.E.

Institution of Higher Education

RIHA will use the statutory definition under section 102 of the Higher Education Act of 1965 to determine whether a student is attending an *institution of higher education* (see Exhibit 3-2).

Parents

For purposes of student eligibility restrictions, the definition of *parents* includes biological or adoptive parents, stepparents (as long as they are currently married to the biological or adoptive parent), and guardians (e.g., grandparents, aunt/uncle, godparents, etc).

Person with Disabilities

RIHA will use the statutory definition under section 3(b)(3)(E) of the 1937 Act to determine whether a student is a *person with disabilities* (see Exhibit 3-1).

Veteran

A *veteran* is a person who served in the active military, naval, or air service and who was discharged or released from such service under conditions other than dishonorable.

Determining Student Eligibility

If a student is applying for assistance on his/her own, apart from his/her parents, RIHA must determine whether the student is subject to the eligibility restrictions contained in 24 CFR 5.612. If the student is subject to those restrictions, RIHA must ensure that: (1) the student is individually eligible for the program, (2) either the student is independent from his/her parents or the student's parents are income eligible for the program, and (3) the "family" with which the student is applying is collectively eligible for the program.

For any student who is subject to the 5.612 restrictions, RIHA will:

Follow its usual policies in determining whether the student individually and the student's "family" collectively are eligible for the program

Determine whether the student is independent from his/her parents in accordance with the definition of *independent student* in this section

Follow the policies below, if applicable, in determining whether the student's parents are income eligible for the program

If RIHA determines that the student, the student's parents (if applicable), or the student's "family" is not eligible, RIHA will send a notice of denial in accordance with the policies in Section 3-III.F, and the applicant family will have the right to request an informal review in accordance with the policies in Section 16-III.B.

Determining Parental Income Eligibility

For any student who is subject to the 5.612 restrictions and who does not satisfy the definition of *independent student* in this section, RIHA will determine the income eligibility of the student's parents as follows:

If the student's parents are married and living together, RIHA will obtain a joint income declaration and certification of joint income from the parents.

If the student's parent is widowed or single, RIHA will obtain an income declaration and certification of income from that parent.

If the student's parents are divorced or separated, RIHA will obtain an income declaration and certification of income from each parent.

If the student has been living with one of his/her parents and has not had contact with or does not know where to contact his/her other parent, RIHA will require the student to submit a certification under penalty of perjury describing the circumstances and stating that the student does not receive financial assistance from the other parent. RIHA will then obtain an income declaration and certification of income from the parent with whom the student has been living or had contact.

In determining the income eligibility of the student's parents, RIHA will use the income limits for the jurisdiction in which the parents live.

PART III: DENIAL OF ASSISTANCE

3-III.A. OVERVIEW

A family that does not meet the eligibility criteria discussed in Parts I and II, must be denied assistance.

In addition, HUD requires or permits RIHA to deny assistance based on certain types of current or past behaviors of family members.

Forms of Denial [24 CFR 982.552(a)(2); HCV GB, p. 5-35]

Denial of assistance includes any of the following:

- Not placing the family's name on the waiting list
- Denying or withdrawing a voucher
- Not approving a request for tenancy or refusing to enter into a HAP contract
- Refusing to process a request for or to provide assistance under portability procedures

Prohibited Reasons for Denial of Program Assistance [24 CFR 982.202(b), Pub.L. 109-162]

HUD rules prohibit denial of program assistance to the program based on any of the following criteria:

- Age, disability, race, color, religion, sex, or national origin. (See Chapter 2 for additional information about fair housing and equal opportunity requirements.)
- Where a family lives prior to admission to the program
- Where the family will live with assistance under the program. Although eligibility is not affected by where the family will live, there may be restrictions on the family's ability to move outside RIHA's jurisdiction (See Chapter 10, Portability.)
- Whether members of the family are unwed parents, recipients of public assistance, or children born out of wedlock
- Whether the family includes children
- Whether a family decides to participate in a family self-sufficiency program
- Whether or not a qualified applicant has been a victim of domestic violence, dating violence, or stalking

3-III.B. MANDATORY DENIAL OF ASSISTANCE [24 CFR 982.553(a)]

HUD requires RIHA to deny assistance in the following cases:

- Any member of the household has been evicted from federally-assisted housing in the last 3 years for drug-related criminal activity. HUD permits, but does not require, RIHA to admit an otherwise-eligible family if the household member has completed a RIHA-approved drug rehabilitation program or the circumstances which led to eviction no longer exist (e.g., the person involved in the criminal activity no longer lives in the household).

RIHA will admit an otherwise-eligible family who was evicted from federally-assisted housing within the past 3 years for drug-related criminal activity, if RIHA is able to verify that the household member who engaged in the criminal activity has completed a supervised drug rehabilitation program approved by RIHA, or the person who committed the crime, is no longer living in the household.

- RIHA determines that any household member is currently engaged in the use of illegal drugs.

Currently engaged in is defined as any use of illegal drugs during the previous six months.

- RIHA has reasonable cause to believe that any household member's current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol, may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

In determining reasonable cause, RIHA will consider all credible evidence, including but not limited to, any record of convictions, arrests, or evictions of household members related to the use of illegal drugs or the abuse of alcohol.

- Any household member has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing
- Any household member is subject to a lifetime registration requirement under a state sex offender registration program

3-III.C. OTHER PERMITTED REASONS FOR DENIAL OF ASSISTANCE

HUD permits, but does not require, RIHA to deny assistance for the reasons discussed in this section.

Criminal Activity [24 CFR 982.553]

HUD permits, but does not require, RIHA to deny assistance if RIHA determines that any household member is currently engaged in, or has engaged in during a reasonable time before the family would receive assistance, certain types of criminal activity.

If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past five years, the family will be denied assistance.

Drug-related criminal activity, defined by HUD as the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug [24 CFR 5.100].

Violent criminal activity, defined by HUD as any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage [24 CFR 5.100].

Criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; or

Criminal activity that may threaten the health or safety of property owners and management staff, and persons performing contract administration functions or other

responsibilities on behalf of RIHA (including a RIHA employee or a RIHA contractor, subcontractor, or agent).

Immediate vicinity means within a three-block radius of the premises.

Evidence of such criminal activity includes, but is not limited to:

Any conviction for drug-related or violent criminal activity within the past 5 years.

Any arrests for drug-related or violent criminal activity within the past 5 years.

Any record of eviction from public or privately-owned housing as a result of criminal activity within the past 5 years.

A conviction for drug-related or violent criminal activity will be given more weight than an arrest for such activity.

In making its decision to deny assistance, RIHA will consider the factors discussed in Section 3-III.E. Upon consideration of such factors, RIHA may, on a case-by-case basis, decide not to deny assistance.

Previous Behavior in Assisted Housing [24 CFR 982.552(c)]

HUD authorizes RIHA to deny assistance based on the family's previous behavior in assisted housing:

RIHA **may not** deny assistance to an otherwise eligible family because the family previously failed to meet its obligations under the Family Self-Sufficiency (FSS) program or the Welfare to Work voucher program.

RIHA **will** deny assistance to an applicant family if:

The family does not provide information that RIHA or HUD determines is necessary in the administration of the program.

The family does not provide complete and true information to RIHA.

Any family member has been evicted from federally-assisted housing in the last five years.

Any PHA has ever terminated assistance under the program for any member of the family.

Any family member has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.

The family owes rent or other amounts to any PHA in connection with the HCV, Certificate, Moderate Rehabilitation or public housing programs, unless the family repays the full amount of the debt prior to being selected from the waiting list.

If the family has not reimbursed any PHA for amounts RIHA paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease, unless the family repays the full amount of the debt prior to being selected from the waiting list.

The family has breached the terms of a repayment agreement entered into with RIHA, unless the family repays the full amount of the debt covered in the repayment agreement prior to being selected from the waiting list.

A family member has engaged in or threatened violent or abusive behavior toward RIHA personnel.

Abusive or violent behavior towards RIHA personnel includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior.

Threatening refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

In making its decision to deny assistance, RIHA will consider the factors discussed in Section 3-III.E. Upon consideration of such factors, RIHA may, on a case-by-case basis, decide not to deny assistance.

3-III.D. SCREENING

Screening for Eligibility

PHAs are authorized to obtain criminal conviction records from law enforcement agencies to screen applicants for admission to the HCV program. This authority assists RIHA in complying with HUD requirements and RIHA policies to deny assistance to applicants who are engaging in or have engaged in certain criminal activities. In order to obtain access to the records RIHA must require every applicant family to submit a consent form signed by each adult household member [24 CFR 5.903].

PHAs are required to perform criminal background checks necessary to determine whether any household member is subject to a lifetime registration requirement under a state sex offender program in the state where the housing is located, as well as in any other state where a household member is known to have resided [24 CFR 982.553(a)(2)(i)].

If RIHA proposes to deny assistance based on a criminal record or on lifetime sex offender registration information, RIHA must notify the household of the proposed action and must provide the subject of the record and the applicant a copy of the record and an opportunity to dispute the accuracy and relevance of the information prior to a denial of admission. [24 CFR 5.903(f) and 5.905(d)].

Screening for Suitability as a Tenant [24 CFR 982.307]

RIHA has no liability or responsibility to the owner for the family's behavior or suitability for tenancy.

The owner is responsible for screening and selection of the family to occupy the owner's unit. RIHA must inform the owner that screening and selection for tenancy is the responsibility of the owner. An owner may consider a family's history with respect to factors such as: payment of rent and utilities, caring for a unit and premises, respecting the rights of other residents to the peaceful enjoyment of their housing, criminal activity that is a threat to the health, safety or property of others, and compliance with other essential conditions of tenancy.

HUD requires RIHA to provide prospective owners with the family's current and prior address (as shown in RIHA records) and the name and address (if known) of the owner at the family's current and prior addresses. HUD permits RIHA to provide owners with additional information, as long as families are notified that the information will be provided, and the same type of information is provided to all owners.

RIHA will inform owners of their responsibility to screen prospective tenants, and will provide owners with the required known name and address information, at the time of the initial HQS inspection or before. RIHA will not provide any additional information to the owner, such as tenancy history, criminal history, etc.

3-III.E. CRITERIA FOR DECIDING TO DENY ASSISTANCE

Evidence [24 CFR 982.553(c)]

RIHA will use the concept of the preponderance of the evidence as the standard for making all admission decisions.

Preponderance of the evidence is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not.

Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

Consideration of Circumstances [24 CFR 982.552(c)(2)]

HUD authorizes RIHA to consider all relevant circumstances when deciding whether to deny assistance based on a family's past history except in the situations for which denial of assistance is mandated (see Section 3-III.B).

RIHA will consider the following factors prior to making its decision:

The seriousness of the case, especially with respect to how it would affect other residents

The effects that denial of assistance may have on other members of the family who were not involved in the action or failure

The extent of participation or culpability of individual family members, including whether the culpable family member is a minor or a person with disabilities, or (as discussed further in section 3-III.G) a victim of domestic violence, dating violence, or stalking

The length of time since the violation occurred, the family's recent history and the likelihood of favorable conduct in the future

In the case of drug or alcohol abuse, whether the culpable household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully

RIHA will require the applicant to submit evidence of the household member's current participation in or successful completion of a supervised drug or alcohol rehabilitation program, or evidence of otherwise having been rehabilitated successfully.

Removal of a Family Member's Name from the Application [24 CFR 982.552(c)(2)(ii)]

HUD permits PHAs to impose as a condition of admission, a requirement that family members who participated in or were culpable for an action or failure to act which results in the denial of assistance, to not reside in the unit.

As a condition of receiving assistance, a family may agree to remove the culpable family member from the application. In such instances, the head of household must certify that the family member will not be permitted to visit or to stay as a guest in the assisted unit.

After admission to the program, the family must present evidence of the former family member's current address upon RIHA request.

Reasonable Accommodation [24 CFR 982.552(c)(2)(iv)]

If the family includes a person with disabilities, RIHA's decision concerning denial of admission is subject to consideration of reasonable accommodation in accordance with 24 CFR Part 8.

If the family indicates that the behavior of a family member with a disability is the reason for the proposed denial of assistance, RIHA will determine whether the behavior is related to the disability. If so, upon the family's request, RIHA will determine whether alternative measures are appropriate as a reasonable accommodation. RIHA will only consider accommodations that can reasonably be expected to address the behavior that is the basis of the proposed denial of assistance. See Chapter 2 for a discussion of reasonable accommodation.

3-III.F. NOTICE OF ELIGIBILITY OR DENIAL

If the family is eligible for assistance, RIHA will notify the family when it extends the invitation to attend the voucher briefing appointment, as discussed in Chapter 5.

If RIHA determines that a family is not eligible for the program for any reason, the family must be notified promptly. The notice must describe: (1) the reasons for which assistance has been denied, (2) the family's right to an informal review, and (3) the process for obtaining the informal review [24 CFR 982.554 (a)]. See Chapter 16, for informal review policies and procedures.

The family will be notified of a decision to deny assistance in writing within 10 business days of the determination.

If RIHA uses a criminal record or sex offender registration information obtained under 24 CFR 5, Subpart J, as the basis of a denial, a copy of the record must precede the notice to deny, with an opportunity for the applicant to dispute the accuracy and relevance of the information before RIHA can move to deny the application. In addition, a copy of the record must be provided to the subject of the record [24 CFR 5.903(f) and 5.905(d)]. RIHA must give the family an opportunity to dispute the accuracy and relevance of that record, in the informal review process in accordance with program requirements [24 CFR 982.553(d)].

If based on a criminal record or sex offender registration information, an applicant family appears to be ineligible RIHA will notify the family in writing of the proposed denial and provide a copy of the record to the applicant and to the subject of the record. The family will be given 10 business days to dispute the accuracy and relevance of the information. If the family does not contact RIHA to dispute the information within that 10-day period,

RIHA will proceed with issuing the notice of denial of admission. A family that does not exercise their right to dispute the accuracy of the information prior to issuance of the official denial letter will still be given the opportunity to do so as part of the informal review process.

Notice requirements related to denying assistance to noncitizens are contained in Section 3-II.B.

Notice policies related to denying admission to applicants who may be victims of domestic violence, dating violence, or stalking are contained in Section 3-III.G.

3-III.G. PROHIBITION AGAINST DENIAL OF ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING [Pub.L. 109-162]

The Violence Against Women Reauthorization Act of 2005 (VAWA) prohibits denial of admission to an otherwise qualified applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking. Specifically, Section 606(1) of VAWA adds the following provision to Section 8 of the U.S. Housing Act of 1937, which lists contract provisions and requirements for the housing choice voucher program:

- That an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate reason for denial of program assistance or for denial of admission, if the applicant otherwise qualifies for assistance or admission.

Definitions

As used in VAWA:

- The term *domestic violence* includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- The term *dating violence* means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship
 - The type of relationship
 - The frequency of interaction between the persons involved in the relationship
- The term *stalking* means:
 - To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or
 - To place under surveillance with the intent to kill, injure, harass, or intimidate another person; and
 - In the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily

injury to, or to cause substantial emotional harm to (1) that person, (2) a member of the immediate family of that person, or (3) the spouse or intimate partner of that person.

- The term *immediate family member* means, with respect to a person:
 - A spouse, parent, brother or sister, or child of that person, or an individual to whom that person stands in the position or place of a parent; or
 - Any other person living in the household of that person and related to that person by blood and marriage.

Notification

RIHA acknowledges that a victim of domestic violence, dating violence, or stalking may have an unfavorable history (e.g., a poor credit history, a record of previous damage to an apartment, a prior arrest record) that would warrant denial under RIHA's policies. Therefore, if RIHA makes a determination to deny admission to an applicant family, RIHA will include in its notice of denial ~~and will offer the applicant the opportunity to provide documentation affirming that the cause of the unfavorable history is that a member of the applicant family is or has been a victim of domestic violence, dating violence, or stalking:~~

A statement of the protection against denial provided by VAWA

[A description of PHA confidentiality requirements](#)

[A request that an applicant wishing to claim this protection submit to RIHA documentation meeting the specifications below with her or his request for an informal review \(see section 16-III.D\)](#)

Victim Documentation

[An applicant claiming that the cause of an unfavorable history is that a member of the applicant family is or has been a victim of domestic violence, dating violence, or stalking must provide documentation \(1\) demonstrating the connection between the abuse and the unfavorable history and \(2\) naming the perpetrator of the abuse. The documentation may consist of any of the following:](#)

~~The documentation must include two elements:~~

A signed statement by the victim that provides the name of the perpetrator and certifies that the incidents in question are bona fide incident(s) of actual or threatened domestic violence, dating violence, or stalking, ~~and~~

~~One of the following:~~

A police or court record documenting the domestic violence, dating violence or stalking ~~actual or threatened abuse, or~~

Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, or stalking, or the effects of such abuse. A statement signed by This person may be an employee, agent, or volunteer of a victim service provider; an attorney; a medical professional; or another knowledgeable professional from whom the victim has sought assistance in addressing the actual or threatened abuse. The person signing the documentation professional must attest under penalty of perjury to the person's belief that the

incidents in question are bona fide incidents of abuse. ~~and The victim must also sign the documentation or attest to the statement.~~

Perpetrator Documentation

If the perpetrator of the abuse is a member of the applicant family, the applicant must provide additional documentation consisting of one of the following:

A signed statement (1) requesting that the perpetrator be removed from the application and (2) certifying that the perpetrator will not be permitted to visit or to stay as a guest in the assisted unit

Documentation that the perpetrator has successfully completed, or is successfully undergoing, rehabilitation or treatment. The documentation must be signed by an employee or agent of a domestic violence service provider or by a medical or other knowledgeable professional from whom the perpetrator has sought or is receiving assistance in addressing the abuse. The signer must attest under penalty of perjury to his or her belief that the rehabilitation was successfully completed or is progressing successfully. The victim and perpetrator must also sign or attest to the documentation.

Time Frame for Submitting Documentation

The applicant must submit the required documentation with her or his request for an informal review (see section 16-III.D) or must request an extension in writing at that time. If the applicant so requests, RIHA will grant an extension of 10 business days, and will postpone scheduling the applicant's informal review until after it has received the documentation or the extension period has elapsed. If after reviewing the documentation provided by the applicant RIHA determines the family is eligible for assistance, no informal review will be scheduled and RIHA will proceed with admission of the applicant family.

~~Perpetrator Removal or Documentation of Rehabilitation~~

~~In cases where an applicant family includes the perpetrator as well as the victim of domestic violence, dating violence, or stalking, RIHA will proceed as above but will require, in addition, either (a) that the perpetrator be removed from the applicant household and not reside in the assisted housing unit or (b) that the family provide documentation that the perpetrator has successfully completed, or is successfully undergoing, rehabilitation or treatment.~~

~~If the family elects the second option, the documentation must be signed by an employee or agent of a domestic violence service provider or by a medical or other knowledgeable professional from whom the perpetrator has sought or is receiving assistance in addressing the abuse. The signer must attest under penalty of perjury to his or her belief that the rehabilitation was successfully completed or is progressing successfully. The victim and perpetrator must also sign or attest to the documentation. This additional documentation must be submitted within the same time frame as the documentation required above from the victim.~~

PHA Confidentiality Requirements

All information provided to RIHA regarding domestic violence, dating violence, or stalking, including the fact that an individual is a victim of such violence or stalking, must be retained in confidence and may neither be entered into any shared database nor provided to any related entity, except to the extent that the disclosure (a) is requested or consented to by the individual in writing, (b) is required for use in an eviction proceeding, or (c) is otherwise required by applicable law.

If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, RIHA will inform the victim before disclosure occurs so that safety risks can be identified and addressed.

EXHIBIT 3-1: DETAILED DEFINITIONS RELATED TO DISABILITIES

Person with Disabilities [24 CFR 5.403]

The term *person with disabilities* means a person who has any of the following types of conditions:

- Has a disability, as defined in 42 U.S.C. Section 423(d)(1)(A), which reads:

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*

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 ability comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time.
- Has a developmental disability as defined in the Developmental Disabilities Assistance and Bill of Rights Act of 2000 [42 U.S.C.15002(8)], which defines developmental disability in functional terms as follows:

(A) In General

The term “developmental disability” means a severe, chronic disability of an individual that:

- (i) is attributable to a mental or physical impairment or combination of mental and physical impairments;
- (ii) is manifested before the individual attains age 22;
- (iii) is likely to continue indefinitely;
- (iv) results in substantial functional limitations in 3 or more of the following areas of major life activity: (I) Self-care, (II) Receptive and expressive language, (III) Learning, (IV) Mobility, (V) Self-direction, (VI) Capacity for independent living, (VII) Economic self-sufficiency; and
- (v) reflects the individual’s need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

(B) Infants and Young Children

An individual from birth to age 9, inclusive, who has a substantial developmental delay or specific congenital or acquired condition, may be considered to have a developmental disability without meeting 3 or more of the criteria described in clauses (i) through (v) of subparagraph (A) if the individual, without services and supports, has a high probability of meeting those criteria later in life.

- Has a physical, mental, or emotional impairment that is expected to be of long-continued and indefinite duration; substantially impedes his or her ability to live independently, and is of such a nature that the ability to live independently could be improved by more suitable housing conditions.

People with the acquired immunodeficiency syndrome (AIDS) or any conditions arising from the etiologic agent for AIDS are not excluded from this definition.

A person whose disability is based solely on any drug or alcohol dependence does not qualify as a person with disabilities for the purposes of this program.

For purposes of reasonable accommodation and program accessibility for persons with disabilities, the term person with disabilities refers to an individual with handicaps.

Individual with Handicaps [24 CFR 8.3]

Individual with handicaps means any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment. The term does not include any individual who is an alcoholic or drug abuser whose current use of alcohol or drugs prevents the individual from participating in the program or activity in question, or whose participation, by reason of such current alcohol or drug abuse, would constitute a direct threat to property or the safety of others. As used in this definition, the phrase:

(1) Physical or mental impairment includes:

- (a) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or
- (b) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term physical or mental impairment includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.

(2) *Major life activities* means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

(3) Has a record of such an impairment means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(4) *Is regarded as having an impairment* means:

- (a) Has a physical or mental impairment that does not substantially limit one or more major life activities but that is treated by a recipient as constituting such a limitation;
- (b) Has a physical or mental impairment that substantially limits one or more major life activities only as a result of the attitudes of others toward such impairment; or
- (c) Has none of the impairments defined in paragraph (1) of this section but is treated by a recipient as having such an impairment.

EXHIBIT 3-2: DEFINITION OF INSTITUTION OF HIGHER EDUCATION
[20 U.S.C. 1001 and 1002]

Eligibility of Students for Assisted Housing Under Section 8 of the U.S. Housing Act of 1937; Supplementary Guidance; Notice [Federal Register, April 10, 2006]

Institution of Higher Education shall have the meaning given this term in the Higher Education Act of 1965 in 20 U.S.C. 1001 and 1002.

Definition of “Institution of Higher Education” From 20 U.S.C. 1001

- (a) Institution of higher education. For purposes of this chapter, other than subchapter IV and part C of subchapter I of chapter 34 of Title 42, the term “institution of higher education” means an educational institution in any State that
- (1) Admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate;
 - (2) Is legally authorized within such State to provide a program of education beyond secondary education;
 - (3) Provides an educational program for which the institution awards a bachelor’s degree or provides not less than a 2-year program that is acceptable for full credit toward such a degree;
 - (4) Is a public or other nonprofit institution; and
 - (5) Is accredited by a nationally recognized accrediting agency or association, or if not so accredited, is an institution that has been granted preaccreditation status by such an agency or association that has been recognized by the Secretary for the granting of preaccreditation status, and the Secretary has determined that there is satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time.
- (b) Additional institutions included. For purposes of this chapter, other than subchapter IV and part C of subchapter I of chapter 34 of Title 42, the term “institution of higher education” also includes—
- (1) Any school that provides not less than a 1-year program of training to prepare students for gainful employment in a recognized occupation and that meets the provision of paragraphs (1), (2), (4), and (5) of subsection (a) of this section; and
 - (2) A public or nonprofit private educational institution in any State that, in lieu of the requirement in subsection (a)(1) of this section, admits as regular students persons who are beyond the age of compulsory school attendance in the State in which the institution is located.
- (c) List of accrediting agencies. For purposes of this section and section 1002 of this title, the Secretary shall publish a list of nationally recognized accrediting agencies or associations that the Secretary determines, pursuant to subpart 2 of part G of subchapter IV of this chapter, to be reliable authority as to the quality of the education or training offered.

Definition of “Institution of Higher Education” From 20 U.S.C. 1002

- (a) Definition of institution of higher education for purposes of student assistance programs
- (1) Inclusion of additional institutions. Subject to paragraphs (2) through (4) of this subsection, the term “institution of higher education” for purposes of subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42 includes, in addition to the institutions covered by the definition in section 1001 of this title—
- (A) A proprietary institution of higher education (as defined in subsection (b) of this section);
- (B) A postsecondary vocational institution (as defined in subsection (c) of this section); and
- (C) Only for the purposes of part B of subchapter IV of this chapter, an institution outside the United States that is comparable to an institution of higher education as defined in section 1001 of this title and that has been approved by the Secretary for the purpose of part B of subchapter IV of this chapter.
- (2) Institutions outside the United States
- (A) In general. For the purpose of qualifying as an institution under paragraph (1)(C), the Secretary shall establish criteria by regulation for the approval of institutions outside the United States and for the determination that such institutions are comparable to an institution of higher education as defined in section 1001 of this title (except that a graduate medical school, or a veterinary school, located outside the United States shall not be required to meet the requirements of section 1001 (a)(4) of this title). Such criteria shall include a requirement that a student attending such school outside the United States is ineligible for loans made, insured, or guaranteed under part B of subchapter IV of this chapter unless—
- (i) In the case of a graduate medical school located outside the United States—
- (I)(aa) At least 60 percent of those enrolled in, and at least 60 percent of the graduates of, the graduate medical school outside the United States were not persons described in section 1091(a)(5) of this title in the year preceding the year for which a student is seeking a loan under part B of subchapter IV of this chapter; and
- (bb) At least 60 percent of the individuals who were students or graduates of the graduate medical school outside the United States or Canada (both nationals of the United States and others) taking the examinations administered by the Educational Commission for Foreign Medical Graduates received a passing score in the year preceding the year for which a student is seeking a loan under part B of subchapter IV of this chapter; or
- (II) The institution has a clinical training program that was approved by a State as of January 1, 1992; or

- (ii) In the case of a veterinary school located outside the United States that does not meet the requirements of section 1001(a)(4) of this title, the institution's students complete their clinical training at an approved veterinary school located in the United States.
- (B) Advisory panel
- (i) In general. For the purpose of qualifying as an institution under paragraph (1)(C) of this subsection, the Secretary shall establish an advisory panel of medical experts that shall—
 - (I) Evaluate the standards of accreditation applied to applicant foreign medical schools; and
 - (II) Determine the comparability of those standards to standards for accreditation applied to United States medical schools.
 - (ii) Special rule if the accreditation standards described in clause (i) are determined not to be comparable, the foreign medical school shall be required to meet the requirements of section 1001 of this title.
- (C) Failure to release information. The failure of an institution outside the United States to provide, release, or authorize release to the Secretary of such information as may be required by subparagraph (A) shall render such institution ineligible for the purpose of part B of subchapter IV of this chapter.
- (D) Special rule. If, pursuant to this paragraph, an institution loses eligibility to participate in the programs under subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42, then a student enrolled at such institution may, notwithstanding such loss of eligibility, continue to be eligible to receive a loan under part B while attending such institution for the academic year succeeding the academic year in which such loss of eligibility occurred.
- (3) Limitations based on course of study or enrollment. An institution shall not be considered to meet the definition of an institution of higher education in paragraph (1) if such institution—
- (A) Offers more than 50 percent of such institution's courses by correspondence, unless the institution is an institution that meets the definition in section 2471 (4)(C) of this title;
 - (B) Enrolls 50 percent or more of the institution's students in correspondence courses, unless the institution is an institution that meets the definition in such section, except that the Secretary, at the request of such institution, may waive the applicability of this subparagraph to such institution for good cause, as determined by the Secretary in the case of an institution of higher education that provides a 2-or 4-year program of instruction (or both) for which the institution awards an associate or baccalaureate degree, respectively;

- (C) Has a student enrollment in which more than 25 percent of the students are incarcerated, except that the Secretary may waive the limitation contained in this subparagraph for a nonprofit institution that provides a 2-or 4-year program of instruction (or both) for which the institution awards a bachelor's degree, or an associate's degree or a postsecondary diploma, respectively; or
 - (D) Has a student enrollment in which more than 50 percent of the students do not have a secondary school diploma or its recognized equivalent, and does not provide a 2-or 4-year program of instruction (or both) for which the institution awards a bachelor's degree or an associate's degree, respectively, except that the Secretary may waive the limitation contained in this subparagraph if a nonprofit institution demonstrates to the satisfaction of the Secretary that the institution exceeds such limitation because the institution serves, through contracts with Federal, State, or local government agencies, significant numbers of students who do not have a secondary school diploma or its recognized equivalent.
- (4) Limitations based on management. An institution shall not be considered to meet the definition of an institution of higher education in paragraph (1) if—
- (A) The institution, or an affiliate of the institution that has the power, by contract or ownership interest, to direct or cause the direction of the management or policies of the institution, has filed for bankruptcy, except that this paragraph shall not apply to a nonprofit institution, the primary function of which is to provide health care educational services (or an affiliate of such an institution that has the power, by contract or ownership interest, to direct or cause the direction of the institution's management or policies) that files for bankruptcy under chapter 11 of title 11 between July 1, 1998, and December 1, 1998; or
 - (B) The institution, the institution's owner, or the institution's chief executive officer has been convicted of, or has pled nolo contendere or guilty to, a crime involving the acquisition, use, or expenditure of funds under subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42, or has been judicially determined to have committed fraud involving funds under subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42.
- (5) Certification. The Secretary shall certify an institution's qualification as an institution of higher education in accordance with the requirements of subpart 3 of part G of subchapter IV of this chapter.
- (6) Loss of eligibility. An institution of higher education shall not be considered to meet the definition of an institution of higher education in paragraph (1) if such institution is removed from eligibility for funds under subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42 as a result of an action pursuant to part G of subchapter IV of this chapter.

