PHA 5-Year and Annual Plan	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires 4/30/2011

1.0 **PHA Information**
PHA Name: Fall River Housing Authority PHA Code: MA006
PHA Type: ☐ Small ☐ High Performing ☒ Standard ☐ HCV (Section 8)
PHA Fiscal Year Beginning: (MM/YYYY): 04/01/2009

2.0 **Inventory** (based on ACC units at time of FY beginning in 1.0 above)
Number of PH units: 1,569 Number of HCV units: 2,431

3.0 **Submission Type**
☒ 5-Year and Annual Plan ☐ Annual Plan Only ☐ 5-Year Plan Only

4.0 **PHA Consortia** ☐ PHA Consortia: (Check box if submitting a joint Plan and complete table below.)

Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	No. of Units in Each Program	
				PH	HCV
PHA 1:					
PHA 2:					
PHA 3:					

5.0 **5-Year Plan.** Complete items 5.1 and 5.2 only at 5-Year Plan update.

5.1 **Mission.** State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years:

The mission of the Fall River Housing Authority is to assist low-income families with safe, decent, and affordable housing opportunities as they strive to achieve self-sufficiency and improve the quality of their lives. The Housing Authority is committed to operating in an efficient, ethical, and professional manner. The Housing Authority will create and maintain partnerships with its clients and appropriate community agencies in order to accomplish this mission.

5.2 **Goals and Objectives.** Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.

See Attachment A – Goals and Objectives for Previous 5 Year Plan
See Attachment B – Goals and Objectives for Current 5 Year Plan as amended

Federalization of State Assisted Units – The Fall River Housing Authority will be submitting an application for Conventional Development of Federal Public Housing with Rehabilitation for the following State Sites. This process will result in these units and buildings being transferred from our state-aided public housing program to the Federally Assisted Conventional Public Housing Program.

The federalized units will be subject to all provisions of our federal program and this agency plan.

Pleasant View	119
Barresi	149
Doolan	152
Eid	54
Bates Tower	61
Corky Row	24
	559

Revision 1 to our ARRA CFP Annual Statement/Performance and Evaluation Report is also being submitted.

6.0

PHA Plan Update

(a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:

Attached summary MA006t01 Summary of RAB minutes and Public Hearing for 2009 submission details the RAB process and all significant changes made by the FRHA.

Also attached are Minutes of the Public Hearing regarding the Federalization of state-aided public housing, which was held on November 4, 2009.

Federalization of State Assisted Units – The Fall River Housing Authority will be submitting an application for Conventional Development of Federal Public Housing with Rehabilitation for the following State Sites. This process will result in these units and buildings being transferred from our state-aided public housing program to the Federally Assisted Conventional Public Housing Program.

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(b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions.

We will maintain a copy of the Agency Plan at each Asset Management Project (AMP), the main office at 85 Morgan Street, A copy is also available at the FRHA web site www.fallriverha.org, The Fall River Joint Tenant Council has been provided a copy of the Plan. The Fall River Community Development Agency has a copy for inspection by the General Public.

7.0

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.*

Project-based Vouchers – We intend to implement the project basing of up to 100 units of HCVP. This is consistent with our Section 8 Administrative Plan – Appendix 3 – Project Based Assistance. See MA006g01

Homeownership Programs – will be implemented in our HCVP program in accordance with Appendix 4 of our Section 8 Administrative Plan Pertaining tour Homeownership Program. See MA006g01

Demolition and/or Disposition - we are studying the issue of demolishing units at our Oak Village site (AMP 4). The units involved have been severely damaged by settling on the site and cannot be reasonable repaired with any reasonable certainty that the settling will not recur. The significant anticipated cost of the repairs and the uncertainty of the results make repair/renovation an unacceptable alternative.

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.

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.

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.

9.0	**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.

9.1	**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.** The City of Fall River has had a significant vacancy rate for years. With a population of 91,938 and 3,098 vacancies the city has no need to increase the supply of housing. The FRHA has 58 vacancies and continues to struggle to rent all of its units. The Fall River Community Development Agency continues to make funds available for the rehab of rental units and it is this effort which assures that the needs are met. See MA006s01 Housing and Community Development Need Analysis for Fall River as included in the FR Consolidated Plan. This details the needs and the method of addressing those needs. The Fall river Housing Authority participates in the preparation of the analysis by providing data and our participation and meeting of the needs is clearly delineated.
10.0	**Additional Information**. Describe the following, as well as any additional information HUD has requested. (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. See Attachment A – Goals and Objectives for Previous 5 Year Plan (b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification" Substantial deviation/modification is a material change to a FRHA [written] policy that requires approval by Fall River Housing Authority's (FRHA's) Board of Commissioners. It does not include a change in strategy, policy or procedure when the change is reasonably necessary to effectuate the intent, purpose or interpretation of FRHA's Agency Plan or other policy. A significant amendment or modification to an FRHA policy is one that will most likely result in a major effect upon the intent, purpose or interpretation of FRHA's Agency Plan or other policy. Discretionary or administrative amendments consonant with the Authority's stated overall mission and basic objectives will not be considered substantial deviations or significant modifications.