(b) Proprietary institution of higher education

- (1) Principal criteria. For the purpose of this section, the term “proprietary institution of higher education” means a school that—
 - (A) Provides an eligible program of training to prepare students for gainful employment in a recognized occupation;
 - (B) Meets the requirements of paragraphs (1) and (2) of section 1001 (a) of this title;
 - (C) Does not meet the requirement of paragraph (4) of section 1001 (a) of this title;
 - (D) Is accredited by a nationally recognized accrediting agency or association recognized by the Secretary pursuant to part G of subchapter IV of this chapter;
 - (E) Has been in existence for at least 2 years; and
 - (F) Has at least 10 percent of the school’s revenues from sources that are not derived from funds provided under subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42, as determined in accordance with regulations prescribed by the Secretary.
- (2) Additional institutions. The term “proprietary institution of higher education” also includes a proprietary educational institution in any State that, in lieu of the requirement in paragraph (1) of section 1001 (a) of this title, admits as regular students persons who are beyond the age of compulsory school attendance in the State in which the institution is located.

(c) Postsecondary vocational institution.

- (1) Principal criteria. For the purpose of this section, the term “postsecondary vocational institution” means a school that—
 - (A) Provides an eligible program of training to prepare students for gainful employment in a recognized occupation;
 - (B) Meets the requirements of paragraphs (1), (2), (4), and (5) of section 1001 (a) of this title; and
 - (C) Has been in existence for at least 2 years.
- (2) Additional institutions. The term “postsecondary vocational institution” also includes an educational institution in any State that, in lieu of the requirement in paragraph (1) of section 1001 (a) of this title, admits as regular students persons who are beyond the age of compulsory school attendance in the State in which the institution is located.

Chapter 4

APPLICATIONS, WAITING LIST AND TENANT SELECTION

INTRODUCTION

When a family wishes to receive Section 8 HCV assistance, the family must submit an application that provides RIHA with the information needed to determine the family's eligibility. HUD requires RIHA to place all families that apply for assistance on a waiting list. When HCV assistance becomes available, RIHA must select families from the waiting list in accordance with HUD requirements and RIHA policies as stated in the administrative plan and the annual plan.

RIHA is required to adopt a clear approach to accepting applications, placing families on the waiting list, selecting families from the waiting list and must follow this approach consistently. The actual order in which families are selected from the waiting list can be affected if a family has certain characteristics designated by HUD or RIHA to receive preferential treatment. Funding earmarked exclusively for families with particular characteristics may also alter the order in which families are served.

HUD regulations require that all families have an equal opportunity to apply for and receive housing assistance, and that RIHA affirmatively further fair housing goals in the administration of the program [24 CFR 982.53, HCV GB p. 4-1]. Adherence to the selection policies described in this chapter ensures that RIHA will be in compliance with all relevant fair housing requirements, as described in Chapter 2.

This chapter describes HUD and RIHA policies for taking applications, managing the waiting list and selecting families for HCV assistance. The policies outlined in this chapter are organized into three sections, as follows:

Part I: The Application Process. This part provides an overview of the application process, and discusses how applicants can obtain and submit applications. It also specifies how RIHA will handle the applications it receives.

Part II: Managing the Waiting List. This part presents the policies that govern how RIHA's waiting list is structured, when it is opened and closed, and how the public is notified of the opportunity to apply for assistance. It also discusses the process RIHA will use to keep the waiting list current.

Part III: Selection for HCV Assistance. This part describes the policies that guide RIHA in selecting families for HCV assistance as such assistance becomes available. It also specifies how in-person interviews will be used to ensure that RIHA has the information needed to make a final eligibility determination.

PART I: THE APPLICATION PROCESS

4-I.A. OVERVIEW

This part describes the policies that guide RIHA's efforts to distribute and accept applications, and to make preliminary determinations of applicant family eligibility that affect placement of the family on the waiting list. This part also describes RIHA's obligation to ensure the accessibility of the application process to elderly persons, people with disabilities, and people with limited English proficiency (LEP).

4-I.B. APPLYING FOR ASSISTANCE [HCV GB, pp. 4-11 – 4-16]

Any family that wishes to receive HCV assistance must apply for admission to the program. HUD permits RIHA to determine the format and content of HCV applications, as well how such applications will be made available to interested families and how applications will be accepted by RIHA.

Depending upon the length of time that applicants may need to wait to receive assistance, RIHA may use a one- or two-step application process.

A one-step process will be used when it is expected that a family will be selected from the waiting list within 60 days of the date of application. At application, the family must provide all of the information necessary to establish family eligibility and level of assistance.

A two-step process will be used when it is expected that a family will not be selected from the waiting list for at least 60 days from the date of application. Under the two-step application process, RIHA initially will require families to provide only the information needed to make an initial assessment of the family's eligibility, and to determine the family's placement on the waiting list. The family will be required to provide all of the information necessary to establish family eligibility and level of assistance when the family is selected from the waiting list.

Families may obtain application forms from RIHA's office during normal business hours. Families may also request – by telephone or by mail – that a form be sent to the family via first class mail.

Completed applications must be returned to RIHA by mail, by fax, or submitted in person during normal business hours. Applications must be complete in order to be accepted by RIHA for processing. If an application is incomplete, RIHA will notify the family of the additional information required.

4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS

Elderly and Disabled Populations [24 CFR 8 and HCV GB, pp. 4-11 – 4-13]

RIHA must take a variety of steps to ensure that the application process is accessible to those people who might have difficulty complying with the normal, standard RIHA application process. This could include people with disabilities, certain elderly individuals, as well as persons with limited English proficiency (LEP). RIHA must provide reasonable accommodation to the needs of individuals with disabilities. The application-taking facility and the application process must be fully accessible, or RIHA must provide an alternate approach that provides full

access to the application process. Chapter 2 provides a full discussion of RIHA's policies related to providing reasonable accommodations for people with disabilities.

Limited English Proficiency

PHAs are required to take reasonable steps to ensure meaningful access to their programs and activities by persons with limited English proficiency [24 CFR 1]. Chapter 2 provides a full discussion on RIHA's policies related to ensuring access to people with limited English proficiency (LEP).

4-I.D. PLACEMENT ON THE WAITING LIST

RIHA must review each complete application received and make a preliminary assessment of the family's eligibility. RIHA must accept applications from families for whom the list is open unless there is good cause for not accepting the application (such as denial of assistance) for the grounds stated in the regulations [24 CFR 982.206(b)(2)]. Where the family is determined to be ineligible, RIHA must notify the family in writing [24 CFR 982.201(f)]. Where the family is not determined to be ineligible, the family will be placed on a waiting list of applicants.

No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list [24 CFR 982.202(c)].

Ineligible for Placement on the Waiting List

If RIHA can determine from the information provided that a family is ineligible, the family will not be placed on the waiting list. Where a family is determined to be ineligible, RIHA will send written notification of the ineligibility determination within 10 business days of receiving a complete application. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal review and explain the process for doing so (see Chapter 16).

Eligible for Placement on the Waiting List

Placement on the waiting list does not indicate that the family is, in fact, eligible for assistance. A final determination of eligibility will be made when the family is selected from the waiting list.

Applicants will be placed on the waiting list according to preference points, date and time their application is received by RIHA.

PART II: MANAGING THE WAITING LIST

4-II.A. OVERVIEW

RIHA must have policies regarding various aspects of organizing and managing the waiting list of applicant families. This includes opening the list to new applicants, closing the list to new applicants, notifying the public of waiting list openings and closings, updating waiting list information, purging the list of families that are no longer interested in or eligible for assistance, as well as conducting outreach to ensure a sufficient number of applicants.

In addition, HUD imposes requirements on how a PHA may structure its waiting list and how families must be treated if they apply for assistance from a PHA that administers more than one assisted housing program.

4-II.B. ORGANIZATION OF THE WAITING LIST [24 CFR 982.204 and 205]

RIHA's HCV waiting list must be organized in such a manner to allow RIHA to accurately identify and select families for assistance in the proper order, according to the admissions policies described in this plan.

The waiting list must contain the following information for each applicant listed:

- Applicant name;
- Family unit size;
- Date and time of application;
- Qualification for any local preference;
- Racial or ethnic designation of the head of household.

HUD requires RIHA to maintain a single waiting list for the HCV program unless it serves more than one county or municipality. Such PHAs are permitted, but not required, to maintain a separate waiting list for each county or municipality served.

RIHA will maintain a single waiting list for the HCV program.

HUD directs that a family that applies for assistance from the HCV program must be offered the opportunity to be placed on the waiting list for any public housing, project-based voucher or moderate rehabilitation program RIHA operates if 1) the other programs' waiting lists are open, and 2) the family is qualified for the other programs.

HUD permits, but does not require, that PHAs maintain a single merged waiting list for their public housing, Section 8, and other subsidized housing programs.

A family's decision to apply for, receive, or refuse other housing assistance must not affect the family's placement on the HCV waiting list, or any preferences for which the family may qualify.

RIHA will not merge the HCV waiting list with the waiting list for any other program RIHA operates.

4-II.C. OPENING AND CLOSING THE WAITING LIST [24 CFR 982.206]

Closing the Waiting List

RIHA is permitted to close the waiting list if it has an adequate pool of families to use its available HCV assistance. Alternatively, RIHA may elect to continue to accept applications only from certain categories of families that meet particular preferences or funding criteria.

RIHA will close the waiting list when the estimated waiting period for housing assistance for applicants on the list reaches 24 months for the most current applicants.

Where RIHA has particular preferences or funding criteria that require a specific category of family, RIHA may elect to continue to accept applications from these applicants while closing the waiting list to others.

Reopening the Waiting List

If the waiting list has been closed, it cannot be reopened until RIHA publishes a notice in local newspapers of general circulation, minority media, and other suitable media outlets. The notice must comply with HUD fair housing requirements and must specify who may apply, and where and when applications will be received.

RIHA will announce the reopening of the waiting list at least 10 business days prior to the date applications will first be accepted. If the list is only being reopened for certain categories of families, this information will be contained in the notice.

RIHA will give public notice by publishing the relevant information in suitable media outlets including, but not limited to:

Rock Island Argus Newspaper

Moline Dispatch Newspaper

4-II.D. FAMILY OUTREACH [HCV GB, pp. 4-2 to 4-4]

RIHA must conduct outreach as necessary to ensure that RIHA has a sufficient number of applicants on the waiting list to use the HCV resources it has been allotted.

Because HUD requires RIHA to serve a specified percentage of extremely low income families (see Chapter 4, Part III), RIHA may need to conduct special outreach to ensure that an adequate number of such families apply for assistance [HCV GB, p. 4-20 to 4-21].

RIHA outreach efforts must comply with fair housing requirements. This includes:

- Analyzing the housing market area and the populations currently being served to identify underserved populations
- Ensuring that outreach efforts are targeted to media outlets that reach eligible populations that are underrepresented in the program
- Avoiding outreach efforts that prefer or exclude people who are members of a protected class

RIHA outreach efforts must be designed to inform qualified families about the availability of assistance under the program. These efforts may include, as needed, any of the following activities:

- Submitting press releases to local newspapers, including minority newspapers
- Developing informational materials and flyers to distribute to other agencies
- Providing application forms to other public and private agencies that serve the low income population
- Developing partnerships with other organizations that serve similar populations, including agencies that provide services for persons with disabilities

RIHA will monitor the characteristics of the population being served and the characteristics of the population as a whole in RIHA's jurisdiction. Targeted outreach efforts will be undertaken if a comparison suggests that certain populations are being underserved.

4-II.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES

While the family is on the waiting list, the family must immediately inform RIHA of changes in contact information, including current residence, mailing address, and phone number. The changes must be submitted in writing.

4-II.F. UPDATING THE WAITING LIST [24 CFR 982.204]

HUD requires RIHA to establish policies to use when removing applicant names from the waiting list.

Purging the Waiting List

The decision to withdraw an applicant family that includes a person with disabilities from the waiting list is subject to reasonable accommodation. If the applicant did not respond to RIHA's request for information or updates because of the family member's disability, RIHA must reinstate the applicant family to their former position on the waiting list [24 CFR 982.204(c)(2)].

The waiting list will be updated annually to ensure that all applicants and applicant information is current and timely.

To update the waiting list, RIHA will send an update request via first class mail to each family on the waiting list to determine whether the family continues to be interested in, and to qualify for, the program. This update request will be sent to the last address that RIHA has on record for the family. The update request will provide a deadline by which the family must respond and will state that failure to respond will result in the applicant's name being removed from the waiting list.

The family's response must be in writing and may be delivered in person, by mail, or by fax. Responses should be postmarked or received by RIHA not later than 15 business days from the date of RIHA letter.

If the family fails to respond within 15 business days, the family will be removed from the waiting list without further notice.

If the notice is returned by the post office with no forwarding address, the applicant will be removed from the waiting list without further notice.

If the notice is returned by the post office with a forwarding address, the notice will be re-sent to the address indicated. The family will have 15 business days to respond from the date the letter was re-sent.

If a family is removed from the waiting list for failure to respond, the Executive Director may reinstate the family if s/he determines the lack of response was due to RIHA error, or to circumstances beyond the family's control.

Removal from the Waiting List

If at any time an applicant family is on the waiting list, RIHA determines that the family is not eligible for assistance (see Chapter 3), the family will be removed from the waiting list.

If a family is removed from the waiting list because RIHA has determined the family is not eligible for assistance, a notice will be sent to the family's address of record as well as to any alternate address provided on the initial application. The notice will state the reasons the family was removed from the waiting list and will inform the family how to request an informal review regarding RIHA's decision (see Chapter 16) [24 CFR 982.201(f)].

PART III: SELECTION FOR HCV ASSISTANCE

4-III.A. OVERVIEW

As vouchers become available, families on the waiting list must be selected for assistance in accordance with the policies described in this part.

The order in which families receive assistance from the waiting list depends on the selection method chosen by RIHA and is impacted in part by any selection preferences that the family qualifies for. The source of HCV funding also may affect the order in which families are selected from the waiting list.

RIHA must maintain a clear record of all information required to verify that the family is selected from the waiting list according to RIHA's selection policies [24 CFR 982.204(b) and 982.207(e)].

4-III.B. SELECTION AND HCV FUNDING SOURCES

Special Admissions [24 CFR 982.203]

HUD may award funding for specifically-named families living in specified types of units (e.g., a family that is displaced by demolition of public housing; a non-purchasing family residing in a HOPE 1 or 2 projects). In these cases, RIHA may admit families that are not on the waiting list, or without considering the family's position on the waiting list. RIHA must maintain records showing that such families were admitted with special program funding.

Targeted Funding [24 CFR 982.204(e)]

HUD may award a PHA funding for a specified category of families on the waiting list. RIHA must use this funding only to assist the families within the specified category. Within this category of families, the order in which such families are assisted is determined according to the policies provided in Section 4-III.C.

RIHA administers the following types of targeted funding:

Shelter Plus Care

Regular HCV Funding

Regular HCV funding may be used to assist any eligible family on the waiting list. Families are selected from the waiting list according to the policies provided in Section 4-III.C.

4-III.C. SELECTION METHOD

PHAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that RIHA will use [24 CFR 982.202(d)].

Local Preferences [24 CFR 982.207; HCV p. 4-16]

PHAs are permitted to establish local preferences, and to give priority to serving families that meet those criteria. HUD specifically authorizes and places restrictions on certain types of local preferences. HUD also permits RIHA to establish other local preferences, at its discretion. Any local preferences established must be consistent with RIHA plan and the consolidated plan, and

must be based on local housing needs and priorities that can be documented by generally accepted data sources.

RIHA uses the following Local Preference system:

- Domestic Violence
- Involuntary Displacement
- Working Preference. Families with at least one adult who is employed at least 10 hours per week or who are active participants in accredited educational and training programs designed to prepare the individual for the job market. This preference is automatically extended to elderly families or families whose head or spouse is receiving income based on their inability to work.

Victims of Domestic Violence: RIHA will offer a local preference to families that have been subjected to or victimized by a member of the family or household within the past 6 months. RIHA will require evidence that the family has been displaced as a result of fleeing violence in the home. Families are also eligible for this preference if there is proof that the family is currently living in a situation where they are being subjected to or victimized by violence in the home. The following criteria are used to establish a family's eligibility for this preference:

- Actual or threatened physical violence directed against the applicant or the applicant's family by a spouse or other household member who lives in the unit with the family.
- The actual or threatened violence must have occurred within the past 30 days or be of a continuing nature.
- An applicant who lives in a violent neighborhood or is fearful of other violence outside the household is not considered involuntarily displaced.
- To qualify for this preference, the abuser must still reside in the unit from which the victim was displaced. The applicant must certify that the abuser will not reside with the applicant unless RIHA gives prior written approval.

RIHA will approve the return of the abuser to the household under the following conditions:

- A counselor, therapist or other appropriate professional recommends in writing that the individual be allowed to reside with the family.
- If the abuser returns to the family without approval of RIHA, RIHA will deny or terminate assistance for breach of the certification.

Involuntary Displacement: Involuntarily Displaced applicants are applicants who have been involuntarily displaced and are not living in standard, permanent replacement housing, or will be involuntarily displaced within no more than six months from the date of verification by RIHA.

Families are considered to be involuntarily displaced if they are required to vacate housing as a result of:

1. A disaster (fire, flood, earthquake, etc.) that has caused the unit to be uninhabitable.
2. Federal, state or local government action related to code enforcement, public improvement or development.
3. Action by a housing owner which is beyond an applicant's ability to control, and which

occurs despite the applicant's having met all previous conditions of occupancy, and is other than a rent increase.

If the owner is an immediate family relative and there has been no previous rental agreement and the applicant has been part of the owner's family immediately prior to application, the applicant will not be considered involuntarily displaced.

For purposes of this definitional element, reasons for an applicant's having to vacate a housing unit include, but are not limited to:

- Conversion of an applicant's housing unit to non-rental or non-residential use;
 - Sale of a housing unit in which an applicant resides under an agreement that the unit must be vacant when possession is transferred; or
 - Any other legally authorized act that results, or will result, in the withdrawal by the owner of the unit or structure from the rental market.
4. To avoid reprisals because the family provided information on criminal activities to a law enforcement agency and, after a threat assessment, the law enforcement agency recommends re-housing the family to avoid or reduce risk of violence against the family.

The family must be part of a Witness Protection Program, or the HUD Office or law enforcement agency must have informed RIHA that the family is part of a similar program.

5. By hate crimes if a member of the family has been the victim of one or more hate crimes, and the applicant has vacated the unit because of the crime or the fear of such a crime has destroyed the applicant's peaceful enjoyment of the unit.

A hate crime is an actual or threatened physical violence or intimidation that is directed against a person or his property and is based on the person's race, color, religion, sex, national origin, disability or familial status [including sexual orientation] and occurred within the last 30 days or is of a continuing nature.

6. Displacement by non-suitability of the unit when a member of the family has a mobility or other impairment that makes the person unable to use critical elements of the unit and the owner is not legally obligated to make changes to the unit.

Critical elements are:

- entry and egress of unit and building
 - a full bathroom,
7. Due to HUD disposition of a multifamily project under Section 203 of the Housing and Community Development Amendments of 1978.

Standard Replacement Housing

In order to receive the displacement preference, applicants who have been displaced must not be living in "standard, permanent replacement housing."

Standard replacement housing is defined as housing that is decent, safe and sanitary local housing code, that is adequate for the family size according to Housing Quality Standards, and that the family is occupying pursuant to a written or oral lease or occupancy agreement.

Standard replacement housing *does not* include transient facilities, hotels, motels, temporary shelters, and (in the case of Victims of Domestic Violence) housing occupied by the individual who engages in such violence.

It does not include any individual imprisoned or detained pursuant to State Law or an Act of Congress. * Shared housing with family or friends is considered temporary and is not considered standard replacement housing.

Treatment of Single Applicants

Singles Preference

- Applicants who are elderly, disabled, or displaced families of no more than two person families will be given a selection priority over all “Other Single” applicants regardless of preference status. “Other Singles” denotes a one-person household in which the individual member is not elderly, disabled, or displaced by government action. Such applicants will be placed on the waiting list in accordance with any other preferences to which they are entitled, but they can not be selected for assistance before any one or two person elderly, disabled or displaced family regardless of local preferences.

Income Targeting Requirement [24 CFR 982.201(b)(2)]

HUD requires that extremely low-income (ELI) families make up at least 75% of the families admitted to the HCV program during RIHA’s fiscal year. ELI families are those with annual incomes at or below 30% of the area median income. To ensure this requirement is met, RIHA may skip non-ELI families on the waiting list in order to select an ELI family.

Low income families admitted to the program that are “continuously assisted” under the 1937 Housing Act [24 CFR 982.4(b)], as well as low-income or moderate-income families admitted to the program that are displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing, are not counted for income targeting purposes [24 CFR 982.201(b)(2)(v)].

RIHA will monitor progress in meeting the ELI requirement throughout the fiscal year. Extremely low-income families will be selected ahead of other eligible families on an as-needed basis to ensure the income targeting requirement is met.

Order of Selection

RIHA system of preferences may select families either according to the date and time of application, or by a random selection process [24 CFR 982.207(c)]. When selecting families from the waiting list PHAs are required to use targeted funding to assist only those families who meet the specified criteria, and PHAs are not permitted to skip down the waiting list to a family that it can afford to subsidize when there are not sufficient funds to subsidize the family at the top of the waiting list [24 CFR 982.204(d) and (e)].

Families will be selected from the waiting list according to total preference points, the date and time their application is received by RIHA.

4-III.D. NOTIFICATION OF SELECTION

When a family has been selected from the waiting list, RIHA must notify the family.

RIHA will notify the family by first class mail when it is selected from the waiting list. The notice will inform the family of the following:

Date, time, and location of the scheduled application interview, including any procedures for rescheduling the interview

Who is required to attend the interview

Documents that must be provided at the interview to document the legal identity of household members, including information about what constitutes acceptable documentation

Other documents and information that should be brought to the interview

If a notification letter is returned to RIHA with no forwarding address, the family will be removed from the waiting list. A notice of denial (see Chapter 3) will be sent to the family's address of record, as well as to any known alternate address.

4-III.E. THE APPLICATION INTERVIEW

HUD recommends that RIHA obtain the information and documentation needed to make an eligibility determination through a private interview. Being invited to attend an interview does not constitute admission to the program.

Reasonable accommodation will be made for persons with disabilities who are unable to attend an interview due to their disability.

Families selected from the waiting list and their household members 18 years or older are required to participate in an eligibility interview.

The interview will be conducted only if the head of household or spouse/co-head provides appropriate documentation of legal identity. (Chapter 7 provides a discussion of proper documentation of legal identity). If the family representative does not provide the required documentation, the appointment may be rescheduled when the proper documents have been obtained.

The family must provide the information necessary to establish the family's eligibility and determine the appropriate level of assistance, as well as completing required forms, providing required signatures, and submitting required documentation. If any materials are missing, RIHA will provide the family with a written list of items that must be submitted.

Any required documents or information that the family is unable to provide at the interview must be provided within 10 business days of the interview (Chapter 7 provides details about longer submission deadlines for particular items, including documentation of Social Security numbers and eligible non-citizen status). If the family is unable to obtain the information or materials within the required time frame, the family may request an extension. If the required documents and information are not provided within

the required time frame (plus any extensions), the family will be sent a notice of denial (See Chapter 3).

An advocate, interpreter, or other assistant may assist the family with the application and the interview process. Where an advocate, interpreter or other third party is used to assist the family, the family and RIHA will execute a certification attesting to the role and assistance of the third-party.

If the family is unable to attend a scheduled interview, the family should contact RIHA in advance of the interview to schedule a new appointment. If a family does not attend a scheduled interview, RIHA will send another notification letter with a new interview appointment time. Applicants who fail to attend two scheduled interviews without RIHA approval will be denied assistance based on the family's failure to supply information needed to determine eligibility. A notice of denial will be issued in accordance with policies contained in Chapter 3.

4-III.F. COMPLETING THE APPLICATION PROCESS

RIHA must verify all information provided by the family (see Chapter 7). Based on verified information, RIHA must make a final determination of eligibility (see Chapter 3) and must confirm that the family qualified for any special admission, targeted admission, or selection preference that affected the order in which the family was selected from the waiting list.

If RIHA determines that the family is ineligible, RIHA will send written notification of the ineligibility determination within 10 business days of the determination. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal review (Chapter 16).

If a family fails to qualify for any criteria that affected the order in which it was selected from the waiting list (e.g. targeted funding, extremely low-income), the family will be returned to its original position on the waiting list. RIHA will notify the family in writing that it has been returned to the waiting list, and will specify the reasons for it.

Assessment of Financial Resources

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants (FY 2009 grants)		
a) Public Housing Operating Fund	\$1,380,794	
b) Public Housing Capital Fund	\$1,100,000	
c) HOPE VI Revitalization		
d) HOPE VI Demolition		
e) Annual Contributions for Section 8 Tenant-Based Assistance	\$1,209,828	
f) PHDEP (including any Technical Assistance funds)		
g) ROSS Grants	\$ 180,939	
h) CDBG		
i) HOME		
Other Federal Grants (list below)		
a) IL018S50109 (ARRA Grant)	\$1,464,200	Public Housing Capital Improvements
2. Prior Year Federal Grants (unobligated funds only)		
3. Public Housing Dwelling Rental Income	\$1,034,259	Public Housing Operations
4. Other income (list below)		
5. Non-federal sources (list below)		
Total resources	\$6,371,020	

**ROCK ISLAND
HOUSING AUTHORITY
Rock Island, Illinois**

**FINANCIAL STATEMENTS
WITH INDEPENDENT AUDITORS' REPORT**

SEPTEMBER 30, 2008

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ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois

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INDEPENDENT AUDITORS' REPORT

To the Board of Commissioners
Rock Island Housing Authority
Rock Island, Illinois

We have audited the accompanying basic financial statements of the Rock Island Housing Authority ("Housing Authority"), as of September 30, 2008, and for the year then ended, as identified in the Table of Contents. These financial statements are the responsibility of the Housing Authority's management. Our responsibility is to express an opinion on these basic financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the basic financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the basic financial statements referred to above present fairly, in all material respects, the financial position of the Housing Authority as of September 30, 2008, and the changes in net assets and cash flows for the year then ended, in conformity with accounting principles generally accepted in the United States of America.

In accordance with Government Auditing Standards, we have also issued a report dated February 2, 2009, on our consideration of the Housing Authority's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audit.

The Management's Discussion and Analysis as identified in the Table of Contents is not a required part of the basic financial statements but is supplementary information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the supplementary information. However, we did not audit the information and express no opinion on it.

Our audit was conducted for the purpose of forming an opinion on the basic financial statements of the Housing Authority taken as a whole. The accompanying combining statements, statements and certifications of capital grant costs, and schedule of expenditures of federal awards are presented for purposes of additional analysis as required by the United States Department of Housing and Urban Development and the U.S. Office of Management and Budget Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and are not a required part of the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the basic financial statements taken as a whole.

Hankins, Ash, Dapkin & Company, LLP

La Crosse, Wisconsin
February 2, 2009

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois

MANAGEMENT DISCUSSION AND ANALYSIS

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2008

MANAGEMENT'S DISCUSSION AND ANALYSIS

The Rock Island Housing Authority (the "Housing Authority") management's discussion and analysis is designed to {a} assist the reader in focusing on significant financial issues, {b} provide an overview of the Housing Authority's financial activity, {c} identify change in the Housing Authority's financial position (it's ability to address the next and subsequent year challenges), and {d} identify individual fund issues or concerns.

Since the Management Discussion and Analysis (MD&A) is designed to focus on the current year's activities, resulting changes and currently known facts, please read it in conjunction with the Housing Authority's financial statements (beginning on page 10).

FINANCIAL HIGHLIGHTS

The Housing Authority's net assets changed by -\$306,405 (or -3%) during 2008. Since the Housing Authority engages only in business-type activities, the increase is all in the category of business-type net assets. Net assets were \$9,405,256 and \$9,711,661 for 2008 and 2007, respectively.

The business-type activities revenue decreased by \$583,378 (or 7%) during 2008, and were \$4,428,669 and \$5,012,047 for 2008 and 2007, respectively. This decrease was due to a decrease in funding of the capital grants and subsidy programs.

The total expenses of all Housing Authority's programs increased by \$189,995 (or 4%). Total expenses were \$5,301,211 and \$5,111,216 for 2008 and 2007, respectively. This decrease reflected the fact that there were no losses due to asset disposals.

USING THIS ANNUAL REPORT

The following is a graphic outline of the Housing Authority's financial statement presentation:

<p>MD&A</p> <p>Management's Discussion and Analysis - pages 4-9</p>
<p>Basic Financial Statements</p> <p>Authority-Wide Financial Statements - pages 10-14 Notes to Financial Statements - pages 15-21</p>
<p>Supplementary Information and Other Reports</p> <p>Supplemental Information - pages 22-36 Other Reports - pages 37-41</p>

HOUSING AUTHORITY OF THE CITY OF ROCK ISLAND
Rock Island, Illinois
MANAGEMENT'S DISCUSSION AND ANALYSIS - Continued
SEPTEMBER 30, 2008

Authority-Wide Financial Statements

The Authority-wide financial statements (see pages 10-14) are designed to be corporate-like in that all business-type programs are consolidated into single enterprise fund for the Housing Authority.

These Statements include a Statement of Net Assets, which is similar to a Balance Sheet. The Statement of Net Assets reports all financial and capital resources for the Housing Authority. The statement is presented in a format where assets, minus liabilities, equals "Net Assets", formerly known as equity. Assets and liabilities are presented in order of liquidity.

The focus of the Statement of Net Assets (the "Unrestricted Net Assets") is designed to represent the net available liquid (non-capital) assets, net of liabilities for the entire Housing Authority. Net Assets (formerly equity) are reported in three broad categories (as applicable):

Net Assets, Invested in Capital Assets, Net of Related Debt: This component of Net Assets consists of all Capital Assets, reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.

Restricted Net Assets: This component of Net Assets consists of restricted assets, when constraints are placed on the assets by creditors (such as debt covenants), grantors, contributors, laws, regulations, etc.

Unrestricted Net Assets: Consists of Net Assets that do not meet the definition of "Net Assets Invested in Capital Assets, Net of Related Debt", or "Restricted Net Assets".

The basic financial statements also include a Statement of Revenue, Expenses, and Changes in Fund Net Assets (similar to an Income Statement). This Statement includes Operating Revenue, such as rental income, Operating Expenses, such as administrative, utilities, maintenance, and depreciation, and Non-Operating Revenue and Expenses, such as grant revenue, investment income, and interest expense.

The focus of the Statement of Revenue, Expenses, and Changes in Fund Net Assets is the "Change in Net Assets", which is similar to Net Income or Loss.

Finally, a Statement of Cash Flows is included which discloses net cash provided by, or used for operating activities, non-capital financing activities, and from capital and related financial activities.

The Housing Authority's Programs

The Housing Authority's financial statements utilize the Enterprise Fund method on the full accrual basis of accounting. The enterprise method is similar to accounting used in the private sector. Many of the programs maintained by the Housing Authority are required by the Department of Housing and Urban Development. Others are segregated to enhance accountability and control.

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
MANAGEMENT'S DISCUSSION AND ANALYSIS - Continued
SEPTEMBER 30, 2008

The Housing Authority's Programs - Continued

Significant programs are as follows:

Conventional Public Housing - Under the Conventional Public Housing Program, the Housing Authority rents units that it owns to low-income households. The Conventional Public Housing Program is operated under an Annual Contributions Contract (ACC) with HUD, and HUD provides Operating Subsidy and Capital Grant funding to enable the PHA to provide the housing at a rent that is based upon 30 percent of household income. The Conventional Public Housing Program also includes the Capital Fund Program, which is the primary funding source for physical and management improvements to the Housing Authority's properties.

Housing Choice Voucher Program - Under the Housing Choice Voucher Program, the Housing Authority administers contracts with independent landlords that own the property. The Housing Authority subsidizes the family's rent through a Housing Assistance Payment made to the landlord. The program is administered under an Annual Contributions Contract (ACC) with HUD. HUD provides Annual Contributions Funding to enable the Housing Authority to structure a lease that sets the participants' rent at 30 percent of household income.

Capital Fund Program - This is the current primary funding source for the Housing Authority's physical and management improvements. Funds are allocated by a formula allocation and based on size and age of the Housing Authority's units.

In addition to the programs outlined above, the Housing Authority also maintains the following other programs:

Non-HUD/Business Activities Programs - This program includes business activities.

AUTHORITY-WIDE STATEMENT

The following table reflects the condensed Statement of Net Assets compared to prior year. The Housing Authority is engaged in Business-Type Activities.

TABLE 1			
STATEMENT OF NET ASSETS			
	2008	2007	Change
Current Assets	\$ 5,225,824	\$ 5,049,375	\$ 176,449
Other Assets	111,815	152,335	(40,520)
Capital Assets	6,587,795	7,112,435	(524,640)
TOTAL ASSETS	\$ 11,925,434	\$ 12,314,145	\$ (388,711)
Current Liabilities	\$ 436,887	\$ 450,213	\$ (13,326)
Long-Term Liabilities	2,083,291	2,152,271	(68,980)
TOTAL LIABILITIES	\$ 2,520,178	\$ 2,602,484	\$ (82,306)
Net Assets:			
Invested in Capital Assets, Net of Related Debt	\$ 4,478,781	\$ 4,948,527	\$ (469,746)
Restricted - Operating Activities	2,453,712	-	2,453,712
Unrestricted	2,472,763	4,763,134	(2,290,371)
TOTAL NET ASSETS	\$ 9,405,256	\$ 9,711,661	\$ (306,405)

For more detailed information see page 10 for the Statement of Net Assets.

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
MANAGEMENT'S DISCUSSION AND ANALYSIS - Continued
SEPTEMBER 30, 2008

Major Factors Affecting the Statement of Net Assets

Current assets increased by \$176,449 and current liabilities decreased by \$13,326. Current assets (primarily cash and investments) were used to extinguish liabilities.

Capital assets also changed, decreasing by \$524,640. The decrease may be attributed primarily to current year depreciation and amortization (\$934,721). Construction in progress decreased by \$22,423. Several Capital Projects were put on hold during the past year due to delay in funding and market conditions deteriorating during the last half of the fiscal year.
For more detail see "Capital Assets" below.

TABLE 2

STATEMENT OF REVENUE, EXPENSES, AND CHANGES IN NET ASSETS

The following schedule compares the revenue and expenses for the current and previous fiscal year. The Housing Authority is engaged only in Business-Type Activities.

	2008	2007	Change
REVENUE			
Tenant Revenue - Rent	\$ 1,027,337	\$ 965,620	\$ 61,717
Operating Subsidies and Grants	3,225,600	3,339,507	(113,907)
Capital Grants	594,422	1,089,080	(494,658)
Investment Income	54,290	119,583	(65,293)
Other Revenue	175,732	706,920	(531,188)
TOTAL REVENUE	<u>5,077,381</u>	<u>6,220,710</u>	<u>(1,143,329)</u>
EXPENSES			
Administrative	1,327,112	1,432,974	(105,862)
Tenant Services	150,051	131,922	18,129
Utilities	567,359	478,677	88,682
Maintenance	898,488	738,288	160,200
Protective Services	52,049	75,347	(23,298)
General	228,813	222,904	5,909
Housing Assistance Payments	1,142,618	1,123,476	19,142
Depreciation	934,721	907,628	27,093
Interest	19,839	29,569	(9,730)
Loss on Disposal of Assets	-	363,390	(363,390)
TOTAL EXPENSES	<u>5,321,050</u>	<u>5,504,175</u>	<u>(183,125)</u>
CHANGE IN NET ASSETS	(243,669)	716,535	(960,205)
PRIOR PERIOD ADJUSTMENTS	<u>(62,736)</u>	<u>(534,108)</u>	<u>471,372</u>
NET INCREASE	<u>\$ (306,405)</u>	<u>\$ 182,427</u>	<u>\$ (488,832)</u>

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
MANAGEMENT'S DISCUSSION AND ANALYSIS - Continued
SEPTEMBER 30, 2008

**MAJOR FACTORS AFFECTING THE STATEMENT OF REVENUE, EXPENSES, AND
CHANGES IN NET ASSETS**

Housing assistance payments increased due to the Section 8 Program recovering subsidies that were not spent in previous years. Tenant services increased due to additional grant funding. Total utility costs increased from the previous year due to more consumption resulting from colder than average temperatures, for the period reported.

Operating subsidy and grants decreased by \$113,907. Section 8 received a significant decrease in subsidies. There was also a decrease in capital grants received of \$494,658.

CAPITAL ASSETS

As of the year end, the Housing Authority had \$6,587,797 invested in a variety of capital assets as reflected in the following schedule, which represents a net decrease (additions, deductions, and depreciation) of \$524,638. Please refer to Table 4 for additional explanation.

TABLE 3			
CAPITAL ASSETS AT YEAR-END (NET OF DEPRECIATION)			
<u>Business-Type Activities</u>			
	<u>2008</u>	<u>2007</u>	<u>Change</u>
Land and Land Rights	\$ 844,956	\$ 999,109	\$ (154,153)
Land Improvements	789,894	691,286	98,608
Buildings and Improvements	17,418,971	17,350,508	68,463
Equipment	1,893,526	1,886,300	7,226
Construction in Progress	<u>138,046</u>	<u>115,623</u>	<u>22,423</u>
	21,085,393	21,042,826	42,567
Accumulated Depreciation	<u>(14,497,598)</u>	<u>(13,930,391)</u>	<u>(567,207)</u>
TOTAL	<u>\$ 6,587,795</u>	<u>\$ 7,112,435</u>	<u>\$ (524,640)</u>

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
MANAGEMENT'S DISCUSSION AND ANALYSIS - Continued
SEPTEMBER 30, 2008

The following reconciliation summarizes the Change in Capital Assets, which is presented in detail on page 19 of the notes.

TABLE 4	
CHANGE IN CAPITAL ASSETS	
	Business-Type Activities
Balance on 10/1/2007	\$ 7,112,435
Additions	654,308
Retirements Net of Depreciation	-
Depreciation	976,882
Adjustments	(202,066)
Beginning Balance	\$ <u>6,587,795</u>

Additions relate to *Capital Fund Program* grant improvements, business activities, and public housing operations. There were no retirements in this past fiscal year.

ECONOMIC FACTORS

Significant economic factors affecting the Housing Authority are as follows:

- Federal funding of the Department of Housing and Urban Development.
- Local labor supply and demand, which can affect salary and wage rates.
- Local inflationary, recessionary, and employment trends, which can affect resident incomes and therefore, the amount of rental income.
- Inflationary pressure on utility rates, supplies, and other costs.

IN CONCLUSION

The Rock Island Housing Authority takes great pride in its financial management and is pleased to report on the consistent and sound financial condition of the Housing Authority.

FINANCIAL CONTACT

The individual to be contacted regarding this report is Susan Anderson, Executive Director of the Rock Island Housing Authority at (309) 788-0825. Specific requests may be submitted to Susan Anderson, Executive Director of the Rock Island Housing Authority, 227 21st Street, Rock Island, IL 61201.

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ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois

BASIC FINANCIAL STATEMENTS

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
STATEMENT OF NET ASSETS
SEPTEMBER 30, 2008

ASSETS

CURRENT ASSETS

Cash and cash equivalents	\$ 2,545,974
Cash and cash equivalents - restricted	2,497,305
Receivables	
Tenants, net of allowance for doubtful accounts	11,777
Other	11,529
Due from other governments	86,440
Inventory	28,382
Prepaid expenses	44,417
TOTAL CURRENT ASSETS	5,225,824

NONCURRENT ASSETS

Other assets	111,815
Land	844,956
Land improvements	789,894
Buildings	17,418,971
Equipment	1,893,526
Construction in progress	138,046
Less accumulated depreciation	(14,497,598)
TOTAL NONCURRENT ASSETS	6,699,610

TOTAL ASSETS	<u>\$ 11,925,434</u>
---------------------	-----------------------------

The accompanying notes are an integral part of these financial statements.

LIABILITIES AND NET ASSETS

CURRENT LIABILITIES

Accounts payable	\$ 114,870
Accrued payroll liabilities	57,409
Compensated absences	16,371
Deferred revenue	34,382
Due to other governments	112,678
Tenants' security deposits	43,593
Current portion of long-term debt	<u>57,584</u>
TOTAL CURRENT LIABILITIES	<u>436,887</u>

NONCURRENT LIABILITIES

Compensated absences	31,861
Loans payable	<u>2,051,430</u>
TOTAL NONCURRENT LIABILITIES	<u>2,083,291</u>

TOTAL LIABILITIES 2,520,178

NET ASSETS

Investment in capital assets, net of related debt	4,478,781
Restricted net assets	2,453,712
Unrestricted net assets	<u>2,472,763</u>
TOTAL NET ASSETS	<u>9,405,256</u>

TOTAL LIABILITIES AND NET ASSETS \$ 11,925,434

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois

STATEMENT OF REVENUE, EXPENSES, AND CHANGES IN NET ASSETS
YEAR ENDED SEPTEMBER 30, 2008

OPERATING REVENUE	
Dwelling rental	\$ 1,027,337
Operating grants	3,225,600
Other operating revenue	175,732
TOTAL OPERATING REVENUE	<u>4,428,669</u>
OPERATING EXPENSES	
Administration	1,327,112
Tenant services	150,051
Utilities	567,359
Maintenance and operations	898,488
General expenses	228,813
Protective services	52,049
Housing assistance payments	1,142,618
Depreciation	934,721
TOTAL OPERATING EXPENSES	<u>5,301,211</u>
OPERATING (LOSS)	<u>(872,542)</u>
NONOPERATING REVENUE (EXPENSE)	
Investment income	54,290
Interest expense	(19,839)
NET NONOPERATING REVENUE	<u>34,451</u>
CHANGE IN NET ASSETS BEFORE CAPITAL GRANTS	(838,091)
CAPITAL GRANTS	<u>594,422</u>
CHANGE IN NET ASSETS	(243,669)
NET ASSETS AT BEGINNING OF YEAR	9,711,661
PRIOR PERIOD ADJUSTMENTS	<u>(62,736)</u>
NET ASSETS AT END OF YEAR	<u>\$ 9,405,256</u>

The accompanying notes are an integral part of these financial statements.

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
STATEMENT OF CASH FLOWS
YEAR ENDED SEPTEMBER 30, 2008

CASH FLOWS FROM OPERATING ACTIVITIES	
Cash received from tenants/participants	\$ 1,049,614
Cash received from operating grants	3,235,806
Other income received	274,564
Cash payments to vendors	(1,555,519)
Cash payments to employees	(1,456,356)
Cash payments for housing assistance	(1,142,618)
NET CASH PROVIDED BY OPERATING ACTIVITIES	<u>405,491</u>
 CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES	
Capital grants	1,221,780
Acquisition of capital assets	(790,972)
Principal payments	(54,894)
Interest paid	(19,839)
NET CASH PROVIDED BY CAPITAL AND RELATED FINANCING ACTIVITIES	<u>356,075</u>
 CASH FLOWS FROM INVESTING ACTIVITIES	
Interest received	<u>80,589</u>
NET INCREASE IN CASH AND CASH EQUIVALENTS	937,943
CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR	<u>4,105,336</u>
CASH AND CASH EQUIVALENTS AT END OF YEAR	<u>\$ 5,043,279</u>

(Continued on page 14)

The accompanying notes are an integral part of these financial statements.

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
STATEMENT OF CASH FLOWS - Continued
YEAR ENDED SEPTEMBER 30, 2008

RECONCILIATION OF CASH AND CASH EQUIVALENTS PER STATEMENT
OF CASH FLOWS TO THE STATEMENT OF NET ASSETS

Cash and cash equivalents	\$ 2,545,974
Cash and cash equivalents - restricted	2,497,305
CASH AND CASH EQUIVALENTS PER STATEMENT OF NET ASSETS	\$ 5,043,279

RECONCILIATION OF INCOME FROM OPERATING (LOSS) TO NET CASH
PROVIDED BY OPERATING ACTIVITIES

CASH FLOWS FROM OPERATING ACTIVITIES

Operating (loss)	\$ (872,542)
Adjustments to reconcile operating (loss) to net cash provided by operating activities	
Depreciation	934,721
Prior period adjustments	77,183
Changes in assets and liabilities	
(Increase) decrease in assets	
Accounts receivable	117,453
Due from other governments	12,829
Inventory	4,822
Prepaid expenses	(647)
Increase (decrease) in liabilities	
Accounts payable - operations	47,959
Accrued expenses	18,191
Due to other governments	47,064
Deferred revenue	14,423
Tenants' security deposits	4,035
NET CASH PROVIDED BY OPERATING ACTIVITIES	\$ 405,491

The accompanying notes are an integral part of these financial statements.

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2008

NOTE 1 - Summary of Significant Accounting Policies

Reporting Entity - The Housing Authority is a separate governmental entity created for the purpose of constructing, maintaining, and operating public housing and providing rental assistance to low income and elderly persons. Most of the Housing Authority's funding is provided by the United States Department of Housing and Urban Development (HUD). All programs of the Housing Authority are included in these statements.

Creative Housing Solutions, Inc. (CHS) is a component unit of the Rock Island Housing Authority. CHS is a local not-for-profit corporation established under the Laws of the State of Illinois. Its purpose is to provide housing and community development projects that are outside the range of services the Housing Authority can provide under State and Federal regulations.

The basis criterion for including a legally separate organization as a component unit is the degree of financial accountability the Housing Authority has with the organization. The following circumstances set forth the Housing Authority's financial accountability for a legally separate organization:

- a. The Housing Authority is financially accountable if it appoints a voting majority of the organization's governing body and (1) it is able to impose its will on the organization or (2) there is a potential for the organization to provide specific financial benefits to, or impose specific financial burdens on the Housing Authority.
- b. The Housing Authority may be financially accountable if an organization is fiscally dependent on the Housing Authority regardless of whether the organization has (1) a separately elected governed board, (2) a governing board appointed by a higher level of government, or (3) a jointly appointed board.

Programs Administered by the Housing Authority - The programs of the Housing Authority are recorded in one enterprise fund. Each is maintained using a separate set of self-balancing accounts. The programs include Public Housing, Capital Funds, Section 8 Choice Vouchers, Shelter Plus Care, Business Activities program, Resident Opportunities and Self-Sufficient grant program (ROSS), Gang Resistance Education and Training (GREAT), and a component unit.

Basis of Accounting and Measurement Focus - The Housing Authority's financial statements are presented on the full accrual basis in accordance with accounting principles generally accepted in the United States of America. The Housing Authority applies all GASB pronouncements as well as Financial Accounting Standards Board (FASB) statements and interpretations, and the Accounting Principles Board (APB) of the Committee on Accounting Procedure issued on or before November 30, 1989, unless those pronouncements conflict with or contradict GASB pronouncements.

All activities of the Housing Authority are accounted for within one proprietary (enterprise) fund. A proprietary fund is used to account for operations that are (a) financed and operated in a manner similar to private business enterprises where the intent of the governing body is that the cost (expenses, including depreciation) of providing goods and services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body has decided that periodic determination of revenue earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes.

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
NOTES TO FINANCIAL STATEMENTS - Continued
SEPTEMBER 30, 2008

NOTE 1 - Summary of Significant Accounting Policies - Continued

A proprietary fund distinguishes operating revenue and expenses from non-operating items. Operating revenue and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenue of the Housing Authority are rents collected from tenants and operating grants. Operating expenses for proprietary funds include the cost of operating properties owned, administrative expenses and depreciation on capital assets. All revenue and expenses not meeting this definition are reported as non-operating revenue and expenses.

The accounting and financial reporting treatment applied to the Housing Authority is determined by its measurement focus. The transactions of the Housing Authority are accounted for on a flow of economic resources measurement focus. With this measurement focus, all assets and all liabilities associated with the operations are included on the statement of net assets. Net assets (i.e., total assets net of total liabilities) are segregated into investment in capital assets, net of related debt, restricted net assets and unrestricted net assets. When both restricted and unrestricted resources are available for use, it is the Housing Authority's policy to use restricted resources first, and then unrestricted resources as they are needed.

Cash and Cash Equivalents - For purposes of the statement of cash flows, the Housing Authority considers all highly liquid investments purchased with a maturity of three months or less to be cash equivalents.

Cash and Cash Equivalents - Restricted - Restricted cash and cash equivalents are segregated resources for tenants' security deposits and unspent housing assistance payments.

Insurance - The premiums on all major insurance policies are charged to prepaid insurance and amortized over the life of the policy.

Accounts Receivable - Accounts receivable are recorded at gross amount, less an allowance for doubtful accounts. The allowance for doubtful accounts was \$440 for public housing and \$7,851 for Section 8 at September 30, 2008.

Inventory - Inventory is priced using the average cost method.

Capital Assets - Purchased capital assets are valued at historical cost or estimated historical cost if actual historical cost is not available. Donated capital assets are valued at their estimated fair value on the date donated. Buildings and equipment are carried at cost or estimated fair value and depreciated using a straight-line method of depreciation over their estimated useful lives as follows:

Land improvements	10 years
Buildings and improvements	10-40 years
Equipment	3-7 years

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
NOTES TO FINANCIAL STATEMENTS - Continued
SEPTEMBER 30, 2008

NOTE 1 - Summary of Significant Accounting Policies - Continued

Accumulated Compensated Absences - The Housing Authority allows regular, full-time employees to accumulate the following compensated absences:

- Vacation time can be accumulated up to and including a maximum of 160 hours. Upon termination of employment, the cash value of accrued time shall be payable to the employee on the next regular pay day.
- Sick pay can be accumulated up to a maximum of 160 hours for full-time employees, and up to a maximum of 80 hours for part-time employees. Upon termination of employment, employees shall be paid for unused sick leave at the rate of 25 percent of the value of the accrued sick leave up to a maximum of \$500.

The amount of accumulated benefits at September 30, 2008, was \$48,232 and is recorded as a liability in the applicable programs.

Net Assets - Net assets are displayed in three components:

- a. Investment in capital assets, net of related debt - Consists of capital assets including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.
- b. Restricted net assets - Consists of net assets with constraints placed on the use either by (1) external groups such as creditors, grantors, contributors, or laws or regulations of other governments or, (2) law through constitutional provisions or enabling legislation.
- c. Unrestricted net assets - Consists of all other net assets that do not meet the definition of "restricted" or "investment in capital assets, net of related debt."

Federal Aids - Federal aids for reimbursable programs are recognized as revenue in the year related program expenditures are incurred. Aids received prior to meeting revenue recognition criteria are recorded as deferred revenue.

Employee Retirement Plan - The Housing Authority has a retirement plan covering substantially all of its eligible employees which is funded through contributions to AXA Equitable.

Due To/From Other Programs - During the course of operations, numerous transactions occur between individual programs for goods provided or services rendered. These receivables and payables are classified as "due from other programs" or "due to other programs" on the combining statement of net assets and have been eliminated in the basic financial statements.

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
NOTES TO FINANCIAL STATEMENTS - Continued
SEPTEMBER 30, 2008

NOTE 1 - Summary of Significant Accounting Policies - Continued

Interprogram Transactions - Quasi-external transactions are accounted for as revenue, expenditures, or expenses. Transactions that constitute reimbursements to a program for expenditures/expenses initially made from it that are properly applicable to another program, are recorded as expenditures/expenses in the reimbursing program and as reductions of expenditures/expenses in the program that is reimbursed.

Use of Estimates - The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the reporting period. Actual results could differ from those estimates.

Construction Projects - There are certain construction projects in progress at September 30, 2008. These include modernizing rental units at many different projects. These projects are being funded by HUD. Funds are requested periodically as the cost is incurred.

Rental Income - Rental income is recognized as rents become due.

NOTE 2 - Cash and Cash Equivalents

HUD regulations and statutes authorize the Housing Authority to have deposits in checking accounts, certificates of deposit, money-market funds, United States government securities, and repurchase agreements fully collateralized by United States government securities.

Fair Value of Deposits - Deposits are reported at fair value. At September 30, 2008, the fair value of the Housing Authority's deposits approximated original cost; therefore, no fair value adjustments were necessary.

Determining Fair Value - Fair value of the Housing Authority's deposits are determined as follows: deposits with stated interest rates (operating and savings accounts) are stated at cost.

Income Allocation - Interest income is generally allocated to the program that owns the certificate of deposit, money market account, and savings account.

Custodial Credit Risk - Deposits - Custodial credit is the risk that, in the event of a bank failure, the Housing Authority's deposits may not be returned to it. The Housing Authority does not have a deposit policy for custodial credit risk. As of September 30, 2008, \$4,894,014 of the Housing Authority's bank balance of \$5,094,014, was exposed to custodial risk is as follows:

Uninsured, collateralized by bank	\$ 2,572,055
Uninsured and uncollateralized	2,321,959
	<u>\$ 4,894,014</u>

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
NOTES TO FINANCIAL STATEMENTS - Continued
SEPTEMBER 30, 2008

NOTE 3 - Capital Assets

A summary of changes in capital assets is as follows:

	BALANCE 10/01/07	ADDITIONS	RETIREMENTS	TRANSFERS	ADJUSTMENTS	BALANCE 09/30/08
<i>Capital assets not being depreciated:</i>						
Land	\$ 999,109	\$ 47,988	\$ -	\$ -	\$ (202,141)	\$ 844,956
Construction in progress	115,623	22,423	-	-	-	138,046
TOTAL CAPITAL ASSETS NOT BEING DEPRECIATED	1,114,732	70,411	-	-	(202,141)	983,002
<i>Capital assets being depreciated:</i>						
Land improvements	691,286	86,306	-	12,392	(90)	789,894
Buildings and improvements	17,350,508	479,990	(399,300)	(12,392)	165	17,418,971
Equipment	1,886,300	17,601	(10,375)	-	-	1,893,526
TOTAL CAPITAL ASSETS BEING DEPRECIATED	19,928,094	583,897	(409,675)	-	75	20,102,391
Less accumulated depreciation	13,930,391	934,721	(409,675)	-	42,161	14,497,598
TOTAL CAPITAL ASSETS BEING DEPRECIATED, NET OF ACCUMULATED DEPRECIATION	5,997,703	(350,824)	-	-	(42,086)	5,604,793
NET CAPITAL ASSETS	\$ 7,112,435	\$ (280,413)	\$ -	\$ -	\$ (244,227)	\$ 6,587,795

NOTE 4 - Long-Term Obligations

Details of the Housing Authority's long-term obligations are set forth below:

Summary of Long-Term Obligations

	BALANCE 10/01/07	ADDITIONS	REDUCTIONS	BALANCE 09/30/08	AMOUNT DUE WITHIN ONE YEAR
Compensated absences	\$ 47,910	\$ 322	\$ -	\$ 48,232	\$ 16,371
Loans payable	2,163,908	-	(54,894)	2,109,014	57,584
	\$ 2,211,818	\$ 322	\$ (54,894)	\$ 2,157,246	\$ 73,955

At September 30, 2008, long-term debt consists of:

Note payable to bank, interest at 5.18 percent, quarterly payments of \$18,349, including interest, matures on March 7, 2014. Collateralized by improvements.	\$ 349,308
Note payable to financing Organization, interest at 0 percent, monthly payments of \$100, matures on August 1, 2037. Collateralized by real estate and building.	1,759,706
	2,109,014
Less current portion	57,584
TOTAL	\$ 2,051,430

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
NOTES TO FINANCIAL STATEMENTS - Continued
SEPTEMBER 30, 2008

NOTE 4 - Long-Term Obligations - Continued

Maturities of Long-Term Debt

Maturities of the long-term debt at September 30, 2008, are:

<u>YEARS</u>	<u>PRINCIPAL</u>	<u>INTEREST</u>
2009	\$ 57,584	\$ 17,011
2010	60,561	14,033
2011	63,697	10,898
2012	66,997	7,597
2013	70,473	4,122
2014-2018	41,996	700
2019-2023	6,000	-
2024-2028	6,000	-
2029-2033	6,000	-
2034-2037	1,729,706	-
	<u>\$ 2,109,014</u>	<u>\$ 54,361</u>

NOTE 5 - Pension Plan

The Housing Authority has an employee defined contribution pension plan with AXA Equitable.

A defined contribution pension plan provides pension benefits in return for services rendered, provides an individual account for each participant, and specifies how contributions to the individual accounts are to be determined instead of specifying the amount of benefits the individual is to receive.

The Housing Authority is required to contribute 13.7 percent of an employee's salary. The Housing Authority's actual contribution was \$95,029 for the year ended September 30, 2008. Employees can contribute up to the maximum annually, as established by the IRS.

NOTE 6 - Interprogram Accounts

Individual interprogram accounts at September 30, 2008, are as follows:

<u>Receivable Program</u>	<u>Payable Program</u>	<u>Amount</u>
COCC	AMP I	\$ 30,302
COCC	AMP II	28,847
COCC	AMP III	35,691
COCC	GREAT	3,893
COCC	Section 8 Choice Vouchers	13,389
COCC	Shelter Plus Care	1,892
COCC	Capital Funds	68,770
COCC	ROSS	13,777
Component Unit	COCC	14,311
TOTAL		<u>\$ 210,872</u>

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
NOTES TO FINANCIAL STATEMENTS - Continued
SEPTEMBER 30, 2008

NOTE 6 - Interprogram Accounts - Continued

The above balances resulted from the timing differences between the date that (1) interprogram goods and services were provided or reimbursable expenditures occurred, (2) transactions that were recorded in the accounting system, and (3) payments between programs were made. All amounts are due within one year.

Individual program operating transfers during 2008 are as follows:

<u>Receiving Program</u>	<u>Paying Program</u>	<u>Amount</u>
Capital Funds	COCC	<u>\$ 95,788</u>

NOTE 7 - Risk Management

Insured Risk - The Housing Authority purchases commercial insurance with various deductibles and coverages to cover liability, property, workers' compensation, errors, omissions, and employee defalcation risk. For insured programs, there have been no significant reductions in insurance coverage. Settlement amounts have not exceeded insurance coverage for the current year or the three prior years.

NOTE 8 - Net Assets

The following is a summary of individual net assets restrictions at September 30, 2008:

<u>Program</u>	<u>Purpose/Reason</u>	<u>Amount</u>
Component Unit	Replacement Reserve	\$ 2,641
Section 8 Choice Vouchers	Unspent Housing Assistance Payments	244,703
Public Housing	Modernization and Development	<u>2,206,368</u>
TOTAL		<u>\$ 2,453,712</u>

NOTE 9 - Prior Period Adjustments

For Central Office Cost Center and Capital Funds, the prior period adjustment is to adjust fixed asset balances to actual. For the Component Unit, the prior period adjustment is to adjust beginning equity to actual.

NOTE 10 - Economic Dependency

The Housing Authority received approximately 68 percent of its total revenue from the United States Department of Housing and Urban Development. This funding is subject to federal government budget appropriations and potential funding reductions.

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ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois

SUPPLEMENTAL INFORMATION

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
COMBINING STATEMENT OF NET ASSETS
SEPTEMBER 30, 2008

ASSETS	COCC	PUBLIC HOUSING			CAPITAL FUNDS
		AMP I	AMP II	AMP III	
CURRENT ASSETS					
Cash and cash equivalents	\$ 368,674	\$ 344,377	\$ 409,732	\$ 457,486	\$ -
Cash and cash equivalents - restricted	-	11,395	2,219,968	17,760	-
Receivables					
Tenants, net of allowance for doubtful accounts	-	3,689	6,104	1,945	-
Other	21	-	-	-	-
Due from other governments	-	-	-	-	68,770
Due from other programs	196,561	-	-	-	-
Inventory	-	8,673	8,544	11,165	-
Prepaid expenses	17,857	7,846	6,630	10,483	-
TOTAL CURRENT ASSETS	<u>583,113</u>	<u>375,980</u>	<u>2,650,978</u>	<u>498,839</u>	<u>68,770</u>
NONCURRENT ASSETS					
Other assets	111,815	-	-	-	-
Land	165,150	129,918	188,337	192,563	-
Land improvements	251,190	295,733	76,143	80,522	86,306
Buildings	987,810	4,000,118	5,165,731	3,629,471	1,623,471
Equipment	461,736	219,881	254,429	759,513	112,784
Construction in progress	-	-	-	-	138,046
Less accumulated depreciation	(976,507)	(4,256,105)	(4,619,041)	(4,229,931)	(224,503)
TOTAL NONCURRENT ASSETS	<u>1,001,194</u>	<u>389,545</u>	<u>1,065,599</u>	<u>432,138</u>	<u>1,736,104</u>
TOTAL ASSETS	<u>\$ 1,584,307</u>	<u>\$ 765,525</u>	<u>\$ 3,716,577</u>	<u>\$ 930,977</u>	<u>\$ 1,804,874</u>

SECTION 8 CHOICE VOUCHERS	SHELTER PLUS CARE	ROSS	GREAT	BUSINESS ACTIVITIES	COMPONENT UNIT	ELIMINATING ENTRY	TOTAL
\$ 279,724	\$ 12,808	\$ -	\$ -	\$ 458,656	\$ 214,517	\$ -	\$ 2,545,974
244,703	-	-	-	-	3,479	-	2,497,305
-	-	-	-	-	39	-	11,777
11,508	-	-	-	-	-	-	11,529
-	-	13,777	3,893	-	-	-	86,440
-	-	-	-	-	14,311	(210,872)	-
-	-	-	-	-	-	-	28,382
488	-	-	-	-	1,113	-	44,417
<u>536,423</u>	<u>12,808</u>	<u>13,777</u>	<u>3,893</u>	<u>458,656</u>	<u>233,459</u>	<u>(210,872)</u>	<u>5,225,824</u>
-	-	-	-	-	-	-	111,815
-	-	-	-	-	168,988	-	844,956
-	-	-	-	-	-	-	789,894
-	-	-	-	-	2,012,370	-	17,418,971
23,981	-	61,202	-	-	-	-	1,893,526
-	-	-	-	-	-	-	138,046
(23,981)	-	(21,176)	-	-	(146,354)	-	(14,497,598)
<u>-</u>	<u>-</u>	<u>40,026</u>	<u>-</u>	<u>-</u>	<u>2,035,004</u>	<u>-</u>	<u>6,699,610</u>
<u>\$ 536,423</u>	<u>\$ 12,808</u>	<u>\$ 53,803</u>	<u>\$ 3,893</u>	<u>\$ 458,656</u>	<u>\$ 2,268,463</u>	<u>\$ (210,872)</u>	<u>\$ 11,925,434</u>

(Continued on page 24)

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
COMBINING STATEMENT OF NET ASSETS - Continued
SEPTEMBER 30, 2008

<u>LIABILITIES AND NET ASSETS</u>	PUBLIC HOUSING				<u>CAPITAL FUNDS</u>
	COCC	AMP I	AMP II	AMP III	
CURRENT LIABILITIES					
Accounts payable	\$ 92,743	\$ 996	\$ 11,674	\$ 9,127	\$ -
Accrued payroll liabilities	57,409	-	-	-	-
Compensated absences	7,086	2,762	2,734	3,151	-
Deferred revenue	10,929	7,158	3,389	12,906	-
Due to other programs	14,311	30,302	28,847	35,691	68,770
Due to other governments	-	21,320	36,267	55,091	-
Tenants' security deposits	-	11,395	13,600	17,760	-
Current portion of long-term debt	56,384	-	-	-	-
TOTAL CURRENT LIABILITIES	<u>238,862</u>	<u>73,933</u>	<u>96,511</u>	<u>133,726</u>	<u>68,770</u>
NONCURRENT LIABILITIES					
Compensated absences	18,123	2,209	7,307	3,894	-
Loans payable	292,924	-	-	-	-
TOTAL NONCURRENT LIABILITIES	<u>311,047</u>	<u>2,209</u>	<u>7,307</u>	<u>3,894</u>	<u>-</u>
TOTAL LIABILITIES	<u>549,909</u>	<u>76,142</u>	<u>103,818</u>	<u>137,620</u>	<u>68,770</u>
NET ASSETS					
Invested in capital assets, net of related debt	540,071	389,545	1,065,599	432,138	1,736,104
Restricted net assets	-	-	2,206,368	-	-
Unrestricted net assets	494,327	299,838	340,792	361,219	-
TOTAL NET ASSETS	<u>1,034,398</u>	<u>689,383</u>	<u>3,612,759</u>	<u>793,357</u>	<u>1,736,104</u>
TOTAL LIABILITIES AND NET ASSETS	<u>\$ 1,584,307</u>	<u>\$ 765,525</u>	<u>\$ 3,716,577</u>	<u>\$ 930,977</u>	<u>\$ 1,804,874</u>

SECTION 8 CHOICE VOUCHERS	SHELTER PLUS CARE	ROSS	GREAT	BUSINESS ACTIVITIES	COMPONENT UNIT	ELIMINATING ENTRY	TOTAL
\$ -	\$ -	\$ -	\$ -	\$ -	\$ 330	\$ -	\$ 114,870
-	-	-	-	-	-	-	57,409
638	-	-	-	-	-	-	16,371
-	-	-	-	-	-	-	34,382
13,389	1,892	13,777	3,893	-	-	(210,872)	-
-	-	-	-	-	-	-	112,678
-	-	-	-	-	838	-	43,593
-	-	-	-	-	1,200	-	57,584
<u>14,027</u>	<u>1,892</u>	<u>13,777</u>	<u>3,893</u>	<u>-</u>	<u>2,368</u>	<u>(210,872)</u>	<u>436,887</u>
328	-	-	-	-	-	-	31,861
-	-	-	-	-	1,758,506	-	2,051,430
<u>328</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>1,758,506</u>	<u>-</u>	<u>2,083,291</u>
<u>14,355</u>	<u>1,892</u>	<u>13,777</u>	<u>3,893</u>	<u>-</u>	<u>1,760,874</u>	<u>(210,872)</u>	<u>2,520,178</u>
-	-	40,026	-	-	275,298	-	4,478,781
244,703	-	-	-	-	2,641	-	2,453,712
<u>277,365</u>	<u>10,916</u>	<u>-</u>	<u>-</u>	<u>458,656</u>	<u>229,650</u>	<u>-</u>	<u>2,472,763</u>
<u>522,068</u>	<u>10,916</u>	<u>40,026</u>	<u>-</u>	<u>458,656</u>	<u>507,589</u>	<u>-</u>	<u>9,405,256</u>
<u>\$ 536,423</u>	<u>\$ 12,808</u>	<u>\$ 53,803</u>	<u>\$ 3,893</u>	<u>\$ 458,656</u>	<u>\$ 2,268,463</u>	<u>\$ (210,872)</u>	<u>\$ 11,925,434</u>

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois

COMBINING STATEMENT OF REVENUE, EXPENSES, AND CHANGES IN NET ASSETS
YEAR ENDED SEPTEMBER 30, 2008

	COCC	PUBLIC HOUSING			CAPITAL FUNDS
		AMP I	AMP II	AMP III	
OPERATING REVENUE					
Dwelling rental	\$ -	\$ 204,773	\$ 324,556	\$ 466,702	\$ -
Operating grants	-	477,515	447,181	619,825	345,596
Other operating revenue	601,899	19,290	31,088	39,459	-
TOTAL OPERATING REVENUE	<u>601,899</u>	<u>701,578</u>	<u>802,825</u>	<u>1,125,986</u>	<u>345,596</u>
OPERATING EXPENSES					
Administration	579,587	226,290	248,123	309,473	249,238
Tenant services	1,500	-	328	26	-
Utilities	14,387	136,704	202,658	209,241	-
Maintenance and operations	72,357	225,833	273,390	318,328	570
General expenses	29,109	46,929	49,976	77,298	-
Protective services	-	12,997	12,707	17,595	-
Housing assistance payments	-	-	-	-	-
Depreciation	124,608	171,970	118,496	242,334	196,161
TOTAL OPERATING EXPENSES	<u>821,548</u>	<u>820,723</u>	<u>905,678</u>	<u>1,174,295</u>	<u>445,969</u>
OPERATING (LOSS) INCOME	<u>(219,649)</u>	<u>(119,145)</u>	<u>(102,853)</u>	<u>(48,309)</u>	<u>(100,373)</u>
NONOPERATING REVENUE (EXPENSE)					
Investment (loss) income	(18,813)	9,345	27,028	12,838	-
Operating transfers in	95,788	-	-	-	-
Operating transfers out	-	-	-	-	(95,788)
Interest expense	-	(5,639)	(6,540)	(7,660)	-
NET NONOPERATING REVENUE (EXPENSE)	<u>76,975</u>	<u>3,706</u>	<u>20,488</u>	<u>5,178</u>	<u>(95,788)</u>
CHANGE IN NET ASSETS BEFORE CAPITAL GRANTS	<u>(142,674)</u>	<u>(115,439)</u>	<u>(82,365)</u>	<u>(43,131)</u>	<u>(196,161)</u>
CAPITAL GRANTS	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>592,922</u>
CHANGE IN NET ASSETS	<u>(142,674)</u>	<u>(115,439)</u>	<u>(82,365)</u>	<u>(43,131)</u>	<u>396,761</u>
NET ASSETS AT BEGINNING OF YEAR	1,114,060	763,702	3,109,262	814,376	2,191,368
PRIOR PERIOD ADJUSTMENTS	42,351	-	-	-	(182,270)
RESIDUAL EQUITY TRANSFER IN (OUT)	<u>20,661</u>	<u>41,120</u>	<u>585,862</u>	<u>22,112</u>	<u>(669,755)</u>
NET ASSETS AT END OF YEAR	<u>\$ 1,034,398</u>	<u>\$ 689,383</u>	<u>\$ 3,612,759</u>	<u>\$ 793,357</u>	<u>\$ 1,736,104</u>

SECTION 8 CHOICE VOUCHERS	SHELTER PLUS CARE	ROSS	GREAT	BUSINESS ACTIVITIES	COMPONENT UNIT	ELIMINATING ENTRY	TOTAL
\$ -	\$ -	\$ -	\$ -	\$ -	\$ 31,306	\$ -	\$ 1,027,337
1,082,420	27,553	208,371	17,139	-	-	-	3,225,600
33,257	-	-	-	3,000	38,321	(590,582)	175,732
<u>1,115,677</u>	<u>27,553</u>	<u>208,371</u>	<u>17,139</u>	<u>3,000</u>	<u>69,627</u>	<u>(590,582)</u>	<u>4,428,669</u>
126,870	1,898	118,977	5,575	-	51,663	(590,582)	1,327,112
55,989	-	89,394	2,814	-	-	-	150,051
-	-	-	-	-	4,369	-	567,359
88	-	-	-	-	7,922	-	898,488
8,733	-	-	-	15	16,753	-	228,813
-	-	-	8,750	-	-	-	52,049
1,119,496	23,122	-	-	-	-	-	1,142,618
-	-	7,975	-	-	73,177	-	934,721
<u>1,311,176</u>	<u>25,020</u>	<u>216,346</u>	<u>17,139</u>	<u>15</u>	<u>153,884</u>	<u>(590,582)</u>	<u>5,301,211</u>
<u>(195,499)</u>	<u>2,533</u>	<u>(7,975)</u>	<u>-</u>	<u>2,985</u>	<u>(84,257)</u>	<u>-</u>	<u>(872,542)</u>
13,207	525	-	-	9,425	735	-	54,290
-	-	-	-	-	-	(95,788)	-
-	-	-	-	-	-	95,788	-
<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(19,839)</u>
<u>13,207</u>	<u>525</u>	<u>-</u>	<u>-</u>	<u>9,425</u>	<u>735</u>	<u>-</u>	<u>34,451</u>
(182,292)	3,058	(7,975)	-	12,410	(83,522)	-	(838,091)
-	-	1,500	-	-	-	-	594,422
(182,292)	3,058	(6,475)	-	12,410	(83,522)	-	(243,669)
704,360	7,858	46,501	-	446,246	513,928	-	9,711,661
-	-	-	-	-	77,183	-	(62,736)
<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>\$ 522,068</u>	<u>\$ 10,916</u>	<u>\$ 40,026</u>	<u>\$ -</u>	<u>\$ 458,656</u>	<u>\$ 507,589</u>	<u>\$ -</u>	<u>\$ 9,405,256</u>

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
COMBINING STATEMENT OF CASH FLOWS
YEAR ENDED SEPTEMBER 30, 2008

	COCC	PUBLIC HOUSING			CAPITAL FUNDS
		AMP I	AMP II	AMP III	
CASH FLOWS FROM OPERATING ACTIVITIES					
Cash received from tenants/participants	\$ -	\$ 206,174	\$ 330,965	\$ 480,370	\$ -
Cash received from interfund services provided	470,645	614,704	3,232,181	547,720	-
Cash received from operating grants	-	477,515	447,181	619,825	345,596
Other income received	700,731	19,290	31,088	39,459	-
Cash payments to vendors	(52,397)	(492,290)	(533,227)	(680,430)	(154,236)
Cash payments to employees	(488,087)	(180,997)	(239,465)	(249,292)	(95,572)
Cash payments for housing assistance	-	-	-	-	-
Cash payments for interfund services used	<u>(1,063,175)</u>	<u>(482,413)</u>	<u>(1,729,998)</u>	<u>(649,697)</u>	<u>(574,585)</u>
NET CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES	<u>(432,283)</u>	<u>161,983</u>	<u>1,538,725</u>	<u>107,955</u>	<u>(478,797)</u>
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES					
Capital grants	-	-	-	-	1,220,280
Acquisition of capital assets	-	-	-	-	(741,483)
Principal payments	(53,555)	-	-	-	-
Interest paid	-	(5,639)	(6,540)	(7,660)	-
NET CASH (USED IN) PROVIDED BY CAPITAL AND RELATED FINANCING ACTIVITIES	<u>(53,555)</u>	<u>(5,639)</u>	<u>(6,540)</u>	<u>(7,660)</u>	<u>478,797</u>
CASH FLOWS FROM NONCAPITAL					
Operating transfers in (out)	<u>95,788</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
CASH FLOWS FROM INVESTING ACTIVITIES					
Interest received	<u>7,486</u>	<u>9,345</u>	<u>27,028</u>	<u>12,838</u>	<u>-</u>
NET INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS	<u>(382,564)</u>	<u>165,689</u>	<u>1,559,213</u>	<u>113,133</u>	<u>-</u>
CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR	<u>751,238</u>	<u>190,083</u>	<u>1,070,487</u>	<u>362,113</u>	<u>-</u>
CASH AND CASH EQUIVALENTS AT END OF YEAR	<u>\$ 368,674</u>	<u>\$ 355,772</u>	<u>\$ 2,629,700</u>	<u>\$ 475,246</u>	<u>\$ -</u>

SECTION 8 CHOICE VOUCHERS	SHELTER PLUS CARE	ROSS	GREAT	BUSINESS ACTIVITIES	COMPONENT UNIT	ELIMINATING ENTRY	TOTAL
\$ -	\$ -	\$ -	\$ -	\$ -	\$ 32,105	\$ -	\$ 1,049,614
-	-	-	3,893	-	-	(4,869,143)	-
1,079,797	27,553	225,093	13,246	-	-	-	3,235,806
33,257	-	-	-	3,000	38,321	(590,582)	274,564
(136,060)	(1,898)	(118,977)	(10,150)	(1)	33,565	590,582	(1,555,519)
(70,405)	-	(89,394)	(6,989)	-	(36,155)	-	(1,456,356)
(1,119,496)	(23,122)	-	-	-	-	-	(1,142,618)
<u>(139,431)</u>	<u>1,892</u>	<u>(16,722)</u>	<u>-</u>	<u>(173,267)</u>	<u>(41,747)</u>	<u>4,869,143</u>	<u>-</u>
<u>(352,338)</u>	<u>4,425</u>	<u>-</u>	<u>-</u>	<u>(170,268)</u>	<u>26,089</u>	<u>-</u>	<u>405,491</u>
-	-	1,500	-	-	-	-	1,221,780
-	-	(1,500)	-	-	(47,989)	-	(790,972)
-	-	-	-	-	(1,339)	-	(54,894)
-	-	-	-	-	-	-	(19,839)
-	-	-	-	-	(49,328)	-	356,075
-	-	-	-	-	-	-	95,788
<u>13,207</u>	<u>525</u>	<u>-</u>	<u>-</u>	<u>9,425</u>	<u>735</u>	<u>-</u>	<u>80,589</u>
(339,131)	4,950	-	-	(160,843)	(22,504)	-	937,943
<u>863,558</u>	<u>7,858</u>	<u>-</u>	<u>-</u>	<u>619,499</u>	<u>240,500</u>	<u>-</u>	<u>4,105,336</u>
<u>\$ 524,427</u>	<u>\$ 12,808</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 458,656</u>	<u>\$ 217,996</u>	<u>\$ -</u>	<u>\$ 5,043,279</u>

(Continued on page 30)

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
COMBINING STATEMENT OF CASH FLOWS - Continued
YEAR ENDED SEPTEMBER 30, 2008

	COCC	PUBLIC HOUSING		
		AMP I	AMP II	AMP III
<u>RECONCILIATION OF CASH AND CASH EQUIVALENTS PER STATEMENT OF CASH FLOWS TO THE STATEMENT OF NET ASSETS</u>				
Cash and cash equivalents	\$ 368,674	\$ 344,377	\$ 409,732	\$ 457,486
Cash and cash equivalents - restricted	-	11,395	2,219,968	17,760
CASH AND CASH EQUIVALENTS PER STATEMENT OF NET ASSETS	\$ 368,674	\$ 355,772	\$ 2,629,700	\$ 475,246

RECONCILIATION OF (LOSS) INCOME FROM OPERATIONS TO NET CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES

Operating (loss) income	\$ (219,649)	\$ (119,145)	\$ (102,853)	\$ (48,309)
Adjustments to reconcile operating (loss) income to net cash (used in) provided by operating activities				
Depreciation	124,608	171,970	118,496	242,334
Prior period adjustments	-	-	-	-
Changes in assets and liabilities				
(Increase) decrease in assets				
Accounts receivable	119,257	(3,125)	4,435	3,008
Due from other governments	-	-	-	-
Due from other funds	(592,530)	(31,361)	394,873	(3,661)
Inventory	(1,667)	1,240	2,702	2,547
Prepaid expenses	1,813	(729)	(502)	(934)
Increase (decrease) in liabilities				
Accounts payable - operations	80,566	(25,508)	5,250	(8,004)
Accrued expenses	46,279	(6,956)	(8,256)	(9,802)
Due to other governments	9,040	6,919	15,296	18,432
Due to other funds	-	163,652	1,107,310	(98,316)
Deferred revenue	-	4,518	515	9,430
Tenants' security deposits	-	508	1,459	1,230
NET CASH (USED IN) PROVIDED BY OPERATING ACTIVITIES	\$ (432,283)	\$ 161,983	\$ 1,538,725	\$ 107,955

<u>CAPITAL FUNDS</u>	<u>SECTION 8 CHOICE VOUCHERS</u>	<u>SHELTER PLUS CARE</u>	<u>ROSS</u>	<u>GREAT</u>	<u>BUSINESS ACTIVITIES</u>	<u>COMPONENT UNIT</u>	<u>ELIMINATING ENTRY</u>	<u>TOTAL</u>
\$ -	\$ 279,724	\$ 12,808	\$ -	\$ -	\$ 458,656	\$ 214,517	\$ -	\$ 2,545,974
-	244,703	-	-	-	-	3,479	-	2,497,305
<u>\$ -</u>	<u>\$ 524,427</u>	<u>\$ 12,808</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 458,656</u>	<u>\$ 217,996</u>	<u>\$ -</u>	<u>\$ 5,043,279</u>
\$ (100,373)	\$ (195,499)	\$ 2,533	\$ (7,975)	\$ -	\$ 2,985	\$ (84,257)	\$ -	\$ (872,542)
196,161	-	-	7,975	-	-	73,177	-	934,721
-	-	-	-	-	-	77,183	-	77,183
-	(11,484)	-	-	-	3,000	2,362	-	117,453
-	-	-	16,722	(3,893)	-	-	-	12,829
-	-	-	-	-	-	(14,311)	246,990	-
-	-	-	-	-	-	-	-	4,822
-	(166)	-	-	-	276	(405)	-	(647)
-	(61)	-	-	-	(3,222)	(1,062)	-	47,959
-	(3,074)	-	-	-	-	-	-	18,191
-	(2,623)	-	-	-	-	-	-	47,064
(574,585)	(139,431)	1,892	(16,722)	3,893	(173,267)	(27,436)	(246,990)	-
-	-	-	-	-	(40)	-	-	14,423
-	-	-	-	-	-	838	-	4,035
<u>\$ (478,797)</u>	<u>\$ (352,338)</u>	<u>\$ 4,425</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (170,268)</u>	<u>\$ 26,089</u>	<u>\$ -</u>	<u>\$ 405,491</u>

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
STATEMENT AND CERTIFICATION OF CAPITAL GRANT COSTS
SEPTEMBER 30, 2008

ANNUAL CONTRIBUTIONS CONTRACT

1. The Actual Modernization Costs for the Locally-Owned Projects are as follows:

	<u>IL06P018501-04</u>
Funds approved	\$ 1,053,257
Funds expended	<u>1,053,257</u>
EXCESS (DEFICIENCY) OF FUNDS APPROVED	<u>\$ -</u>
HUD grants	\$ 1,053,257
Funds expended	<u>1,053,257</u>
EXCESS (DEFICIENCY) OF FUNDS EXPENDED	<u>\$ -</u>

2. The distribution of costs as shown on the Final Statement of Modernization Costs dated March 19, 2008, accompanying the Actual Modernization Cost Certificates submitted to HUD are in agreement with the Housing Authority's records.
3. All modernization costs have been paid and all related liabilities have been discharged through payment.

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
STATEMENT AND CERTIFICATION OF CAPITAL GRANT COSTS
SEPTEMBER 30, 2008

ANNUAL CONTRIBUTIONS CONTRACT

1. The Actual Modernization Costs for the Locally-Owned Projects are as follows:

	<u>IL06P018501-05</u>
Funds approved	\$ 1,183,782
Funds expended	<u>1,183,782</u>
EXCESS (DEFICIENCY) OF FUNDS APPROVED	<u>\$ -</u>
HUD grants	\$ 1,183,782
Funds expended	<u>1,183,782</u>
EXCESS (DEFICIENCY) OF FUNDS EXPENDED	<u>\$ -</u>

2. The distribution of costs as shown on the Final Statement of Modernization Costs dated August 15, 2008, accompanying the Actual Modernization Cost Certificates submitted to HUD are in agreement with the Housing Authority's records.
3. All modernization costs have been paid and all related liabilities have been discharged through payment.

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
STATEMENT AND CERTIFICATION OF CAPITAL GRANT COSTS
SEPTEMBER 30, 2008

ANNUAL CONTRIBUTIONS CONTRACT

1. The Actual Modernization Costs for the Locally-Owned Projects are as follows:

	<u>IL06P018501-06</u>
Funds approved	\$ 1,123,886
Funds expended	<u>1,123,886</u>
EXCESS (DEFICIENCY) OF FUNDS APPROVED	<u>\$ -</u>
HUD grants	\$ 1,123,886
Funds expended	<u>1,123,886</u>
EXCESS (DEFICIENCY) OF FUNDS EXPENDED	<u>\$ -</u>

2. The distribution of costs as shown on the Final Statement of Modernization Costs dated October 31, 2008, accompanying the Actual Modernization Cost Certificates submitted to HUD are in agreement with the Housing Authority's records.
3. All modernization costs have been paid and all related liabilities have been discharged through payment.

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
STATEMENT AND CERTIFICATION OF CAPITAL GRANT COSTS
SEPTEMBER 30, 2008

ANNUAL CONTRIBUTIONS CONTRACT

1. The Actual Modernization Costs for the Locally-Owned Projects are as follows:

	<u>IL06R018501-06</u>
Funds approved	\$ 15,080
Funds expended	<u>15,080</u>
EXCESS (DEFICIENCY) OF FUNDS APPROVED	<u>\$ -</u>
HUD grants	\$ 15,080
Funds expended	<u>15,080</u>
EXCESS (DEFICIENCY) OF FUNDS EXPENDED	<u>\$ -</u>

2. The distribution of costs as shown on the Final Statement of Modernization Costs dated April 16, 2008, accompanying the Actual Modernization Cost Certificates submitted to HUD are in agreement with the Housing Authority's records.
3. All modernization costs have been paid and all related liabilities have been discharged through payment.

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
YEAR ENDED SEPTEMBER 30, 2008

<u>GRANTOR/PASS THROUGH AGENCY/ PROGRAM TITLE AND GRANT NUMBER</u>	<u>FEDERAL CATALOG NUMBER</u>	<u>AWARD AMOUNT</u>	<u>FEDERAL EXPENDITURES</u>
<u>U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT - Direct Programs</u>			
Section 8 Housing Choice Vouchers	14.871	\$ 1,082,420	<u>\$ 1,082,420</u>
Public and Indian Housing	14.850a		
(IL018-002-07D)		404,256	404,256
(IL018-004-08D)		330,138	330,138
(IL018-006-08D)		465,940	465,940
(IL018-023-08D)		344,187	<u>344,187</u>
TOTAL 14.850			<u>1,544,521</u>
Capital Funds Program	14.872		
(501-06)		1,123,886	459,196
(501R-06)		15,080	6,184
(501-07)		931,667	437,529
(501R-07)		170,553	311
(501-08)		905,876	<u>35,298</u>
TOTAL 14.872			<u>938,518</u>
Shelter Plus Care	14.238	27,553	<u>27,553</u>
ROSS Grant	14.870		
(IL018REL030A005)		249,980	99,450
(IL018RNN026A005)		299,117	77,078
(IL018RFS061A007)		65,500	11,549
(IL018REF064A007)		249,432	<u>21,794</u>
TOTAL 14.870			<u>209,871</u>
<u>U.S. DEPARTMENT OF JUSTICE - Direct Programs</u>			
Gang Resistance Education and Training	16.737	17,238	<u>17,139</u>
TOTAL EXPENDITURES OF FEDERAL AWARDS			<u>\$ 3,820,022</u>

Basis of Presentation

The accompanying schedule of expenditures of federal awards includes the federal grant activity of the Rock Island Housing Authority and is presented on the accrual basis of accounting. The information in this schedule is presented in accordance with the requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations. Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in the presentation of, the financial statements.

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois

OTHER REPORTS

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**INDEPENDENT AUDITORS' REPORT ON INTERNAL
CONTROL OVER FINANCIAL REPORTING AND ON
COMPLIANCE AND OTHER MATTERS BASED ON AN
AUDIT OF FINANCIAL STATEMENTS
PERFORMED IN ACCORDANCE
WITH GOVERNMENT AUDITING STANDARDS**

To the Board of Commissioners
Rock Island Housing Authority
Rock Island, Illinois

We have audited the basic financial statements of the Rock Island Housing Authority ("Housing Authority"), as of and for the year ended September 30, 2008, and have issued our report thereon dated February 2, 2009. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Housing Authority's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the basic financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Housing Authority's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Housing Authority's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the Housing Authority's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the Housing Authority's financial statements that is more than inconsequential will not be prevented or detected by the Housing Authority's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the Housing Authority's internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be a material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Housing Authority's basic financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of basic financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that or other matters are required to be reported under Government Auditing Standards.

This report is intended solely for the information and use of the Board of Commissioners, management, federal awarding agencies, and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Hawkins, Ash, Deptis & Company, LLP

La Crosse, Wisconsin
February 2, 2009



Hawkins, Ash, Baptie

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**INDEPENDENT AUDITORS' REPORT ON COMPLIANCE
WITH REQUIREMENTS APPLICABLE TO EACH MAJOR
PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE
IN ACCORDANCE WITH OMB CIRCULAR A-133**

To the Board of Commissioners
Rock Island Housing Authority
Rock Island, Illinois

Compliance

We have audited the compliance of the Rock Island Housing Authority ("Housing Authority"), with the types of compliance requirements described in the U.S. Office of Management and Budget (OMB) Circular A-133 Compliance Supplement that are applicable to each of its major federal programs for the year ended September 30, 2008. The Housing Authority's major federal programs are identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts, and grants applicable to each of its major federal programs is the responsibility of the Housing Authority's management. Our responsibility is to express an opinion on the Housing Authority's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States; and OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the Housing Authority's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination on the Housing Authority's compliance with those requirements.

In our opinion, the Rock Island Housing Authority complied, in all material respects, with the requirements referred to above that are applicable to its major federal program for the year ended September 30, 2008.

Internal Control Over Compliance

The management of the Housing Authority is responsible for establishing and maintaining effective internal control over compliance with requirements of laws, regulations, contracts, and grants applicable to federal programs. In planning and performing our audit, we considered the Housing Authority's internal control over compliance with requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance, but not for the purpose of expressing an opinion on the effectiveness of the internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Housing Authority's internal control over compliance.

A control deficiency in an entity's internal control compliance exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect noncompliance with a type of compliance requirement of a federal program on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to administer a federal program such that there is more than a remote likelihood that noncompliance with a type of compliance requirement of a federal program that is more than inconsequential will not be prevented or detected by the entity's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that material noncompliance with a type of compliance requirement of a federal program will not be prevented or detected by the entity's internal control.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above.

This report is intended solely for the information and use of the Board of Commissioners, management, federal awarding agencies, and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Hawkins, Ash, Bapst & Company, LLP

La Crosse, Wisconsin
February 2, 2009

ROCK ISLAND HOUSING AUTHORITY
Rock Island, Illinois
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
YEAR ENDED SEPTEMBER 30, 2008

Section I - Summary of Auditors' Results

Financial Statements

Type of auditors' report issued: Unqualified

Internal control over financial reporting:

- Material weakness(es) identified? Yes No
- Significant deficiency(ies) identified that are not considered to be material weaknesses? Yes None reported
- Noncompliance material to financial statements noted? Yes No

Federal Awards

Internal control over major federal programs:

- Material weakness(es) identified? Yes No
- Significant deficiency(ies) identified that are not considered to be material weakness(es)? Yes None reported

Type of auditors' report issued on compliance for major programs: Unqualified

Any audit findings disclosed that are required to be reported in accordance with Section 510(a) of Circular A-133? Yes No

Identification of federal major programs:

<u>CFDA Number(s)</u>	<u>Name of Federal Program</u>
14.850a	Public and Indian Housing
14.872	Capital Funds Program

Dollar threshold used to distinguish between Type A and Type B programs: \$300,000

Auditee qualified as low-risk auditee? Yes No

Section II - Financial Statement Findings
None

Section III - Federal and State Award Findings and Questioned Costs
None

Section IV - Prior Year Findings
None

Asset Management

In 2003, RIHA contracted with Goodwin & Associates to assist the agency in completing an Asset Management Plan and conduct the supporting Physical Needs Assessment and Market Study. In formulating the Plan, the team sought input from all constituencies, meeting with the residents, commissioners, City staff, community leaders, RIHA staff, and citizens of Rock Island. In keeping with the input provided by these groups and the analysis of both the physical maintenance needs of the properties and the housing needs of current and future residents, an innovative approach allowing all participants and stakeholders to benefit was developed.

As part of the Asset Management Plan each property was evaluated based on its present and future value for current and future residents, the City, the community and RIHA. This Plan recommended options and suggestions to keep and maintain, to keep and upgrade, or to demolish and replace each RIHA property.

Five years following the original asset management assessment, Goodwin & Associates conducted a follow-up assessment in 2008 as well as a new Physical Needs Assessment. Thus was created the updated Asset Management Plan.

Now, with the American Recovery and Reinvestment Act (ARRA) of 2009, RIHA has the opportunity to apply for new stimulus monies that if awarded, would allow the agency to redevelop each of its properties. RIHA is positioned to proactively respond to those development funds through its Asset Management Plan which provides the framework for implementation. By actively pursuing the stimulus funding opportunities, RIHA is not only fulfilling its 2003 Asset Management Plan promise, it is actively meeting the housing needs of the families and individuals it serves by providing them with more choices and more control over where they live.

Projects that could be positively impacted by ARRA funding if awarded include:

- Spencer Towers
- Lincoln Homes
- Manor Homes
- Now Vacant Valley Homes Site

Additional development opportunities include:

- Special Needs Complex
- In-fill housing

The stimulus funds available include several competitive grants with extremely tight deadlines. While RIHA completes its funding applications, it will be simultaneously conducting multiple meetings with neighborhood, community and City leaders as well as several public meetings to discuss ideas and recommendations for the redevelopment of its properties. If RIHA does not receive ARRA funding, it may seek other funding sources for these projects.

Funding will allow RIHA to develop a continuum of housing designed to serve elderly persons, persons with disabilities and families. It will also allow the agency to offer current and future residents new, low-density rental units and single-family for-sale homes with today's amenities. Each of the new developments will be mixed-income including some market-rate.

Spencer Towers

Built in 1972, Spencer Towers is a nine-floor, 199-unit, low-income high-rise in downtown Rock Island. Spencer is currently home to a mixed population comprised of both elderly and non-elderly disabled individuals.

Spencer Towers is the only high-rise apartment building in the City that is across the street from the Mississippi River. Spencer is a signature building with phenomenal potential. It boasts spectacular views of the river, is two blocks from the City's arts and entertainment hub, multiple restaurants and galleries and is surrounded by well-kept grounds with multiple mature trees.

Based on the 2003 Asset Management Plan, Spencer Towers should be kept in the RIHA inventory and developed into a mixed-income development. The redevelopment of Spencer Towers is included in the City of Rock Island Consolidated Plan and RiverVision, a joint initiative between the cities of Rock Island and Davenport, Iowa.

2008 Physical Needs Assessment: The building is structurally sound, is in an excellent location and could be reconfigured from a one-bedroom elderly and disabled public housing property to a mixed-income rental development.

Asset Management Plan Implementation: Spencer Towers will be redeveloped and reconfigured into a mixed-income development designed to accommodate active adults.

Lincoln Homes

Lincoln Homes is located in what is considered to be the "community heart" of Old Chicago near Martin Luther King Community Center, Second Baptist Church and Douglas Park Place. It was constructed in 1953 on 2.29 acres of land and includes 45 dwelling units in seven residential buildings. According to the 2003 Asset Management Plan, the property should be maintained, monitored and reevaluated in 5 – 10 years to determine its long-term value and sustainability as a viable property. The renovation of Lincoln Homes is part of the City of Rock Island NEW Old Chicago Redevelopment Plan.

2008 Physical Needs Assessment: Lincoln Homes is over 50 years old, is obsolete, has sinking first level concrete slab floors and has extensive termite damage in the walls and second level floors. One entire building is now uninhabitable because termite damage has made it unsafe for occupancy. Without immediate and extensive wall and floor repair and termite treatment, the remaining buildings will quickly become unsafe for occupancy. In addition, a recent environmental study indicated that portions of the land on which

Lincoln Homes stands includes a ponding area where storm water runoff collects which may account for the sinking concrete floors.

HUD does not consider the renovation of public housing properties viable when costs exceed 90% of Total Development Cost (TDC) for new construction. The 2008 physical needs assessment revealed the total renovation costs for Lincoln Homes to be 173% of TDC for new construction. Therefore renovating the property is not feasible, and it should be demolished and replaced.

Asset Management Plan Implementation: Lincoln Homes will be replaced in phases, and new housing will be developed before demolition begins. As buildings are demolished, RIHA will develop new affordable mixed-income housing. Construction could begin in the unimproved playground areas to help facilitate the phased demolition and replacement of units. Additional in-fill lots and nearby vacant land will also be considered for the development of additional affordable housing which will also facilitate a phased approach to the demolition and replacement of existing units.

Because of its location and close proximity to the Martin Luther King Community Center, Second Baptist Church and Douglas Park Place, the redevelopment of Lincoln Homes will have a long-term positive effect on the area ultimately creating an entirely new community.

Manor Homes

Manor Homes was constructed in 1952 on 4.34 acres of land and includes 102 dwelling units. Manor Homes is similar to Lincoln Homes in that it is over 50 years old, is obsolete, has sinking first level concrete slab floors and has extensive termite damage in the walls and second level floors. The damage to Manor Homes is not as advanced as Lincoln Homes. However, if not redeveloped, Manor Homes will continue to decay resulting in the units becoming uninhabitable.

2008 Physical Needs Assessment: HUD does not consider the renovation of public housing properties viable when costs exceed 90% of Total Development Cost (TDC) for new construction. The 2008 physical needs assessment revealed the total renovation costs for Manor Homes to be 119.25% of TDC for new construction. Therefore renovating the property is not feasible and it should be demolished and replaced.

Asset Management Plan Implementation: Manor Homes will be replaced in phases and new housing will be developed before demolition begins. As buildings are demolished, RIHA will develop new affordable mixed-income housing. Construction will begin in the playground area to better facilitate the phased demolition and replacement of existing units.

Former Valley Homes Site

Valley Homes was completed in the early 1970's with 102 original units. Three buildings totaling 45 units were demolished in 1994 and 1997 to reduce density. The three

remaining buildings comprised of 57 units were recommended for demolition as part of the 2003 Asset Management Plan.

The first Valley Homes resident relocated on November 8, 2004. By July 31, 2005, the severely distressed public housing property was officially vacated and awaiting demolition – a full five months ahead of the original date of December 31, 2005. Valley Homes was demolished in October 2005.

Of the 53 Valley Homes resident families, four became first-time homeowners, purchasing homes in Rock Island. Twelve relocated outside of Rock Island to areas including Chicago, IL, Davenport, IA, and St Louis, MO. Four families relocated to other RIHA properties, and one was over Section 8 income guidelines and rented a market-rate apartment without assistance. The remaining 32 families rented within the City of Rock Island. Of these 32, nine have moved into apartments while 23 have rented single-family homes in multiple neighborhoods.

The 2003 Asset Management Plan recommended that the vacant land be redeveloped to include up to 40 mixed-income homes. According to the recommended Plan, the number of homes would be driven by design (townhouse, duplex, condo or single-family) and funding sources.

The now vacant Valley Homes site includes 8.5-acres, 6 acres of which is buildable. The site is bounded by residential buildings to the north and south and sandwiched between hilly, wooded terrain to the east and west. The site is generally rectangular in shape and is rolling, although the terrain rises toward the south with a retaining wall and wooded area. A retaining wall is also located along the eastern border. Because of the surrounding hilly topography, the site sits in a “bowl”, though drainage is adequate toward the northwest. Access to the site is available from 25th Street. While the obsolete public housing structures have been demolished and the site has been cleared, significant serious infrastructure issues remain making the property costly to redevelop.

Over the past three years, RIHA has applied for two federal HOPE VI grants and one Tax Credit opportunity through the Illinois Housing Development Authority (IHDA) for the redevelopment of the property. To date, RIHA has been unable to secure the funding required to both correct the challenges associated with the infrastructure and build the recommended replacement housing.

Asset Management Plan Implementation: Because of location, the best use of the former Valley Homes site is the construction of mixed-income, for sale homes. The homes will include townhouses and single-family construction. Given the market demand, up to 40 mixed-income units could be constructed.

Special Needs Complex

The 70-unit Special Needs complex is designated for individuals and families with at least one household member with a disability. The units will be affordable, offer

independence and accessibility and provide the supportive services necessary for resident success.

The facility will be completed in a single phase and will include one of the two buildings currently existing on the property. The family development will include 8 two-bedroom units, 46 one-bedroom units and 14 three-bedroom units. Supportive Services will be offered and made available by Robert Young Center staff. The apartments will be designed and constructed to meet special needs including wheelchair access, wider doorways, ramps, lower cabinets and roll-in showers. The facility will also accommodate access for much needed services such as healthcare providers, community amenities and supermarkets – each of which is critical to ensuring the independent life style that the campus will offer.

The goals of the project are to meet the needs of persons with disabilities by removing the barriers to community living, providing quality safe, affordable housing and providing the case-management, support-services and activities required for long-term success.

The funding application for the development of the Special Needs Complex has passed the first hurdle and has moved on for further review.

In-Fill Housing

Providing families and individuals more choices and more control over where they live increases their level of self-sufficiency allowing them to effectively climb the housing ladder. In-fill housing is an important aspect of this process and is a key element in stabilizing neighborhoods that are in the process of turning around. In-fill housing provides quality housing options for families seeking to return to the neighborhoods in which they were raised. The introduction of in-fill housing into these neighborhoods creates new homes reducing the number of vacant lots and obsolete housing. It instills growth, enhances economic development, creates pride and stimulates economic self-sufficiency among current and future residents.

Asset Management Plan Implementation: The City of Rock Island has provided RIHA with multiple lots to develop new affordable mixed-income housing. The new housing constructed on these lots will be used to facilitate the phased demolition and replacement of other RIHA redevelopment activities.

Violence Against Women Reauthorization Act of 2005 (VAWA)

Rock Island Housing Authority has adopted extensive policies regarding VAWA for admissions and participation in both its low-income public housing and Section 8 Housing Choice Voucher programs. These policies from both the ACOP and Admin Plan are included in their entirety.

Further, RIHA has established waiting list preference points for victims of domestic violence, dating violence, sexual assault or stalking for persons applying for housing. Victims can either bring documentation such as police reports and restraining orders or correspondence from agencies assisting victims (including but not limited to shelters). Victims can also self-certify using the form HUD-50066.

For residents, RIHA has partnered with Healing Waters Empowerment Project. Healing Waters' mission is to address and prevent domestic violence and all violence by identifying its causes and effects and implementing and supporting programs, activities and events that will enhance the quality of life for individuals and families. Healing Waters provides workshop sessions and support groups as well as individual mentoring.

Currently, Healing Waters operates weekly at one public housing site and is looking to expand to a second site in the next six months and a third within the next 18 months. RIHA also works closely with Family Resources and Christian Family Care Center, local advocacy agencies, to provide referrals for services for residents and participants who request assistance.

RIHA also contracts with the Rock Island Police Department to have a dedicated Liaison Police Officer who works mainly at RIHA properties. This officer is able to assist victims with any criminal charges they pursue as well as by linking them with resources.

Violence Against Women Reauthorization Act of 2005 (VAWA)

Language from Admissions & Continued Occupancy Policy for low-income public housing effective 10/1/2009

3-III.F. PROHIBITION AGAINST DENIAL OF ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING [Pub.L. 109-162]

The Violence against Women Reauthorization Act of 2005 (VAWA) prohibits denial of admission to an otherwise qualified applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking. Specifically, Section 607(2) of VAWA adds the following provision to Section 6 of the U.S. Housing Act of 1937, which lists contract provisions and requirements for the public housing program:

Every contract for contributions shall provide that . . . the public housing agency shall not deny admission to the project to any applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking if the applicant otherwise qualifies for assistance or admission, and that nothing in this section shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, or stalking.

Definitions

As used in VAWA:

- The term domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- The term dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship
 - The type of relationship
 - The frequency of interaction between the persons involved in the relationship
- The term stalking means:
 - To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or
 - To place under surveillance with the intent to kill, injure, harass, or intimidate another person; and
 - In the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (1) that person, (2) a member of the immediate family of that person, or (3) the spouse or intimate partner of that person.

- The term immediate family member means, with respect to a person –
 - A spouse, parent, brother or sister, or child of that person, or an individual to whom that person stands in the position or place of a parent; or
 - Any other person living in the household of that person and related to that person by blood and marriage.

Notification

RIHA acknowledges that a victim of domestic violence, dating violence, or stalking may have an unfavorable history (e.g., a poor credit history, a record of previous damage to an apartment, a prior arrest record) that would warrant denial under RIHA's policies. Therefore, if RIHA makes a determination to deny admission to an applicant family, RIHA will include in its notice of denial:

A statement of the protection against denial provided by VAWA

A description of RIHA confidentiality requirements

A request that an applicant wishing to claim this protection submit to RIHA documentation meeting the specifications below with her or his request for an informal hearing (see section 14-I.B)

DOCUMENTATION

Victim Documentation

An applicant claiming that the cause of an unfavorable history is that a member of the applicant family is or has been a victim of domestic violence, dating violence, or stalking must provide documentation (1) demonstrating the connection between the abuse and the unfavorable history and (2) naming the perpetrator of the abuse. The documentation may consist of any of the following:

A statement signed by the victim certifying that the information provided is true and correct and that it describes bona fide incident(s) of actual or threatened domestic violence, dating violence, or stalking

A police or court record documenting the domestic violence, dating violence, or stalking

Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, or stalking, or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; an attorney; or a medical or other knowledgeable professional. The person signing the documentation must attest under penalty of perjury to the person's belief that the incidents in question are bona fide incidents of abuse. The victim must also sign the documentation.

Perpetrator Documentation

If the perpetrator of the abuse is a member of the applicant family, the applicant must provide additional documentation consisting of one of the following:

A signed statement (1) requesting that the perpetrator be removed from the application and (2) certifying that the perpetrator will not be permitted to visit or to stay as a guest in the public housing unit

Documentation that the perpetrator has successfully completed, or is successfully undergoing, rehabilitation or treatment. The documentation must be signed by an employee or agent of a domestic violence service provider or by a medical or other knowledgeable professional from whom the perpetrator has sought or is receiving assistance in addressing the abuse. The signer must attest under penalty of perjury to his or her belief that the rehabilitation was successfully completed or is progressing successfully. The victim and perpetrator must also sign or attest to the documentation.

Time Frame for Submitting Documentation

The applicant must submit the required documentation with her or his request for an informal hearing (see section 14-I.B) or must request an extension in writing at that time. If the applicant so requests, RIHA will grant an extension of 10 business days and will postpone scheduling the applicant's informal hearing until after it has received the documentation or the extension period has elapsed. If, after reviewing the documentation provided by the applicant, RIHA determines that the family is eligible for assistance, no informal hearing will be scheduled, and RIHA will proceed with admission of the applicant family.

RIHA Confidentiality Requirements

All information provided to RIHA regarding domestic violence, dating violence, or stalking, including the fact that an individual is a victim of such violence or stalking, must be retained in confidence and may neither be entered into any shared database nor provided to any related entity, except to the extent that the disclosure (a) is requested or consented to by the individual in writing, (b) is required for use in an eviction proceeding, or (c) is otherwise required by applicable law.

If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, RIHA will inform the victim before disclosure occurs so that safety risks can be identified and addressed

Notice policies related to denying admission to applicants who may be victims of domestic violence, dating violence, or stalking are contained in Section 3-III.F.

13-III.C. OTHER AUTHORIZED REASONS FOR TERMINATION [24 CFR 966.4(l)(2) and (5)(ii)(B)]

HUD regulations state that RIHA may terminate tenancy for other good cause. The regulations provide a few examples of other good cause, but do not limit RIHA to only those examples. The Violence Against Women Reauthorization Act of 2005 explicitly prohibits PHAs from considering incidents of actual or threatened domestic violence, dating violence, or stalking as "other good cause" for terminating the tenancy or occupancy rights of the victim of such violence.

13-III.F. PROHIBITION AGAINST TERMINATING TENANCY OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING [Pub.L. 109-162 and 109-271]

The Violence against Women Reauthorization Act of 2005 (VAWA), provides that “criminal activity directly relating to domestic violence, dating violence, or stalking, engaged in by a member of a tenant’s household or any guest or other person under the tenant’s control, shall not be cause for termination of the tenancy or occupancy rights, if the tenant or immediate family member of the tenant’s family is the victim or threatened victim of that abuse.”

VAWA further provides that incidents of actual or threatened domestic violence, dating violence, or stalking may not be construed either as serious or repeated violations of the lease by the victim of such violence or as good cause for terminating the tenancy or occupancy rights of the victim of such violence.

Definitions

For the definitions of domestic violence, dating violence, stalking, and immediate family member, see section 3-III.F.

VAWA and Other Laws [Pub.L. 109-162]

VAWA does not supersede any other federal, state, or local law that provides greater protection to victims of domestic violence, dating violence, or stalking.

Moreover, VAWA does not limit the PHA’s duty to honor court orders issued to protect a victim or to address the distribution of property when a family breaks up.

Limits on VAWA Protections [Pub.L. 109-162]

While VAWA prohibits a PHA from using domestic violence, dating violence, or stalking as the cause for a termination or eviction action against a public housing tenant who is the victim of the abuse, the protections it provides are not absolute. Specifically:

- VAWA does not limit a PHA’s otherwise available authority to terminate assistance to or evict a victim for lease violations not premised on an act of domestic violence, dating violence, or stalking providing that the PHA does not subject the victim to a more demanding standard than other tenants.

VAWA does not limit a PHA’s authority to terminate the tenancy of any public housing tenant if the PHA can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if that tenant’s tenancy is not terminated.

In determining whether a public housing tenant who is a victim of domestic violence, dating violence, or stalking is an actual and imminent threat to other tenants or those employed at or providing service to a property, the PHA will consider the following, and any other relevant, factors:

Whether the threat is toward an employee or tenant other than the victim of domestic violence, dating violence, or stalking

Whether the threat is a physical danger beyond a speculative threat

Whether the threat is likely to happen within a short period of time

Whether the threat to other tenants or employees can be eliminated in some other way, such as by helping the victim relocate to a confidential location

If the tenant wishes to contest the PHA's determination that he or she is an actual and imminent threat to other tenants or employees, the tenant may do so as part of the grievance hearing or in a court proceeding.

Victim Notification [Notice PIH 2006-42]

VAWA requires PHAs to notify tenants of their rights under VAWA and to inform them about the existence of form HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking. (For general VAWA notification policies, see section 16-VII.) Notice PIH 2006-42 identifies two ways that a PHA may fulfill this requirement in the event of a termination or start of an eviction proceeding:

- It may enclose the form with the termination or eviction notice and direct the family to complete, sign, and return the form, if applicable, by a specified date.
- It may include language discussing the protections provided by VAWA in the termination or eviction notice and request that a tenant come to the PHA office and pick up the form if the tenant believes the VAWA protections apply.

Notice PIH 2006-42 points out that mailing the certification form in response to an incident could place the victim at risk, since the abuser may be monitoring the mail. In such cases, the notice recommends that PHAs work with tenants to make other delivery arrangements.

The PHA will follow the lease termination notice policy in section 13-IV.D. If the PHA has reason to suspect that the notice might place a victim of domestic violence at risk, it will attempt to deliver the notice by hand directly to the victim. The PHA will use the same caution if it decides to deliver VAWA information to a victim at any other time following an incident of domestic violence.

Victim Documentation [Notice PIH 2006-42]

VAWA authorizes PHAs responding to incidents of actual or threatened domestic violence, dating violence, or stalking to request in writing that a tenant complete, sign, and submit a HUD-approved certification form (form HUD-50066).

In lieu of a certification form, or in addition to the certification form, a tenant may provide one of the following:

- A federal, state, tribal, territorial, or local police or court record documenting the domestic violence, dating violence, or stalking
- Documentation signed by an employee, agent, or volunteer of a victim service provider; an attorney; or a medical professional from whom the victim has sought assistance in addressing domestic violence, dating violence, or stalking, or the effects of such abuse, in which the professional attests under penalty of perjury to the professional's belief that the incidents in question are bona fide incidents of abuse, and the victim of domestic violence, dating violence, or stalking has signed or attested to the documentation

A PHA is not required to demand that an individual produce official documentation or physical proof of an individual's status as a victim of domestic violence, dating violence, or stalking in order to receive the protections of VAWA. A PHA may, at its discretion, provide assistance to an individual based solely upon the individual's statement or other corroborating evidence.

VAWA specifies that a victim of domestic violence, dating violence, or stalking must provide documentation of abuse within 14 business days after receipt of a written request for such documentation by a PHA. If the victim does not provide the documentation within that time frame, or any extension approved by the PHA, the victim forfeits the protections against termination afforded by VAWA, and the PHA is free to evict or terminate the assistance of the victim in accordance with otherwise applicable law and lease provisions.

When a tenant family is facing lease termination because of the actions of a tenant, household member, guest, or other person under the tenant's control and a tenant or immediate family member of the tenant's family claims that she or he is the victim of such actions and that the actions are related to domestic violence, dating violence, or stalking, the PHA will request in writing that the individual submit documentation affirming that claim. The written request will include explicit instructions on where, when, and to whom the documentation must be submitted. It will also state the consequences for failure to submit the documentation by the deadline.

The documentation will consist of a completed and signed form HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking. In lieu of the certification form, the PHA will accept either of the following forms of documentation:

A police or court record documenting the actual or threatened abuse

Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, or stalking, or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; an attorney; or a medical or other knowledgeable professional. The person signing the documentation must attest under penalty of perjury to the person's belief that the incidents in question are bona fide incidents of abuse. The victim must also sign the documentation.

The PHA reserves the right to waive the documentation requirement if it determines that a statement or other corroborating evidence from the individual will suffice.

The individual claiming victim status must submit the requested documentation within 14 business days after receipt of the PHA's written request or must request an extension within that time frame. The PHA may, at its discretion, extend the deadline for 10 business days.

If the individual provides the requested documentation within 14 business days, or any PHA-approved extension, the PHA will reconsider its termination decision in light of the documentation.

If the individual does not provide the requested documentation within 14 business days, or any PHA-approved extension, the PHA will proceed with termination of the family's lease in accordance with applicable local, state, and federal law and the policies in this ACOP.

Terminating or Evicting a Perpetrator of Domestic Violence

Although VAWA provides protection from termination for victims of domestic violence, it does not provide protection for perpetrators. In fact, VAWA gives the PHA the explicit authority to bifurcate a lease, or to remove a household member from a lease, "in order to evict, remove,

terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others, without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant.” Specific lease language affirming this authority is not necessary. Further, the authority supersedes any local, state, or other federal law to the contrary. However, if the PHA chooses to exercise this authority, it must follow any procedures prescribed by HUD or by applicable local, state, or federal law for eviction, lease termination, or termination of assistance [Pub.L. 109-271]. This means that the PHA must follow the same rules when terminating or evicting an individual as it would when terminating or evicting an entire family [3/16/07 Federal Register notice on the applicability of VAWA to HUD programs].

The PHA will bifurcate a family’s lease and terminate the tenancy of a family member if the PHA determines that the family member has committed criminal acts of physical violence against other family members or others. This action will not affect the tenancy or program assistance of the remaining, nonculpable family members.

In making its decision, the PHA will consider all credible evidence, including, but not limited to, a signed certification (form HUD-50066) or other documentation of abuse submitted to the PHA by the victim in accordance with this section. The PHA will also consider the factors in section 13.III.E. Upon such consideration, the PHA may, on a case-by-case basis, choose not to bifurcate the lease and terminate the tenancy of the culpable family member.

If the PHA does bifurcate the lease and terminate the tenancy of the culpable family member, it will do so in accordance with the lease, applicable law, and the policies in this ACOP. If necessary, the PHA will also take steps to ensure that the remaining family members have a safe place to live during the termination process. For example, the PHA may offer the remaining family members another public housing unit, if available; it may help them relocate to a confidential location; or it may refer them to a victim service provider or other agency with shelter facilities.

PHA Confidentiality Requirements [Pub.L. 109-162]

All information provided to the PHA regarding domestic violence, dating violence, or stalking, including the fact that an individual is a victim of such violence or stalking, must be retained in confidence and may neither be entered into any shared data base nor provided to any related entity, except to the extent that the disclosure (a) is requested or consented to by the individual in writing, (b) is required for use in an eviction proceeding, or (c) is otherwise required by applicable law.

If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, the PHA will inform the victim before disclosure occurs so that safety risks can be identified and addressed.

**13-IV.D. LEASE TERMINATION NOTICE [24 CFR 966.4(l)(3)]
Form, Delivery, and Content of the Notice**

RIHA will attempt to deliver notices of lease termination directly to the tenant or an adult member of the household. RIHA may deliver notices to any person physically in the household age 13 years and older. (For terminations related to domestic violence, see also the policy under “Victim Notification” in section 13-III.F.) If RIHA is unable to deliver the notice after three such attempts, the notice will be sent by first class mail the same day of the third attempt.

All notices of lease termination will include a statement of the protection against termination provided by the Violence against Women Reauthorization Act of 2005 (VAWA) for victims of domestic violence, dating violence, or stalking. They will also include a copy of form HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking. Any family member who claims that the cause for termination involves (a) criminal acts of physical violence against family members or others or (b) incidents of domestic violence, dating violence, or stalking of which a family member is the victim will be given the opportunity to provide documentation in accordance with the policies in section 13-III.F.

**PART VII: NOTIFICATION TO APPLICANTS AND TENANTS
REGARDING PROTECTIONS UNDER THE VIOLENCE AGAINST WOMEN
REAUTHORIZATION ACT OF 2005 (VAWA)**

16-VII.A. OVERVIEW

The Violence against Women Reauthorization Act of 2005 (VAWA) requires PHAs to inform public housing tenants of their rights under this law, including their right to confidentiality and the limits thereof. Since VAWA provides protections for applicants as well as tenants, PHAs may elect to provide the same information to applicants.

This part describes the steps that RIHA will take to ensure that all actual and potential beneficiaries of its public housing program are notified about their rights under VAWA.

16-VII.B. VAWA NOTIFICATION

RIHA will post the following information regarding VAWA in its offices and on its Web site. It will also make the information readily available to anyone who requests it.

A summary of the rights and protections provided by VAWA to public housing applicants and residents who are or have been victims of domestic violence, dating violence, or stalking (see sample notice in Exhibit 16-1)

The definitions of domestic violence, dating violence, and stalking provided in VAWA (included in Exhibit 16-1)

An explanation of the documentation that RIHA may require from an individual who claims the protections provided by VAWA (included in Exhibit 16-1)

A copy of form HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking

A statement of RIHA’s obligation to keep confidential any information that it receives from a victim unless (a) RIHA has the victim’s written permission to

release the information, (b) it needs to use the information in an eviction proceeding, or (c) it is compelled by law to release the information (included in Exhibit 16-1)

The National Domestic Violence Hot Line: 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY) (included in Exhibit 16-1)

Contact information for local victim advocacy groups or service providers

16-VII.C. NOTIFICATION TO APPLICANTS

RIHA will provide all applicants with notification of their protections and rights under VAWA at the time they request an application for housing assistance.

The notice will explain the protections afforded under the law, inform each applicant of PHA confidentiality requirements, and provide contact information for local victim advocacy groups or service providers.

RIHA will also include in all notices of denial a statement explaining the protection against denial provided by VAWA (see section 3-III.F).

16-VII.D. NOTIFICATION TO TENANTS [Pub.L. 109-162]

VAWA requires PHAs to notify tenants assisted under public housing of their rights under this law, including their right to confidentiality and the limits thereof.

RIHA will provide all tenants with notification of their protections and rights under VAWA at the time of admission and at annual reexamination.

The notice will explain the protections afforded under the law, inform the tenant of PHA confidentiality requirements, and provide contact information for local victim advocacy groups or service providers.

RIHA will also include in all lease termination notices a statement explaining the protection against termination or eviction provided by VAWA (see Section 13-IV.D).

EXHIBIT 16-1: SAMPLE NOTICE TO PUBLIC HOUSING APPLICANTS AND RESIDENTS REGARDING THE VIOLENCE AGAINST WOMEN ACT (VAWA)

This sample notice was adapted from a notice prepared by the National Housing Law Project.

A federal law that went into effect in 2006 protects individuals who are victims of domestic violence, dating violence, and stalking. The name of the law is the Violence against Women Act, or “VAWA.” This notice explains your rights under VAWA.

Protections for Victims

If you are eligible for public housing, the housing authority cannot refuse to admit you to the public housing program solely because you are a victim of domestic violence, dating violence, or stalking.

If you are the victim of domestic violence, dating violence, or stalking, the housing authority cannot evict you based on acts or threats of violence committed against you. Also, criminal acts directly related to the domestic violence, dating violence, or stalking that are caused by a member of your household or a guest can’t be the reason for evicting you if you were the victim of the abuse.

Reasons You Can Be Evicted

The housing authority can still evict you if the housing authority can show there is an actual and imminent (immediate) threat to other tenants or housing authority staff if you are not evicted. Also, the housing authority can evict you for serious or repeated lease violations that are not related to the domestic violence, dating violence, or stalking against you. The housing authority cannot hold you to a more demanding set of rules than it applies to tenants who are not victims.

Removing the Abuser from the Household

The housing authority may split the lease to evict a tenant who has committed criminal acts of violence against family members or others, while allowing the victim and other household members to stay in the public housing unit. If the housing authority chooses to remove the abuser, it may not take away the remaining tenants’ rights to the unit or otherwise punish the remaining tenants. In removing the abuser from the household, the housing authority must follow federal, state, and local eviction procedures.

Proving that You Are a Victim of Domestic Violence, Dating Violence, or Stalking

The housing authority can ask you to prove or “certify” that you are a victim of domestic violence, dating violence, or stalking. In cases of termination or eviction, the housing authority must give you at least 14 business days (i.e. Saturdays, Sundays, and holidays do not count) to provide this proof. The housing authority is free to extend the deadline. There are three ways you can prove that you are a victim:

- Complete the certification form given to you by the housing authority. The form will ask for your name, the name of your abuser, the abuser’s relationship to you, the date, time, and location of the incident of violence, and a description of the violence.
- Provide a statement from a victim service provider, attorney, or medical professional who has helped you address incidents of domestic violence, dating violence, or stalking. The professional must state that he or she believes that the incidents of abuse are real. Both you and the professional must sign the statement, and both of you must state that you are signing

“under penalty of perjury.”

- Provide a police or court record, such as a protective order.

If you fail to provide one of these documents within the required time, the housing authority may evict you.

Confidentiality

The housing authority must keep confidential any information you provide about the violence against you, unless:

- You give written permission to the housing authority to release the information.
- The housing authority needs to use the information in an eviction proceeding, such as to evict your abuser.
- A law requires the housing authority to release the information.

If release of the information would put your safety at risk, you should inform the housing authority.

VAWA and Other Laws

VAWA does not limit the housing authority’s duty to honor court orders about access to or control of a public housing unit. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, or stalking.

For Additional Information

If you have any questions regarding VAWA, please contact RIHA at 309-788-0825.

For help and advice on escaping an abusive relationship, call the National Domestic Violence Hotline at 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY).

Definitions

For purposes of determining whether a tenant may be covered by VAWA, the following list of definitions applies:

VAWA defines **domestic violence** to include felony or misdemeanor crimes of violence committed by any of the following:

- A current or former spouse of the victim
- A person with whom the victim shares a child in common
- A person who is cohabitating with or has cohabitated with the victim as a spouse
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies
- Any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction

VAWA defines **dating violence** as violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim AND (2) 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 relationship
- The frequency of interaction between the persons involved in the relationship

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

Language from Administrative Plan for Section 8 effective 10/1/2009

Prohibited Reasons for Denial of Program Assistance [24 CFR 982.202(b), Pub.L. 109-162]
HUD rules prohibit denial of program assistance to the program based on any of the following criteria:

- Whether or not a qualified applicant has been a victim of domestic violence, dating violence, or stalking

3-III.E. CRITERIA FOR DECIDING TO DENY ASSISTANCE

Consideration of Circumstances [24 CFR 982.552(c)(2)]

HUD authorizes RIHA to consider all relevant circumstances when deciding whether to deny assistance based on a family's past history except in the situations for which denial of assistance is mandated (see Section 3-III.B).

RIHA will consider the following factors prior to making its decision:

The seriousness of the case, especially with respect to how it would affect other residents

The effects that denial of assistance may have on other members of the family who were not involved in the action or failure

The extent of participation or culpability of individual family members, including whether the culpable family member is a minor or a person with disabilities, or (as discussed further in section 3-III.G) a victim of domestic violence, dating violence, or stalking

The length of time since the violation occurred, the family's recent history and the likelihood of favorable conduct in the future

In the case of drug or alcohol abuse, whether the culpable household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully.

RIHA will require the applicant to submit evidence of the household member's current participation in or successful completion of a supervised drug or alcohol rehabilitation program, or evidence of otherwise having been rehabilitated successfully.

3-III.G. PROHIBITION AGAINST DENIAL OF ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING [Pub.L. 109-162]

The Violence Against Women Reauthorization Act of 2005 (VAWA) prohibits denial of admission to an otherwise qualified applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking. Specifically, Section 606(1) of VAWA adds the following provision to Section 8 of the U.S. Housing Act of 1937, which lists contract provisions and requirements for the housing choice voucher program:

- That an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate reason for denial of program assistance or for denial of admission, if the applicant otherwise qualifies for assistance or admission.

Definitions

As used in VAWA:

- The term domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- The term dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship
 - The type of relationship
 - The frequency of interaction between the persons involved in the relationship
- The term stalking means:
 - To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or
 - To place under surveillance with the intent to kill, injure, harass, or intimidate another person; and
 - In the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (1) that person, (2) a member of the immediate family of that person, or (3) the spouse or intimate partner of that person.
- The term immediate family member means, with respect to a person:
 - A spouse, parent, brother or sister, or child of that person, or an individual to whom that person stands in the position or place of a parent; or
 - Any other person living in the household of that person and related to that person by blood and marriage.

Notification

RIHA acknowledges that a victim of domestic violence, dating violence, or stalking may have an unfavorable history (e.g., a poor credit history, a record of previous damage to an apartment, a prior arrest record) that would warrant denial under RIHA's policies. Therefore, if RIHA makes a determination to deny admission to an applicant family, RIHA will include in its notice of denial:

A statement of the protection against denial provided by VAWA

A description of PHA confidentiality requirements

A request that an applicant wishing to claim this protection submit to RIHA documentation meeting the specifications below with her or his request for an informal review (see section 16-III.D)

Victim Documentation

An applicant claiming that the cause of an unfavorable history is that a member of the applicant family is or has been a victim of domestic violence, dating violence, or stalking must provide documentation (1) demonstrating the connection between the abuse and the unfavorable history and (2) naming the perpetrator of the abuse. The documentation may consist of any of the following:

A signed statement by the victim that provides the name of the perpetrator and certifies that the incidents in question are bona fide incident(s) of actual or threatened domestic violence, dating violence, or stalking, ~~and~~

A police or court record documenting the domestic violence, dating violence or stalking

Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, or stalking, or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; an attorney; a medical professional; or another knowledgeable professional. The person signing the documentation must attest under penalty of perjury to the person's belief that the incidents in question are bona fide incidents of abuse. The victim must also sign the documentation.

Perpetrator Documentation

If the perpetrator of the abuse is a member of the applicant family, the applicant must provide additional documentation consisting of one of the following:

A signed statement (1) requesting that the perpetrator be removed from the application and (2) certifying that the perpetrator will not be permitted to visit or to stay as a guest in the assisted unit

Documentation that the perpetrator has successfully completed, or is successfully undergoing, rehabilitation or treatment. The documentation must be signed by an employee or agent of a domestic violence service provider or by a medical or other knowledgeable professional from whom the perpetrator has sought or is receiving assistance in addressing the abuse. The signer must attest under penalty of perjury to his or her belief that the rehabilitation was successfully completed or is progressing successfully. The victim and perpetrator must also sign or attest to the documentation.

Time Frame for Submitting Documentation

The applicant must submit the required documentation with her or his request for an informal review (see section 16-III.D) or must request an extension in writing at that time. If the applicant so requests, RIHA will grant an extension of 10 business days, and will postpone scheduling the applicant's informal review until after it has received the documentation or the extension period has elapsed. If after reviewing the documentation provided by the applicant RIHA determines the family is eligible for assistance, no informal review will be scheduled and RIHA will proceed with admission of the applicant family.

PHA Confidentiality Requirements

All information provided to RIHA regarding domestic violence, dating violence, or stalking, including the fact that an individual is a victim of such violence or stalking, must be retained in confidence and may neither be entered into any shared database nor provided to any related entity, except to the extent that the disclosure (a) is requested or consented to by the individual in writing, (b) is required for use in an eviction proceeding, or (c) is otherwise required by applicable law.

If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, RIHA will inform the victim before disclosure occurs so that safety risks can be identified and addressed.

Standard Replacement Housing

In order to receive the displacement preference, applicants who have been displaced must not be living in "standard, permanent replacement housing."

Standard replacement housing does not include transient facilities, hotels, motels, temporary shelters, and (in the case of Victims of Domestic Violence) housing occupied by the individual who engages in such violence.

Term of Assisted Tenancy

RIHA may approve an initial lease term of less than one (1) year for the following reasons: to protect the health or safety of a family member (e.g., lead-based paint hazards, domestic violence, witness protection programs), to accommodate a change in family circumstances (e.g., new employment, school attendance in a distant area), to address an emergency situation over which a family has no control or for purposes of reasonable accommodation of a family member who is a person with disabilities (see Chapter 2).

The Violence Against Women Reauthorization Act of 2005 provides that "a family may receive a voucher from a public housing agency and move to another jurisdiction under the tenant-based assistance program if the family has complied with all other obligations of the section 8 program and has moved out of the assisted dwelling unit in order to protect the health or safety of an individual who is or has been a victim of domestic violence, dating violence, or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if he or she remained in the assisted dwelling unit" [Pub.L. 109-162]

Grounds for Denial or Termination of Assistance

RIHA has grounds for denying or terminating the family's assistance [24 CFR 982.314(e)(2)]. VAWA creates an exception to these restrictions for families who are otherwise in compliance with program obligations, but have moved to protect the health or safety of an individual who is or has been a victim of domestic violence, dating violence or stalking, and who reasonably believed he or she was imminently threatened by harm from further violence if they remained in the unit. [Pub.L. 109-162]

If RIHA has grounds for denying or terminating a family's assistance, RIHA will act on those grounds in accordance with the regulations and policies set forth in Chapters 3 and 12, respectively. In general, it will not deny a family permission to move for this reason; however, it retains the discretion to do so under special circumstances. Refer to sections 3-III.G and 12-II.E for VAWA provisions.

Restrictions on Elective Moves [24 CFR 982.314(c)]

HUD regulations permit RIHA to prohibit any elective move by a participant family during the family's initial lease term. They also permit RIHA to prohibit more than one elective move by a participant family during any 12-month period.

RIHA will consider exceptions to these policies for the following reasons: to protect the health or safety of a family member (e.g., lead-based paint hazards, domestic violence, witness protection programs), to accommodate a change in family circumstances (e.g., new employment, school attendance in a distant area), or to address an emergency situation over which a family has no control.

Participant Families

The Initial PHA must not provide portable assistance for a participant if a family has moved out of its assisted unit in violation of the lease [24 CFR 982.353(b)]. VAWA creates an exception to this prohibition for families who are otherwise in compliance with program obligations but have moved to protect the health or safety of an individual who is or has been a victim of domestic violence, dating violence or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if they remained in the unit.

The PHA will determine whether a participant family may move out of the PHA's jurisdiction with continued assistance in accordance with the regulations and policies set forth here and in sections 10-I.A and 10-I.B of this chapter. The PHA will notify the family of its determination in accordance with the approval policy set forth in section 10-I.C of this chapter.

12-I.D. MANDATORY TERMINATION OF ASSISTANCE

HUD requires RIHA to terminate assistance in the following circumstances.

Eviction [24 CFR 982.552(b)(2), Pub.L. 109-162]

RIHA must terminate assistance whenever a family is evicted from a unit assisted under the HCV program for a serious or repeated violation of the lease. Incidents of actual or threatened violence, dating violence, or stalking may not be construed as serious or repeated violations of the lease by the victim or threatened victim of such violence or stalking.

Other Authorized Reasons for Termination of Assistance [24 CFR 982.552(c), Pub.L. 109-162]

HUD permits RIHA to terminate assistance under a number of other circumstances. It is left to the discretion of RIHA whether such circumstances in general warrant consideration for the termination of assistance. The Violence Against Women Reauthorization Act of 2005 explicitly prohibits RIHA from considering incidents or actual threatened domestic violence, dating violence, or stalking as reasons for terminating the assistance of a victim of such violence.

In making its decision to terminate assistance, RIHA will consider alternatives as described in Section 12-II.C and other factors described in Section 12-II.D and Section 12-II.E. Upon consideration of such alternatives and factors, RIHA may, on a case-by-case basis, choose not to terminate assistance.

Consideration of Circumstances [24 CFR 982.552(c)(2)(i)]

RIHA is permitted, but not required, to consider all relevant circumstances when determining whether a family's assistance should be terminated.

RIHA will consider the following factors when making its decision to terminate assistance:

The seriousness of the case, especially with respect to how it would affect other residents

The effects that termination of assistance may have on other members of the family who were not involved in the action or failure

The extent of participation or culpability of individual family members, including whether the culpable family member is a minor or a person with disabilities or (as discussed further in section 12-II.E) a victim of domestic violence, dating violence, or stalking

12-II.E. TERMINATING THE ASSISTANCE OF DOMESTIC VIOLENCE, DATING VIOLENCE, OR STALKING VICTIMS AND PERPETRATORS [Pub.L. 109-162, Pub.L. 109-271]

The Violence Against Women Reauthorization Act of 2005 (VAWA) provides that "criminal activity directly relating to domestic violence, dating violence, or stalking, engaged in by a member of a tenant's household or any guest or other person under the tenant's control shall not be a cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that domestic violence, dating violence, or stalking."

VAWA also gives RIHA the authority to "terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others, without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant."

VAWA does not limit the authority of RIHA to terminate the assistance of any participant if RIHA "can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if that tenant is not evicted or terminated from assistance."

In determining whether a participant who is a victim of domestic violence, dating violence, or stalking is an actual and imminent threat to other tenants or those employed at or providing service to a property, RIHA will consider the following, and any other relevant, factors:

Whether the threat is toward an employee or tenant other than the victim of domestic violence, dating violence, or stalking

Whether the threat is a physical danger beyond a speculative threat

Whether the threat is likely to happen within a short period of time

Whether the threat to other tenants or employees can be eliminated in some other way, such as by helping the victim relocate to a confidential location

If the tenant wishes to contest RIHA's determination that he or she is an actual and imminent threat to other tenants or employees, the tenant may do so as part of the informal hearing.

Victim Documentation

When a participant family is facing assistance termination because of the actions of a participant, household member, guest, or other person under the participant's control and a participant or immediate family member of the participant's family claims that she or he is the victim of such actions and that the actions are related to domestic violence, dating violence, or stalking, RIHA will request in writing that the individual submit documentation affirming that claim. The written request will include explicit instructions on where, when, and to whom the documentation must be submitted. It will also state the consequences for failure to submit the documentation by the deadline

The documentation will consist of a completed and signed form HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking. In lieu of the certification form, RIHA will accept either of the following forms of documentation:

A police or court record documenting the actual or threatened abuse

Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence or stalking or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; an attorney; a medical professional; or another knowledgeable professional. The person signing the documentation must attest under penalty of perjury to the person's belief that the incidents in question are bona fide incidents of abuse. The victim must also sign the documentation.

RIHA reserves the right to waive the documentation requirement if it determines that a statement or other corroborating evidence from the individual will suffice.

The individual claiming victim status must submit the requested documentation within 14 business days after receipt of RIHA's written request or must request an extension within that time frame. RIHA may, at its discretion, extend the deadline for 10 business days.

If the individual provides the requested documentation within 14 business days, or any RIHA-approved extension, RIHA will reconsider its termination decision in light of the documentation.

If the individual does not provide the requested documentation within 14 business days, or any RIHA-approved extension, RIHA will proceed with termination of the family's assistance in accordance with applicable law, program regulations, and the policies in this plan.

Terminating the Assistance of a Domestic Violence Perpetrator

Although VAWA provides assistance termination protection for victims of domestic violence, it does not provide protection for perpetrators. VAWA gives RIHA the explicit authority to "terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others...without terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant." This authority is not dependent on a bifurcated lease or other eviction action by an

owner against an individual family member. Further, this authority supersedes any local, state, or other federal law to the contrary. However, if RIHA chooses to exercise this authority, it must follow any procedures prescribed by HUD or by applicable local, state, or federal law regarding termination of assistance [Pub.L. 109-271]. This means that RIHA must follow the same rules when terminating assistance to an individual as it would when terminating the assistance of an entire family [3/16/07 Federal Register notice on the applicability of VAWA to HUD programs].

RIHA will terminate assistance to a family member if RIHA determines that the family member has committed criminal acts of physical violence against other family members or others. This action will not affect the assistance of the remaining, nonculpable family members.

In making its decision, RIHA will consider all credible evidence, including, but not limited to, a signed certification (form HUD-50066) or other documentation of abuse submitted to RIHA by the victim in accordance with this section. RIHA will also consider the factors in section 12-II.D. Upon such consideration, RIHA may, on a case-by-case basis, choose not to terminate the assistance of the culpable family member.

If RIHA does terminate the assistance of the culpable family member, it will do so in accordance with applicable law, HUD regulations, and the policies in this plan.

PHA Confidentiality Requirements

All information provided to RIHA regarding domestic violence, dating violence, or stalking, including the fact that an individual is a victim of such violence or stalking, must be retained in confidence and may neither be entered into any shared data base nor provided to any related entity, except to the extent that the disclosure (a) is requested or consented to by the individual in writing, (b) is required for use in an eviction proceeding, or (c) is otherwise required by applicable law.

If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, RIHA will inform the victim before disclosure occurs so that safety risks can be identified and addressed.

12-III.B. GROUNDS FOR OWNER TERMINATION OF TENANCY [24 CFR 982.310 and Form HUD-52641-A, Tenancy Addendum, Pub.L. 109-162]

During the term of the lease, the owner is not permitted to terminate the tenancy except for serious or repeated violations of the lease, certain violations of state or local law, or other good cause.

Serious or Repeated Lease Violations

The owner is permitted to terminate the family's tenancy for serious or repeated violations of the terms and conditions of the lease, including failure to pay rent or other amounts due under the lease, except when the violations are related to incidents of actual or threatened domestic violence, dating violence, or stalking against that participant. This includes failure to pay rent or other amounts due under the lease. However, RIHA's failure to make a HAP payment to the owner is not a violation of the lease between the family and the owner.

Evidence of Criminal Activity

The owner may terminate tenancy and evict by judicial action a family for criminal activity by a covered person if the owner determines they have engaged in the criminal activity, regardless of

arrest or conviction and without satisfying the standard of proof used for a criminal conviction, except in certain incidents where the criminal activity directly relates to domestic violence, dating violence, or stalking and the tenant or an immediate member of the tenant's family is the victim or threatened victim of the domestic violence, dating violence, or stalking. (See Section 12-II.E.).

An owner's decision to terminate tenancy for incidents related to domestic violence, dating violence, or stalking is limited by the Violence Against Women Reauthorization Act of 2005 (VAWA). (See Section 12-II.E.)

13-I.C. OWNER RESPONSIBILITIES [24 CFR 982.452, Pub.L. 109-162]

The basic owner responsibilities in the HCV program are outlined in the regulations as follows:

- Comply with the Violence Against Women Reauthorization Act of 2005 (VAWA) when screening and terminating tenants.

Decisions Subject to Informal Review

RIHA must give an applicant the opportunity for an informal review of a decision denying assistance [24 CFR 982.554(a)]. Denial of assistance may include any or all of the following [24 CFR 982.552(a)(2)]:

- Denial of assistance based on an unfavorable history that may be the result of domestic violence, dating violence or stalking. (See Section 3-III.G.)

Decisions Subject to Informal Hearing

Circumstances for which RIHA must give a participant family an opportunity for an informal hearing are as follows:

- A determination to deny admission based on an unfavorable history that may be the result of domestic violence, dating violence, or stalking.

PART IX: NOTIFICATION REGARDING APPLICABLE PROVISIONS OF THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2005 (VAWA)

The Violence Against Women Reauthorization Act of 2005 (VAWA) requires RIHA to inform assisted tenants of their rights under this law, including their right to confidentiality and the limits thereof. Since VAWA provides protections for applicants as well as tenants, RIHA may elect to provide the same information to applicants. VAWA also requires RIHA to inform owners and managers of their obligations under this law.

This part describes the steps that RIHA will take to ensure that all actual and potential beneficiaries of its housing choice voucher program are notified about their rights and that owners and managers are notified of their obligations under VAWA.

RIHA will post the following information regarding VAWA in its offices and on its Web site. It will also make the information readily available to anyone who requests it.

A summary of the rights and protections provided by VAWA to housing choice voucher program applicants and participants who are or have been victims of domestic violence, dating violence, or stalking (see sample notices in Exhibits 16-1 and 16-2)

The definitions of domestic violence, dating violence, and stalking provided in VAWA (included in Exhibits 16-1 and 16-2)

An explanation of the documentation that RIHA may require from an individual who claims the protections provided by VAWA (included in Exhibits 16-1 and 16-2)

A copy of form HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking

A statement of RIHA's obligation to keep confidential any information that it receives from a victim unless (a) RIHA has the victim's written permission to release the information, (b) it needs to use the information in an eviction proceeding, or (c) it is compelled by law to release the information (included in Exhibits 16-1 and 16-2)

The National Domestic Violence Hot Line: 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY) (included in Exhibits 16-1 and 16-2)

Contact information for local victim advocacy groups or service providers

16-IX.A. NOTIFICATION TO PARTICIPANTS [Pub.L. 109-162]

VAWA requires RIHA to notify HCV program participants of their rights under this law, including their right to confidentiality and the limits thereof.

RIHA will provide all participants with notification of their protections and rights under VAWA at the time of admission and at annual reexamination.

The notice will explain the protections afforded under the law, inform the participant of RIHA confidentiality requirements, and provide contact information for local victim advocacy groups or service providers.

RIHA will also include in all assistance termination notices a statement explaining assistance termination protection provided by VAWA (see Section 12-II.E).

16-IX.B. NOTIFICATION TO APPLICANTS

RIHA will provide all applicants with notification of their protections and rights under VAWA at the time they request an application for housing assistance.

The notice will explain the protections afforded under the law, inform each applicant of PHA confidentiality requirements, and provide contact information for local victim advocacy groups or service providers.

RIHA will also include in all notices of denial a statement explaining the protection against denial provided by VAWA (see section 3-III.G).

16-IX.C. NOTIFICATION TO OWNERS AND MANAGERS [Pub.L. 109-162]

VAWA requires PHAs to notify owners and managers of their rights and responsibilities under this law.

Inform property owners and managers of their screening and termination responsibilities related to VAWA. RIHA may utilize any or all of the following means to notify owners of their VAWA responsibilities:

As appropriate in day to day interactions with owners and managers.

Inserts in HAP payments, 1099s, owner workshops, classes, orientations, and/or newsletters.

Signs in RIHA lobby and/or mass mailings which include model VAWA certification forms.

EXHIBIT 16-1: SAMPLE NOTICE TO HOUSING CHOICE VOUCHER APPLICANTS AND TENANTS REGARDING THE VIOLENCE AGAINST WOMEN ACT (VAWA)

This sample notice was adapted from a notice prepared by the National Housing Law Project.

A federal law that went into effect in 2006 protects individuals who are victims of domestic violence, dating violence, and stalking. The name of the law is the Violence against Women Act, or “VAWA.” This notice explains your rights under VAWA.

Protections for Victims

If you are eligible for a Section 8 voucher, the housing authority cannot deny you rental assistance solely because you are a victim of domestic violence, dating violence, or stalking.

If you are the victim of domestic violence, dating violence, or stalking, you cannot be terminated from the Section 8 program or evicted based on acts or threats of violence committed against you. Also, criminal acts directly related to the domestic violence, dating violence, or stalking that are caused by a member of your household or a guest can’t be the reason for evicting you or terminating your rental assistance if you were the victim of the abuse.

Reasons You Can Be Evicted

You can be evicted and your rental assistance can be terminated if the housing authority or your landlord can show there is an actual and imminent (immediate) threat to other tenants or employees at the property if you remain in your housing. Also, you can be evicted and your rental assistance can be terminated for serious or repeated lease violations that are not related to the domestic violence, dating violence, or stalking committed against you. The housing authority and your landlord cannot hold you to a more demanding set of rules than it applies to tenants who are not victims.

Removing the Abuser from the Household

Your landlord may split the lease to evict a tenant who has committed criminal acts of violence against family members or others, while allowing the victim and other household members to stay in the assisted unit. Also, the housing authority can terminate the abuser’s Section 8 rental assistance while allowing you to continue to receive assistance. If the landlord or housing authority chooses to remove the abuser, it may not take away the remaining tenants’ rights to the unit or otherwise punish the remaining tenants. In removing the abuser from the household, your landlord must follow federal, state, and local eviction procedures.

Moving to Protect Your Safety

The housing authority may permit you to move and still keep your rental assistance, even if your current lease has not yet expired. The housing authority may require that you be current on your rent or other obligations in the housing choice voucher program. The housing authority may ask you to provide proof that you are moving because of incidences of abuse.

Proving that You Are a Victim of Domestic Violence, Dating Violence, or Stalking

The housing authority and your landlord can ask you to prove or “certify” that you are a victim of domestic violence, dating violence, or stalking. The housing authority you’re your landlord must give you at least 14 business days (i.e. Saturdays, Sundays, and holidays do not count) to provide this proof. The housing authority and your landlord are free to extend the deadline. There are three ways you can prove that you are a victim:

Complete the certification form given to you by the housing authority or your landlord. The form will ask for your name, the name of your abuser, the abuser’s relationship to you, the date, time, and location of the incident of violence, and a description of the violence.

Provide a statement from a victim service provider, attorney, or medical professional who has helped you address incidents of domestic violence, dating violence, or stalking. The professional must state that he or she believes that the incidents of abuse are real. Both you and the professional must sign the statement, and both of you must state that you are signing “under penalty of perjury.”

Provide a police or court record, such as a protective order.

If you fail to provide one of these documents within the required time, the landlord may evict you, and the housing authority may terminate your rental assistance.

Confidentiality

The housing authority and your landlord must keep confidential any information you provide about the violence against you, unless:

You give written permission to the housing authority or your landlord to release the information.

Your landlord needs to use the information in an eviction proceeding, such as to evict your abuser.

A law requires the housing authority or your landlord to release the information.

If release of the information would put your safety at risk, you should inform the housing authority and your landlord.

VAWA and Other Laws

VAWA does not limit the housing authority’s or your landlord’s duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, or stalking.

For Additional Information

If you have any questions regarding VAWA, please contact _____ at _____.

For help and advice on escaping an abusive relationship, call the National Domestic Violence Hotline at 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY).

Definitions

For purposes of determining whether a tenant may be covered by VAWA, the following list of definitions applies:

VAWA defines domestic violence to include felony or misdemeanor crimes of violence committed by any of the following:

A current or former spouse of the victim

A person with whom the victim shares a child in common

A person who is cohabitating with or has cohabitated with the victim as a spouse

A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies

Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction

VAWA defines dating violence as violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim AND (2) 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 relationship

The frequency of interaction between the persons involved in the relationship

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

EXHIBIT 16-2: SAMPLE NOTICE TO HOUSING CHOICE VOUCHER OWNERS AND MANAGERS REGARDING THE VIOLENCE AGAINST WOMEN ACT (VAWA)

This sample notice was adapted from a notice prepared by the National Housing Law Project.

A federal law that went into effect in 2006 protects individuals who are victims of domestic violence, dating violence, and stalking. The name of the law is the Violence against Women Act, or “VAWA.” This notice explains your obligations under VAWA.

Protections for Victims

You cannot refuse to rent to an applicant solely because he or she is a victim of domestic violence, dating violence, or stalking.

You cannot evict a tenant who is the victim of domestic violence, dating violence, or stalking based on acts or threats of violence committed against the victim. Also, criminal acts directly related to the domestic violence, dating violence, or stalking that are caused by a household member or guest cannot be cause for evicting the victim of the abuse.

Permissible Evictions

You can evict a victim of domestic violence, dating violence, or stalking if you can demonstrate that there is an actual or imminent (immediate) threat to other tenants or employees at the property if the victim is not evicted. Also, you may evict a victim for serious or repeated lease violations that are not related to the domestic violence, dating violence, or stalking. You cannot hold a victim of domestic violence, dating violence, or stalking to a more demanding standard than tenants who are not victims.

Removing the Abuser from the Household

You may split the lease to evict a tenant who has committed criminal acts of violence against family members or others, while allowing the victim and other household members to stay in the unit. If you choose to remove the abuser, you may not take away the remaining tenants’ rights to the unit or otherwise punish the remaining tenants. In removing the abuser from the household, you must follow federal, state, and local eviction procedures.

Certification of Domestic Violence, Dating Violence, or Stalking

If a tenant asserts VAWA’s protections, you can ask the tenant to certify that he or she is a victim of domestic violence, dating violence, or stalking. You are not required to demand official documentation and may rely upon the victim’s statement alone. If you choose to request certification, you must do so in writing and give the tenant at least 14 business days to provide documentation. You are free to extend this deadline. A tenant can certify that he or she is a victim by providing any one of the following three documents:

By completing a HUD-approved certification form. The most recent form is HUD-50066. This form is available at the housing authority, or online at www.hudclips.org.

By providing a statement from a victim service provider, attorney, or medical professional who has helped the victim address incidents of domestic violence, dating violence, or stalking. The professional must state that he or she believes that the incidents of abuse are real. Both the victim and the professional must sign the statement under penalty of perjury.

By providing a police or court record, such as a protective order.

If the tenant fails to provide one of these documents within 14 business days, you may evict the tenant if authorized by otherwise applicable law and lease provisions.

Confidentiality

You must keep confidential any information a tenant provides to certify that he or she is a victim of domestic violence, dating violence, or stalking. You cannot enter the information into a shared database or reveal it to outside entities unless:

The tenant provides written permission releasing the information.

The information is required for use in an eviction proceeding, such as to evict the abuser.

Release of the information is otherwise required by law.

The victim should inform you if the release of the information would put his or her safety at risk.

VAWA and Other Laws

VAWA does not limit your obligation to honor court orders regarding access to or control of the property. This includes orders issued to protect the victim and orders dividing property among household members in cases where a family breaks up.

VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, or stalking.

Additional Information

If you have any questions regarding VAWA, please contact _____.

HUD Notice PIH 2006-42 contains detailed information regarding VAWA's certification requirements. The notice is available at <http://www.hud.gov/offices/adm/hudclips/>.

An overview of VAWA's housing provisions is available at <http://hmis.info/ClassicAsp/documents/March%2016,%202007%20HUD%20Notice%20on%20VAWA.pdf>

Definitions

For purposes of determining whether a tenant may be covered by VAWA, the following list of definitions applies:

VAWA defines domestic violence to include felony or misdemeanor crimes of violence committed by any of the following:

A current or former spouse of the victim

A person with whom the victim shares a child in common

A person who is cohabitating with or has cohabitated with the victim as a spouse

A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies

Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction

VAWA defines dating violence as violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim AND (2) 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 relationship

The frequency of interaction between the persons involved in the relationship

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

Plan for Conforming to the Requirements of the Carbon Monoxide Alarm Detector Act

RIHA has been fully compliant with the requirements of the Carbon Monoxide Alarm Detector Act for more than two and one half years. All 487 public housing units have carbon monoxide alarm detectors installed within 15 feet of all sleeping areas and on each floor of the units. The Section 8 Manager requires all units occupied through the Housing Choice Voucher Program to conform to the Carbon Monoxide Alarm Detector Act during Housing Quality Standards inspections. Any units not conforming to the act fail their HQS inspection and subsidy is abated until the unit fully complies.

**ROCK ISLAND HOUSING AUTHORITY
RESIDENT ADVISORY BOARD
COMMENTS AND RECOMMENDATIONS
June 1, 2009**

My name is Michelle Gugelmeyer and I am the spokesperson for the Resident Advisory Board. Other board members include: Edna Watson who also represents the Housing Choice Voucher Program along with me; Robert Hedger and Shellee Nylin , represent Spencer Towers, Jerry Cacari and Georgia Smith, representatives of Sunset Heights; Barlee Lake and Sharon Buchanan, representing Manor Homes and LaTonya Dale, who represents Lincoln Homes.

Each year the RAB is asked to review, solicit resident comments, and make recommendations to the Housing Authority Staff and Board of Commissioners regarding the Agency Plan.

The board met three times and attended individual tenant meetings to solicit comments regarding changes in the plan. We did not receive comments from the residents at the public hearing nor at tenant meetings regarding the proposed changes. All residents were in favor of the proposed changes.

The Resident Advisory Board endorses and recommends that the Rock Island Housing Authority Board of Commissioners approve the proposed changes to the 2009 Agency Plan.

Sincerely,



Michelle Gugelmeyer, RAB Spokesperson

Annual Statements/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB Approval No. 2577-0226
 Expires 04/30/2011

Part I: Summary	Grant Type and Number	FFY of Grant: 2009
PHA Name: IL018	Capital Fund Program Grant No: IL06P018501-09	FFY of Grant Approval: 2009
Housing Authority of the City of Rock Island, Illinois	Replacement Housing factor Grant No:	
	Date of CFFP:	

Type of Grant
 Original Annual Statement Reserve for Disasters/Emergencies Revised Annual Statement/Revision Number____ Performance and Evaluation Report for Program Year Ending
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost 1	
		Original	Revised2	Obligated	Expended
1	Total Non-CGP Funds				
2	1406 Operations (May not exceed 20% of line 20)s	0			
3	1408 Management Improvements	100,000	0	0	0
4	1410 Administration	100,000	0	0	0
5	1411 Audit	10,000	0	0	0
6	1415 Liquidated Damages				
7	1430 Fees and Costs	50,000			
8	1440 Site Acquisition				
9	1450 Site Improvement	64,876	0	0	0
10	1460 Dwelling Structures	605,124	0	0	0
11	1465.1 Dwelling Equipment-Nonexpendable	0	0	0	0
12	1470 Nondwelling Structures	0			
13	1475 Nondwelling Equipment	25,000	0	0	0
14	1485 Demolition	145,000	0	0	
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	0	0	0	0
18	1499 Mod Used for Development	0	0	0	0
19	1501 Collateralization or Debt Service	0			
20	Amount of Annual Grant (Sum of Lines 2-19)	\$1,100,000	\$0	\$0	\$0
21	Amount of line 20 Related to LBP Activities	0			
22	Amount of line 20 Related to Section 504 Compliance	220,000			
23	Amount of line 20 to Security	0			
24	Amount of line 20 Related to Energy Conservation Measures	95,000			

Signature of Executive Director & Date: <i>Susan Anderson 6/11/09</i> Susan Anderson, Executive Director	Signature of Public Housing Director/Office of Native American Programs Administrator & Date:
----------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------

1 To be completed for the Performance and Evaluation Report
 2 To be completed for the Performance and Evaluation Report or a Revised Annual Statement
 3 PHAs with Under 250 units in management may use 100% of CFP Grants for operations.
 4 RHF funds shall be included here.

Part II: Supporting Pages								
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: IL06P018501-09 CFFP (Yes/ No): Replacement Housing factor Grant No:			Federal FFY of Grant: 2009		
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work 2
				Original	Revised 1	Funds Obligated 2	Funds Expended 2	
IL.18-2 Manor Homes	General Site Improvement/Landscape	1450	1	14,876				
	Section 504 Upgrades	1460	1	110,000				
	Stairway Doors	1460	10	10,000				
	Total for IL.18-2, Rock Island Manor			134,876	0			
	Sub-total account 1450			14,876	0	0	0	
	Sub-total account 1460			120,000	0	0	0	
	Sub-total account 1465			0	0	0	0	
	Total for IL.18-2, Rock Island Manor			134,876	0	0	0	

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement

2 To be completed for the Performance and Evaluation Report

Part II: Supporting Pages								
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: IL06P018501-09 CFFP (Yes/ No): Replacement Housing factor Grant No:			Federal FFY of Grant: 2009		
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work 2
				Original	Revised 1	Funds Obligated 2	Funds Expended 2	
IL.18-3 Lincoln Homes	Demolition	1485		145,000				
	Total for IL.18-3, Lincoln Homes			145,000	0			
	Sub-total account 1485			145,000	0			
	Sub-total account 1495.1			0	0			
	Total for IL.18-3, Lincoln Homes			145,000	0			

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement
 2 To be completed for the Performance and Evaluation Report

Part II: Supporting Pages									
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: IL06P018501-09 CFFP (Yes/ No): Replacement Housing factor Grant No:			Federal FFY of Grant: 2009			
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work ₂	
				Original	Revised ₁	Funds Obligated ₂	Funds Expended ₂		
IL.18-4 Sunset Heights	General Site Improvement/Landscape	1450	1	5,000					
	Repave, Stripe & Seal Parking Areas	1450	1	45,000					
	New Flooring	1460		65,000					
	Common Area Painiting	1460		25,000					
	Section 504 Upgrades	1460		110,000					
	Total for IL.18-4 Sunset Heights				250,000	0	0	0	
	Sub-total account 1450				50,000	0	0	0	
	Sub-total account 1460				200,000	0	0	0	
	Sub-total account 1465				0	0	0	0	
	Total for IL.18-4, Sunset Heights				250,000	0	0	0	

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement
 2 To be completed for the Performance and Evaluation Report

Part II: Supporting Pages

PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois	Grant Type and Number Capital Fund Program Grant No: IL06P018501-09 CFFP (Yes/ No): Replacement Housing factor Grant No:	Federal FFY of Grant: 2009
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Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work ²
				Original	Revised ¹	Funds Obligated ²	Funds Expended ²	
IL.18-5 Valley Homes								
	Total for IL.18-5 Spencer Towers			0	0			
	Sub-total account 1450			0	0			
	Sub-total account 1460			0	0			
	Sub-total account 1465			0	0			
	Total for IL.18-5, Spencer Towers			0	0			

¹ To be completed for the Performance and Evaluation Report of a Revised Annual Statement

² To be completed for the Performance and Evaluation Report

Part II: Supporting Pages								
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: IL06P018501-09 CFFP (Yes/ No): Replacement Housing factor Grant No:			Federal FFY of Grant: 2009		
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work ₂
				Original	Revised ₁	Funds Obligated ₂	Funds Expended ₂	
IL.18-6 Spencer Towers	General Site Improvement/Landscape	1450	1					
		1450	1					
		1450	1					
	Unit Renovation/Modernization	1460	1	285,124				
		1499						
	Redevelopment	1499						
	Total for IL.18-6 Spencer Towers				285,124	0	0	0
	Sub-total account 1450				0	0	0	0
	Sub-total account 1460				285,124	0	0	0
	Sub-total account 1465				0	0	0	0
Sub-total account 1499				0	0	0	0	
Total for IL.18-6, Spencer Towers				285,124	0	0	0	

¹ To be completed for the Performance and Evaluation Report of a Revised Annual Statement

² To be completed for the Performance and Evaluation Report

Part II: Supporting Pages								
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: IL06P018501-09 CFFP (Yes/ No): Replacement Housing factor Grant No:			Federal FFY of Grant: 2009		
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work 2
				Original	Revised 1	Funds Obligated 2	Funds Expended 2	
2008	OPERATIONS	1406		0				
	Staff Training	1408	1	69,500				
	Resident Training	1408	1					
	Marketing	1408	1	5,000				
	Security	1408	1	3,000				
	Computers & Training	1408	1	15,000				
	Preventative Maintenance	1408	1	2,500				
	Studies & Plans	1408	1	2,500				
	Strategies for 5 year Plan	1408	1	2,500				
	Total for 1408, Mgmt. Improvements			100,000	0	0	0	
	Modernization salaries/wages	1410		80,000				
	EBC'S	1410		17,500				
	Publications	1410		500				
	Legal	1410		2,000				
	Total for 1410, Admin. Costs			100,000	0	0	0	
	AUDIT COSTS	1411		10,000				
	PHA-WIDE ARCHITECT/ENG. FEES	1430		50,000				
	NON-DWELLING STRUCTURES	1470		0				
	PHA-WIDE EQUIPMENT							
	Maintenance & Office Equipment	1475		25,000				
	Total for 1475, Maintenance Equipment			25,000	0	0	0	
	COLLATERIZATION or DEBT SERVICE	1501		0				

Page 1 of 7

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement

2 To be completed for the Performance and Evaluation Report

Annual Statements/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Peplacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB Approval No. 2577-0226
 Expires 04/30/2011

Part I: Summary	
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois	Grant Type and Number Capital Fund Program Grant No: IL06S018501-09 Replacement Housing factor Grant No: Date of CFFP:
FFY of Grant: 2009 FFY of Grant Approval: 2009	

Type of Grant
 Original Annual Statement Reserve for Disaters/Emergencies Revised Annual Statement/Revision Number____ Performance and Evaluation Report for Program Year Ending
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost 1	
		Original	Revised2	Obligated	Expended
1	Total Non-CGP Funds				
2	1406 Operations (May not exceed 20% of line 20)s	0			
3	1408 Management Improvements	0	0	0	0
4	1410 Administration	0	0	0	0
5	1411 Audit	0	0	0	0
6	1415 Liquidated Damages				
7	1430 Fees and Costs	0			
8	1440 Site Acquisition				
9	1450 Site Improvement	0	0	0	0
10	1460 Dwelling Structures	0	0	0	0
11	1465.1 Dwelling Equipment-Nonexpendable	0	0	0	0
12	1470 Nondwelling Structures	0			
13	1475 Nondwelling Equipment	0	0	0	0
14	1485 Demolition	26,000	0	0	
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	238,200	0	0	0
18	1499 Mod Used for Development4	1,200,000	0	0	0
19	1501 Collateralization or Debt Service	0			
20	Amount of Annual Grant (Sum of Lines 2-19)	\$1,464,200	\$0	\$0	\$0
21	Amount of line 20 Related to LBP Activities	0			
22	Amount of line 20 Related to Section 504 Compliance	220,000			
23	Amount of line 20 to Security	0			
24	Amount of line 20 Related to Energy Conservation Measures	95,000			

Signature of Executive Director & Date:  Susan Anderson, Executive Director 6-12-09	Signature of Public Housing Director/Office of Native American Programs Administrator & Date:
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------

- 1 To be completed for the Performance and Evaluation Report
- 2 To be completed for the Performance and Evaluation Report or a Revised Annual Statement
- 3 PHAs with Under 250 units in management may use 100% of CFP Grants for operations.
- 4 RHF funds shall be included here.

form HUD-50075.1 (4/2008)
 ref Handbook 7485.3

Part II: Supporting Pages								
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: IL06P018501-09 CFFP (Yes/ No): Replacement Housing factor Grant No:			Federal FFY of Grant: 2009		
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work ₂
				Original	Revised ₁	Funds Obligated ₂	Funds Expended ₂	
IL.18-3 Lincoln Homes	Relocation	1495		26,000				
	Redevelopment	1499		238,200				
	Total for IL.18-3, Lincoln Homes				264,200	0		
	Sub-total account 1495				26,000	0		
	Sub-total account 1499				238,200	0		
Total for IL.18-3, Lincoln Homes				264,200	0			

Page 1 of 7

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement

2 To be completed for the Performance and Evaluation Report

Part II: Supporting Pages								
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: IL06P018501-09 CFFP (Yes/ No): Replacement Housing factor Grant No:			Federal FFY of Grant: 2009		
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work 2
				Original	Revised 1	Funds Obligated 2	Funds Expended 2	
IL.18-6 Spencer Towers	Redevelopment	1499		1,200,000				
Total for IL.18-6 Spencer Towers				1,200,000	0	0	0	
Sub-total account 1450				0	0	0	0	
Sub-total account 1460				0	0	0	0	
Sub-total account 1465				0	0	0	0	
Sub-total account 1499				1,200,000	0	0	0	
Total for IL.18-6, Spencer Towers				1,200,000	0	0	0	

Page 1 of 7

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement
 2 To be completed for the Performance and Evaluation Report

Annual Statements/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB Approval No. 2577-0226
 Expires 04/30/2011

Part I: Summary	
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois	Grant Type and Number Capital Fund Program Grant No: IL06P018501-08 Replacement Housing factor Grant No: Date of CFFP:
FFY of Grant: 2009 FFY of Grant Approval: 2008	

Type of Grant
 Original Annual Statement Reserve for Disasters/Emergencies Revised Annual Statement/Revision Number 1 Performance and Evaluation Report for Program Year Ending 03/31/2009
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost 1	
		Original	Revised2	Obligated	Expended
1	Total Non-CGP Funds				
2	1406 Operations (May not exceed 20% of line 20)3	0			
3	1408 Management Improvements	85,000	85,000	85,000	11,113
4	1410 Administration	89,867	89,867	89,867	0
5	1411 Audit	5,000	5,000	5,000	5,000
6	1415 Liquidated Damages				
7	1430 Fees and Costs	0			
8	1440 Site Acquisition				
9	1450 Site Improvement	50,000	50,000	50,000	35,460
10	1460 Dwelling Structures	171,009	265,000	265,000	0
11	1465.1 Dwelling Equipment-Nonexpendable	265,000	50,009	50,009	5,159
12	1470 Nondwelling Structures	0			
13	1475 Nondwelling Equipment	5,000	5,000	5,000	0
14	1485 Demolition	150,000	0	0	
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	85,000	156,000	156,000	0
18	1499 Mod Used for Development4	0	200,000	200,000	0
19	1501 Collateralization or Debt Service	0			
20	Amount of Annual Grant (Sum of Lines 2-19)	\$905,876	\$905,876	\$905,876	\$56,732
21	Amount of line 20 Related to LBP Activities	0			
22	Amount of line 20 Related to Section 504 Compliance	136,009	250,000		
23	Amount of line 20 to Security	0			
24	Amount of line 20 Related to Energy Conservation Measures	126,900	126,900		

Signature of Executive Director & Date:
 6/12/09
 Susan Anderson, Executive Director

Signature of Public Housing Director/Office of Native American Programs Administrator & Date:

1 To be completed for the Performance and Evaluation Report
 2 To be completed for the Performance and Evaluation Report or a Revised Annual Statement
 3 PHAs with Under 250 units in management may use 100% of CFP Grants for operations.
 4 RHF funds shall be included here.

Part II: Supporting Pages								
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: IL06P018501-08 CFFP (Yes/ No): Replacement Housing factor Grant No:			Federal FFY of Grant: 2009		
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work 2
				Original	Revised 1	Funds Obligated 2	Funds Expended 2	
IL.18-2 Manor Homes	General Site Improvement/Landscape	1450	1	20,000	20,000	20,000	20,000	Completed
	Section 504 Upgrades	1460	1		100,000	100,000		
	Window Replacement	1460	20	35,000	15,000	15,000		
	Replace Appliances	1465		115,000	20,000	20,000	5,159	
	Total for IL.18-2, Rock Island Manor				170,000	155,000		
	Sub-total account 1450			20,000	20,000	20,000	20,000	
	Sub-total account 1460			35,000	115,000	115,000	0	
	Sub-total account 1465			115,000	20,000	20,000	5,159	
	Total for IL.18-2, Rock Island Manor			170,000	155,000	155,000	25,159	

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement
 2 To be completed for the Performance and Evaluation Report

Part II: Supporting Pages									
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: IL06P018501-08 CFFP (Yes/ No): Replacement Housing factor Grant No:			Federal FFY of Grant: 2009			
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work ₂	
				Original	Revised ₁	Funds Obligated ₂	Funds Expended ₂		
IL.18-3 Lincoln Homes	Demolition	1485		150,000	0				
	Relocation	1495.1		85,000	156,000	156000			
	Development	1499			200,000	200000			
	Total for IL.18-3, Lincoln Homes				235,000	356,000	356,000	0	
	Sub-total account 1485				150,000	0	0	0	
Sub-total account 1495.1				85,000	156,000	156,000	0		
Sub-total account 1499				0	200,000	200,000	0		
Total for IL.18-3, Lincoln Homes				235,000	356,000	356,000	0		

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement

2 To be completed for the Performance and Evaluation Report

Part II: Supporting Pages									
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: IL06P018501-08 CFFP (Yes/ No): Replacement Housing factor Grant No:			Federal FFY of Grant: 2009			
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work 2	
				Original	Revised 1	Funds Obligated 2	Funds Expended 2		
IL.18-4 Sunset Heights	General Site Improvement/Landscape	1450	1	10,000	10,000	10,000	5,460		
	Patio Area Renovation	1450	1	20,000	20,000	20,000	10,000		
	Section 504 Upgrades	1460		76,009	100,000	100,000			
	Replace Appliances	1465		100,000	30,009	30,009			
	Total for IL.18-4 Sunset Heights				206,009	160,009	160,009	15,460	
	Sub-total account 1450				30,000	30,000	30,000	15,460	
	Sub-total account 1460				76,009	100,000	100,000	0	
Sub-total account 1465				100,000	30,009	30,009	0		
Total for IL.18-4, Sunset Heights				206,009	160,009	160,009	15,460		

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement

2 To be completed for the Performance and Evaluation Report

Part II: Supporting Pages								
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: IL06P018501-08 CFFP (Yes/ No): Replacement Housing factor Grant No:			Federal FFY of Grant: 2009		
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work ²
				Original	Revised ¹	Funds Obligated ²	Funds Expended ²	
IL.18-5 Valley Homes								
	Total for IL.18-5 Spencer Towers			0	0			
	Sub-total account 1450			0	0			
	Sub-total account 1460			0	0			
	Sub-total account 1465			0	0			
	Total for IL.18-5, Spencer Towers			0	0			

¹ To be completed for the Performance and Evaluation Report of a Revised Annual Statement

² To be completed for the Performance and Evaluation Report

Part II: Supporting Pages									
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: IL06P018501-08 CFFP (Yes/ No): Replacement Housing factor Grant No:			Federal FFY of Grant: 2009			
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work 2	
				Original	Revised 1	Funds Obligated 2	Funds Expended 2		
IL.18-6 Spencer Towers	General Site Improvement/Landscape	1450	1						
		1450	1						
		1450	1						
	Section 504 Upgrades	1460	1	60,000	50,000	50,000			
	Replace Appliances	1465		50,000	0	0			
	Total for IL.18-6 Spencer Towers				110,000	50,000	50,000	0	
	Sub-total account 1450			0	0	0	0		
	Sub-total account 1460			60,000	50,000	50,000	0		
	Sub-total account 1465			50,000	0	0	0		
	Sub-total account 1499			0	0	0	0		
Total for IL.18-6, Spencer Towers				110,000	50,000	50,000	0		

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement

2 To be completed for the Performance and Evaluation Report

Part II: Supporting Pages								
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: IL06P018501-08 CFFP (Yes/ No): Replacement Housing factor Grant No:			Federal FFY of Grant: 2009		
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work 2
				Original	Revised 1	Funds Obligated 2	Funds Expended 2	
2008	OPERATIONS	1406		0				
	Staff Training	1408	1	51,500	51,500	51,500	1,613	
	Resident Training	1408	1	15,000	15,000	15,000	2,000	
	Marketing	1408	1	5,000	5,000	5,000	2,500	
	Security	1408	1	1,000	1,000	1,000		
	Computers & Training	1408	1	5,000	5,000	5,000		
	Preventative Maintenance	1408	1	2,500	2,500	2,500		
	Studies & Plans	1408	1	2,500	2,500	2,500	2,500	
	Strategies for 5 year Plan	1408	1	2,500	2,500	2,500	2,500	
	Total for 1408, Mgmt. Improvements			85,000	85,000	85,000	11,113	
	Modernization salaries/wages	1410		70,000	70,000	70,000		
	EBC'S	1410		17,500	17,500	17,500		
	Publications	1410		367	367	367		
	Legal	1410		2,000	2,000	2,000		
	Total for 1410, Admin. Costs			89,867	89,867	89,867	0	
	AUDIT COSTS	1411		5,000	5,000	5,000	5,000	
	PHA-WIDE ARCHITECT/ENG. FEES	1430		0				
	NON-DWELLING STRUCTURES	1470		0				
	PHA-WIDE EQUIPMENT							
	Maintenance & Office Equipment	1475		5,000	5,000	5,000		
	Total for 1475, Maintenance Equipment			5,000	5,000	5,000	0	
	COLLATERIZATION or DEBT SERVICE	1501		0				

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement

2 To be completed for the Performance and Evaluation Report

Annual Statements/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB Approval No. 2577-0226
 Expires 04/30/2011

Part I: Summary		Grant Type and Number		FFY of Grant: 2009	
PHA Name: IL018		Capital Fund Program Grant No: IL06P018501-07		FFY of Grant Approval: 2007	
Housing Authority of the City of Rock Island, Illinois		Replacement Housing factor Grant No:			
		Date of CFFP:			
Type of Grant					
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disaters/Emergencies <input checked="" type="checkbox"/> Revised Annual Statement/Revision Number 1__ <input checked="" type="checkbox"/> Performance and Evaluation Report for Program Year Ending 03/31/2009 <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost 1	
		Original	Revised2	Obligated	Expended
1	Total Non-CGP Funds				
2	1406 Operations (May not exceed 20% of line 20) ³	93,167	9,321	9,321	9,321
3	1408 Management Improvements	55,000	55,000	55,000	53,458
4	1410 Administration	93,167	29,220	29,220	21,797
5	1411 Audit	5,000	5,000	5,000	5,000
6	1415 Liquidated Damages				
7	1430 Fees and Costs	50,000	50,000	50,000	21,865
8	1440 Site Acquisition				
9	1450 Site Improvement	20,000	20,000	20,000	20,000
10	1460 Dwelling Structures	520,333	520,333	520,333	458,746
11	1465.1 Dwelling Equipment-Nonexpendable	0	0	0	0
12	1470 Nondwelling Structures	0	0	0	0
13	1475 Nondwelling Equipment	25,000	25,000	25,000	6,577
14	1485 Demolition	0	0	0	0
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	60,000	207,793	207,793	0
18	1499 Mod Used for Development ⁴	10,000	10,000	10,000	10,000
19	1501 Collateralization or Debt Service	0	0	0	0
20	Amount of Annual Grant (Sum of Lines 2-19)	\$931,667	\$931,667	\$931,667	\$606,764
21	Amount of line 20 Related to LBP Activities	0			
22	Amount of line 20 Related to Section 504 Compliance	0	0		
23	Amount of line 20 to Security	0			
24	Amount of line 20 Related to Energy Conservation Measures	0	0		
Signature of Executive Director & Date: <i>Susan Anderson 6/12/09</i> Susan Anderson, Executive Director		Signature of Public Housing Director/Office of Native American Programs Administrator & Date:			

- 1 To be completed for the Performance and Evaluation Report
- 2 To be completed for the Performance and Evaluation Report or a Revised Annual Statement
- 3 PHAs with Under 250 units in management may use 100% of CFP Grants for operations.
- 4 RHF funds shall be included here.

form HUD-50075.1 (4/2008)
 ref Handbook 7485.3

Part II: Supporting Pages										
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: IL06P018501-07 CFFP (Yes/ No): Replacement Housing factor Grant No:			Federal FFY of Grant: 2009				
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work 2		
				Original	Revised 1	Funds Obligated 2	Funds Expended 2			
IL.18-2 Manor Homes	Replace Interior Doors & Frames	1450						Completed		
		1460		22,500	22,500	22,500	22,500			
		1460								
		1465								
		Total for IL.18-2, Rock Island Manor				22,500	22,500			
		Sub-total account 1450				0	0		0	0
Sub-total account 1460				22,500	22,500	22,500	22,500			
Sub-total account 1465				0	0	0	0			
Total for IL.18-2, Rock Island Manor				22,500	22,500	22,500	22,500			

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement

2 To be completed for the Performance and Evaluation Report

Part II: Supporting Pages								
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: IL06P018501-07 CFFP (Yes/ No): Replacement Housing factor Grant No:			Federal FFY of Grant: 2009		
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work 2
				Original	Revised 1	Funds Obligated 2	Funds Expended 2	
IL.18-3 Lincoln Homes	Demolition	1450						Completed
	Upgrade Units to UFAS Compliance	1460		7,706	7,706	7,706	7,706	
	Dwelling Equipment	1465						
	Total for IL.18-3, Lincoln Homes			7,706	7,706	7,706	7,706	
	Sub-total account 1450			0	0	0	0	
	Sub-total account 1460			7,706	7,706	7,706	7,706	
	Sub-total account 1465			0	0	0	0	
Total for IL.18-3, Lincoln Homes			7,706	7,706	7,706	7,706		

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement

2 To be completed for the Performance and Evaluation Report

Part II: Supporting Pages									
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois		Grant Type and Number Capital Fund Program Grant No: IL06P018501-07 CFFP (Yes/ No): Replacement Housing factor Grant No:			Federal FFY of Grant: 2009				
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work 2	
				Original	Revised 1	Funds Obligated 2	Funds Expended 2		
IL.18-4 Sunset Heights	General Site Improvement/Landscape	1450	1						
		1450	1						
	Repair & Replace Water & Sewer pipes	1460		278,334	278,334	278,334	216,747.0	In Progress	
	Renovate Bathrooms	1460		40,000	40,000	40,000	40,000	Completed	
	Renovate Kitchens	1460		40,000	40,000	40,000	40,000	Completed	
	Domestic Hot water System	1460		94,563	94,563	94,563	94,563	Completed	
	Relocation	1495.1		5,000	0	5000		Moved to 18-6, 1495.1	
	Total for IL.18-4 Sunset Heights				457,897	452,897	457,897	391,310	
	Sub-total account 1450				0	0	0	0	
	Sub-total account 1460				452,897	452,897	452,897	391,310	
Sub-total account 1495.1				5,000	0	0	0		
Total for IL.18-4, Sunset Heights				457,897	452,897	452,897	391,310		

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement

2 To be completed for the Performance and Evaluation Report

Annual Statements/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Peplacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB Approval No. 2577-0226
 Expires 04/30/2011

Part II: Supporting Pages									
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: IL06P018501-07 CFFP (Yes/ No): Replacement Housing factor Grant No:			Federal FFY of Grant: 2009			
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work ²	
				Original	Revised ¹	Funds Obligated ²	Funds Expended ²		
IL.18-6 Spencer Towers	General Site Improvement/Landscape	1450	1	20,000	20,000	20,000	20,000	Completed	
		1450	1						
		1450	1						
	Replace Air Return Fans	1460	1	37,230	37,230	37,230	37,230	Completed	
	Relocation		1495.1	55,000	207,793	207,793			
	Redevelopment		1499	10,000	10,000	10,000	10,000	Completed	
	Total for IL.18-6 Spencer Towers				122,230	275,023	275,023	67,230	
	Sub-total account 1450				20,000	20,000	20,000	20,000	
	Sub-total account 1460				37,230	37,230	37,230	37,230	
Sub-total account 1495.1				55,000	207,793	207,793	0		
Sub-total account 1499				10,000	10,000	10,000	10,000		
Total for IL.18-6, Spencer Towers				122,230	275,023	275,023	67,230		

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement
 2 To be completed for the Performance and Evaluation Report

Part II: Supporting Pages								
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: IL06P018501-07 CFFP (Yes/ No): Replacement Housing factor Grant No:			Federal FFY of Grant: 2009		
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work 2
				Original	Revised 1	Funds Obligated 2	Funds Expended 2	
2008	OPERATIONS	1406		93,167	9,321	9,321	9,321	Completed, Balance moved to 18-6 Relocation
	Staff Training	1408	1	23,000	23,000	23,000	21,458	Actual to Date
	Resident Training	1408	1	2,000	2,000	2,000	2,000	Completed
	Marketing	1408	1					
	Security	1408	1	10,000	10,000	10,000	10,000	Completed
	Computers & Training	1408	1	5,000	5,000	5,000	5,000	Completed
	Preventative Maintenance	1408	1					
	Studies & Plans	1408	1	5,000	5,000	5,000	5,000	Completed
	Strategies for 5 year Plan	1408	1	10,000	10,000	10,000	10,000	Completed
	Total for 1408, Mgmt. Improvements			55,000	55,000	55,000	53,458	
	Modernization salaries/wages	1410		79,000	15,053	15,053	7,630	Completed, Balance moved to 18-6 Relocation
	EBC'S	1410		13,400	13,400	13,400	13,400	Completed
	Publications	1410		167	167	167	167	Completed
	Advertisizing	1410		400	400	400	400	Completed
	Legal	1410		200	200	200	200	Completed
	Total for 1410, Admin. Costs			93,167	29,220	29,220	21,797	
	AUDIT COSTS	1411		5,000	5,000	5,000	5,000	Completed
	PHA-WIDE ARCHITECT/ENG. FEES	1430		50,000	50,000	50,000	21,865	Actual to Date
	NON-DWELLING STRUCTURES	1470		0				
	PHA-WIDE EQUIPMENT							
	Maintenance & Office Equipment	1475		25,000	25,000	25,000	6,577	Actual to Date
	Total for 1475, Maintenance Equipment			25,000	25,000	25,000	6,577	
	COLLATERIZATION or DEBT SERVICE	1501		0				

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement

2 To be completed for the Performance and Evaluation Report

Annual Statements/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB Approval No. 2577-0226
 Expires 04/30/2011

Part I: Summary		
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois	Grant Type and Number Capital Fund Program Grant No: Replacement Housing factor Grant No: IL06R01850108 Date of CFFP:	FFY of Grant: 2009 FFY of Grant Approval: 2008

Type of Grant
 Original Annual Statement Reserve for Disasters/Emergencies Revised Annual Statement/Revision Number ____ Performance and Evaluation Report for Program Year Ending 03/31/2009
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost 1	
		Original	Revised2	Obligated	Expended
1	Total Non-CGP Funds				
2	1406 Operations (May not exceed 20% of line 20)3				
3	1408 Management Improvements				
4	1410 Administration				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment-Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Mod Used for Development4	172,860	0	172,860	0
19	1501 Collateralization or Debt Service				
20	Amount of Annual Grant (Sum of Lines 2-19	\$172,860	\$0	\$172,860	\$0
21	Amount of line 20 Related to LBP Activities	0			
22	Amount of line 20 Related to Section 504 Compliance	0	0		
23	Amount of line 20 to Security	0			
24	Amount of line 20 Related to Energy Conservation Measures	0	0		

Signature of Executive Director & Date: <i>Susan Anderson</i> 6/12/09 Susan Anderson, Executive Director	Signature of Public Housing Director/Office of Native American Programs Administrator & Date:
----------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------

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- 2 To be completed for the Performance and Evaluation Report or a Revised Annual Statement
- 3 PHAs with Under 250 units in management may use 100% of CFP Grants for operations.
- 4 RHF funds shall be included here.

form HUD-50075.1 (4/2008)
 ref Handbook 7485.3

Part II: Supporting Pages								
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Replacement Housing factor Grant No: IL0 0 CFFP (Yes/ No): Replacement Housing factor Grant No: IL06R01850108			Federal FFY of Grant: 2009		
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work 2
				Original	Revised 1	Funds Obligated 2	Funds Expended 2	
IL018	Development	1499		172,860		172,860		

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement

2 To be completed for the Performance and Evaluation Report

Annual Statements/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB Approval No. 2577-0226
 Expires 04/30/2011

Part I: Summary		
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois	Grant Type and Number Capital Fund Program Grant No: Replacement Housing factor Grant No: IL06R01850208 Date of CFFP:	FFY of Grant: 2009 FFY of Grant Approval: 2008

Type of Grant
 Original Annual Statement Reserve for Disasters/Emergencies Revised Annual Statement/Revision Number ____ Performance and Evaluation Report for Program Year Ending 03/31/2009
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost ¹	
		Original	Revised ²	Obligated	Expended
1	Total Non-CGP Funds				
2	1406 Operations (May not exceed 20% of line 20) ³				
3	1408 Management Improvements				
4	1410 Administration				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment-Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Mod Used for Development ⁴	78,001	0	78,001	0
19	1501 Collateralization or Debt Service				
20	Amount of Annual Grant (Sum of Lines 2-19)	\$78,001	\$0	\$78,001	\$0
21	Amount of line 20 Related to LBP Activities	0			
22	Amount of line 20 Related to Section 504 Compliance	0	0		
23	Amount of line 20 to Security	0			
24	Amount of line 20 Related to Energy Conservation Measures	0	0		

Signature of Executive Director & Date:  6/12/09 Susan Anderson, Executive Director	Signature of Public Housing Director/Office of Native American Programs Administrator & Date:
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form HUD-50075.1 (4/2008)
 ref Handbook 7485.3

Part II: Supporting Pages								
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: 0 CFFP (Yes/ No): Replacement Housing factor Grant No: IL06R01850208			Federal FFY of Grant: 2009		
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work 2
				Original	Revised 1	Funds Obligated 2	Funds Expended 2	
IL018	Development	1499		78,001		78,001		

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement

2 To be completed for the Performance and Evaluation Report

Annual Statements/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB Approval No. 2577-0226
 Expires 04/30/2011

Part I: Summary					
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois		Grant Type and Number Capital Fund Program Grant No: Replacement Housing factor Grant No: IL06R01850107 Date of CFFP:			FFY of Grant: 2009 FFY of Grant Approval: 2007
Type of Grant					
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Revised Annual Statement/Revision Number _____ <input checked="" type="checkbox"/> Performance and Evaluation Report for Program Year Ending 03/31/2009 <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost 1	
		Original	Revised ²	Obligated	Expended
1	Total Non-CGP Funds				
2	1406 Operations (May not exceed 20% of line 20) ³				
3	1408 Management Improvements				
4	1410 Administration				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment-Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Mod Used for Development ⁴	170,533	0	170,533	0
19	1501 Collateralization or Debt Service				
20	Amount of Annual Grant (Sum of Lines 2-19)	\$170,533	\$0	\$170,533	\$0
21	Amount of line 20 Related to LBP Activities	0			
22	Amount of line 20 Related to Section 504 Compliance	0	0		
23	Amount of line 20 to Security	0			
24	Amount of line 20 Related to Energy Conservation Measures	0	0		
Signature of Executive Director & Date: <i>Susan Anderson</i> 6/12/09 Susan Anderson, Executive Director		Signature of Public Housing Director/Office of Native American Programs Administrator & Date:			

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- 4 RHF funds shall be included here.

form HUD-50075.1 (4/2008)
 ref Handbook 7485.3

Part II: Supporting Pages								
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: 0 CFFP (Yes/ No): Replacement Housing factor Grant No: IL06R01850107			Federal FFY of Grant: 2009		
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work 2
				Original	Revised 1	Funds Obligated 2	Funds Expended 2	
IL018	Development	1499		170,533		170,533		

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement
 2 To be completed for the Performance and Evaluation Report

Annual Statements/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB Approval No. 2577-0226
 Expires 04/30/2011

Part I: Summary	
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois	Grant Type and Number Capital Fund Program Grant No: Replacement Housing factor Grant No: IL06R01850207 Date of CFFP:
FFY of Grant: 2009 FFY of Grant Approval: 2007	

Type of Grant
 Original Annual Statement Reserve for Disaters/Emergencies Revised Annual Statement/Revision Number _____ Performance and Evaluation Report for Program Year Ending 03/31/2009
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost 1	
		Original	Revised2	Obligated	Expended
1	Total Non-CGP Funds				
2	1406 Operations (May not exceed 20% of line 20)3				
3	1408 Management Improvements				
4	1410 Administration				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment-Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Mod Used for Development4	97,697	0	97,697	0
19	1501 Collateralization or Debt Service				
20	Amount of Annual Grant (Sum of Lines 2-19	\$97,697	\$0	\$97,697	\$0
21	Amount of line 20 Related to LBP Activities	0			
22	Amount of line 20 Related to Section 504 Compliance	0	0		
23	Amount of line 20 to Security	0			
24	Amount of line 20 Related to Energy Conservation Measures	0	0		

Signature of Executive Director & Date:  6/12/09 Susan Anderson, Executive Director	Signature of Public Housing Director/Office of Native American Programs Administrator & Date:
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 4 RHF funds shall be included here.

Part II: Supporting Pages								
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: 0 CFFP (Yes/ No): Replacement Housing factor Grant No: IL06R01850207			Federal FFY of Grant: 2009		
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work ₂
				Original	Revised ₁	Funds Obligated ₂	Funds Expended ₂	
IL018	Development	1499		97,697		97,697		

₁ To be completed for the Performance and Evaluation Report of a Revised Annual Statement

₂ To be completed for the Performance and Evaluation Report

Annual Statements/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB Approval No. 2577-0226
 Expires 04/30/2011

Part I: Summary	
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois	Grant Type and Number Capital Fund Program Grant No: Replacement Housing factor Grant No: IL06R01850206 Date of CFFP:
FFY of Grant: 2009 FFY of Grant Approval: 2006	

Type of Grant
 Original Annual Statement Reserve for Disasters/Emergencies Revised Annual Statement/Revision Number _____ Performance and Evaluation Report for Program Year Ending 03/31/2009
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost 1	
		Original	Revised ²	Obligated	Expended
1	Total Non-CGP Funds				
2	1406 Operations (May not exceed 20% of line 20) ³				
3	1408 Management Improvements				
4	1410 Administration				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment-Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Mod Used for Developments	88,472	95,957	95,957	0
19	1501 Collateralization or Debt Service				
20	Amount of Annual Grant (Sum of Lines 2-19)	\$88,472	\$95,957	\$95,957	\$0
21	Amount of line 20 Related to LBP Activities	0			
22	Amount of line 20 Related to Section 504 Compliance	0	0		
23	Amount of line 20 to Security	0			
24	Amount of line 20 Related to Energy Conservation Measures	0	0		

Signature of Executive Director & Date:  Susan Anderson, Executive Director	Signature of Public Housing Director/Office of Native American Programs Administrator & Date:
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Part II: Supporting Pages								
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: 0 CFFP (Yes/ No): Replacement Housing factor Grant No: IL06R01850206			Federal FFY of Grant: 2009		
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work 2
				Original	Revised 1	Funds Obligated 2	Funds Expended 2	
IL018	Development			88,472	95,957	95,957		

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement
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Annual Statements/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB Approval No. 2577-0226
 Expires 04/30/2011

Part I: Summary	
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois	Grant Type and Number Capital Fund Program Grant No: Replacement Housing factor Grant No: IL06R01850205 Date of CFFP:
FFY of Grant: 2009 FFY of Grant Approval: 2005	

Type of Grant
 Original Annual Statement Reserve for Disasters/Emergencies Revised Annual Statement/Revision Number ____ Performance and Evaluation Report for Program Year Ending 03/31/2009
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost 1	
		Original	Revised2	Obligated	Expended
1	Total Non-CGP Funds				
2	1406 Operations (May not exceed 20% of line 20)3				
3	1408 Management Improvements				
4	1410 Administration				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment-Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Mod Used for Development4	103,386	0	103,386	0
19	1501 Collateralization or Debt Service				
20	Amount of Annual Grant (Sum of Lines 2-19	\$103,386	\$0	\$103,386	\$0
21	Amount of line 20 Related to LBP Activities	0			
22	Amount of line 20 Related to Section 504 Compliance	0	0		
23	Amount of line 20 to Security	0			
24	Amount of line 20 Related to Energy Conservation Measures	0	0		

Signature of Executive Director & Date:  6/12/09 Susan Anderson, Executive Director	Signature of Public Housing Director/Office of Native American Programs Administrator & Date:
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form HUD-50075.1 (4/2008)
 ref Handbook 7485.3

Part II: Supporting Pages								
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: 0 CFFP (Yes/ No): Replacement Housing factor Grant No: IL06R01850205			Federal FFY of Grant: 2009		
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work ²
				Original	Revised ¹	Funds Obligated ²	Funds Expended ²	
IL018	Development			103,386		103,386		

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement
 2 To be completed for the Performance and Evaluation Report

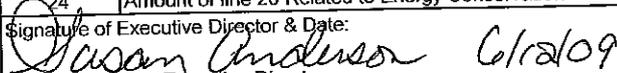
Annual Statements/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB Approval No. 2577-0226
 Expires 04/30/2011

Part I: Summary	Grant Type and Number	FFY of Grant: 2009
PHA Name: IL018	Capital Fund Program Grant No:	FFY of Grant Approval: 2004
Housing Authority of the City of Rock Island, Illinois	Replacement Housing factor Grant No: IL06R01850204	
	Date of CFFP:	

Type of Grant
 Original Annual Statement Reserve for Disasters/Emergencies Revised Annual Statement/Revision Number ____ Performance and Evaluation Report for Program Year Ending 03/31/2009
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost 1	
		Original	Revised2	Obligated	Expended
1	Total Non-CGP Funds				
2	1406 Operations (May not exceed 20% of line 20)3				
3	1408 Management Improvements				
4	1410 Administration				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment-Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Mod Used for Development4	146,697	0	146,697	0
19	1501 Collateralization or Debt Service				
20	Amount of Annual Grant (Sum of Lines 2-19)	\$146,697	\$0	\$146,697	\$0
21	Amount of line 20 Related to LBP Activities	0			
22	Amount of line 20 Related to Section 504 Compliance	0	0		
23	Amount of line 20 to Security	0			
24	Amount of line 20 Related to Energy Conservation Measures	0	0		

Signature of Executive Director & Date:

 Susan Anderson, Executive Director

Signature of Public Housing Director/Office of Native American Programs Administrator & Date:

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Part II: Supporting Pages								
PHA Name: IL018 Housing Authority of the City of Rock Island, Illinois			Grant Type and Number Capital Fund Program Grant No: 0 CFFP (Yes/ No): Replacement Housing factor Grant No: IL06R01850204			Federal FFY of Grant: 2009		
Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work 2
				Original	Revised 1	Funds Obligated 2	Funds Expended 2	
IL018	Development	1499		146,697		146,697		

1 To be completed for the Performance and Evaluation Report of a Revised Annual Statement

2 To be completed for the Performance and Evaluation Report

Capital Fund Program—Five-Year Action Plan

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 Expires 4/30/20011

Part I: Summary						
PHA Name/Number: Housing Authority of the City of Rock Island (IL018)		Locality: Rock Island, Rock Island, Illinois			<input type="checkbox"/> Original 5-Year Plan <input type="checkbox"/> Revision No:	
A.	Development Number and Name	Work Statement for Year 1 FFY 2009	Work Statement for Year 2 FFY 2010	Work Statement for Year 3 FFY 2011	Work Statement for Year 4 FFY 2012	Work Statement for Year 5 FFY 2013
B.	Physical Improvements Subtotal	Annual Statement	655,000	413,500	463,500	488,500
C.	Management Improvements		100,000	100,000	100,000	100,000
D.	PHA-Wide Non-dwelling Structures and Equipment		90,000	5,000	5,000	5,000
E.	Administration		100,000	100,000	100,000	100,000
F.	Other		5,000	31,500	31,500	6,500
G.	Operations					
H.	Demolition		150,000	450,000		
I.	Development				400,000	400,000
J.	Capital Fund Financing – Debt Service					
K.	Total CFP Funds					
L.	Total Non-CFP Funds					
M.	Grand Total	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000

Capital Fund Program—Five-Year Action Plan

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 Expires 4/30/2011

Part I: Summary (Continuation)						
PHA Name/Number		Locality (City/County & State)			<input type="checkbox"/> Original 5-Year Plan	<input type="checkbox"/> Revision No:
A.	Development Number and Name	Work Statement for Year 1 FFY <u>2009</u>	Work Statement for Year 2 FFY <u>2010</u>	Work Statement for Year 3 FFY <u>2011</u>	Work Statement for Year 4 FFY <u>2012</u>	Work Statement for Year 5 FFY <u>2013</u>
B.		Annual Statement				
C.						
D.						
E.						
F.						
G.						
H.						
I.						
J.						
K.						
L.						
M.						

Part II: Supporting pages - Physical Needs Work Statement(s)						
Work Statement for year 1 FFY 2009	Work Statement for Year 4 FFY 2012			Work Statement for Year 5 FFY 2013		
	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Costs	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Costs
See Annual Statement	18-2 Rock Island Manor					
	General Site Improvements (1450)		5,000	General Site Improvements (1450)		5,000
	Unit Renovation (1460)		50,000	Unit Renovation (1460)		50,000
	Repair/Replace Windows (1460)		50,000	Repair/Replace Windows (1460)		50,000
	Appliances (1465)		25,000	Appliances (1465)		25,000
	Redevelopment (1499)		300,000	Redevelopment (1499)		300,000
	Subtotal of Estimated Costs		\$ 430,000	Subtotal of Estimated Costs		\$ 430,000

Capital Fund Program—Five-Year Action Plan

Department of Housing and Urban Development
 Office of Public and Indian Housing
 Expires 4/30/2011

Part II: Supporting pages - Physical Needs Work Statement(s)						
Work Statement for year 1 FFY 2009	Work Statement for Year 2 FFY 2010			Work Statement for Year 3 FFY 2011		
	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Costs	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Costs
Sec Annual Statement	18-4 Sunset Heights					
	General Site Improvements (1450)		7,500	General Site Improvements (1450)		10,000
	New Flooring (1460)		10,000	Electrical System Upgrades (1460)		15,000
	Paint Hallways and Common Area (1460)		25,000			
				Appliances (1465)		25,000
	18-4 Trash Compactor (1475)		90,000			
	Subtotal of Estimated Costs		\$ 132,500	Subtotal of Estimated Costs		\$ 50,000