11.0	**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. (a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations* (which includes all certifications relating to Civil Rights) (b) Form HUD-50070, *Certification for a Drug-Free Workplace* (PHAs receiving CFP grants only) (c) Form HUD-50071, *Certification of Payments to Influence Federal Transactions* (PHAs receiving CFP grants only) (d) Form SF-LLL, *Disclosure of Lobbying Activities* (PHAs receiving CFP grants only) (e) Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet* (PHAs receiving CFP grants only) (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. (g) Challenged Elements (h) Form HUD-50075.1, *Capital Fund Program Annual Statement/Performance and Evaluation Report* (PHAs receiving CFP grants only) (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan* (PHAs receiving CFP grants only)

Attachment A – Goals and Objectives for Previous 5 Year Plan

1) Reduce public housing vacancies.

Site	Units	03/27/03	11/20/08
SUNSET HILL	355	32	4
HERITAGE HEIGHTS	127	12	6
FATHER DIAFERIO	224	7	7
OAK VILLAGE	30	2	1
O'BRIEN APTS	100	2	2
HOLMES APTS	100	2	3
OLIVEIRA APARTMENTS	84	1	0
MEDEIROS TOWERS	208	9	22
COTTELL HEIGHTS	71	1	2
MITCHELL HEIGHTS	104	19	6
NO. ROCLIFFE APTS	35	1	2
FORDNEY APTS	36	2	0
BENNIE COSTA PLAZA	60	2	3
RILEY PLAZA	25	0	0
TOTAL	1559	92	58

The above shown chart details the progress that we have made in reducing vacancies. The overall vacancies have been reduced by 34 or 37%. If we factored out the vacancies at Cardinal Medeiros Towers we would have reduced the vacancies from 83 to 36 or 57%. We have recently changed our admission policies to allow single non elderly/disabled applicants to move into this site. We anticipate that we will make progress at this site.

2) Improve public housing management: (PHAS score)

In 2002 our PHAS score was 83 and we have increased it to 87 for FYE 2008.

Our scores have hovered around High Performer status which indicate improvement.

3) Improve voucher management: (SEMAP score)

SEMAP Scores are as follows

2002	77
2003	92
2004	92
2005	96
2006	100
2008	93

It is clear that we improved our SEMAP scores and for the last 5 years have been a high performer.

4) Increase customer satisfaction.

5) Concentrate on efforts to improve specific management functions e.g. public housing finance; voucher unit inspections)

6) Reorganized file systems.

We have reorganized our Public Housing Tenant File System and HUD has recently completed a Tier 1 review at the FRHA. Our File system resulted in their being no significant issues with our files or rent calculations.

7) Staggered rent calculations, staggered inspections.

We have implemented both and the change has resulted in a more even workflow in our PH sites.

8) Implementation of Asset Based Management (ABM).

We are significantly along the road to 100% implementation of Asset Based Management. We now have our Finance, Management and Maintenance structured to ABM. Our Accounting and Budgeting are based on the AMPs with subsidy and CFP assigned by these AMPS.
Our Organization Structure has been modified to create a Central Office, assign day to day responsibility for site management to the AMP staff and to clearly designate the management structure. A little bit of fine tuning will continue over the next several years but ABM has been basically implemented.

9) Hired staff attorney to help with evictions.

This has been accomplished. An attorney to handle these functions was hired in September 2007.

10) Quality Control Inspections of files and rent calculations.

This has been accomplished and Tenant files are randomly reviewed to determine accuracy of rent calculations and completeness of the files.
HUD has recently completed a Tier 1 review at the FRHA. Our File system resulted in their being no significant issues with our files or rent calculations.

11) Renovate or modernize public housing units.

We have continued our efforts and have used our CFP to improve our Federally Aided Public Housing Units.

12) Provide voucher mobility counseling.

Our Section 8 Staff provides clients with the procedure on moving document (attached). It explains what they need to do to move to another apartment within Fall River or any town of Massachusetts.

We explain to a client who wants to move out of Fall River but within Massachusetts that the FRHA would have to find out if the rent is reasonable for that city/town depending on the payment standard. We explain to them that all the research is done by the FRHA and that it could take up to a month for the move to take place after the inspection is complete.

If they want to move out of Massachusetts we explain that the paperwork will be forwarded to that particular HA once the apartment is found and that they will be dealing with that HA from that point on.

13) Conduct outreach efforts to potential voucher landlords

Our Section 8 Administrator is a member of the Fall River Landlord's Association. The administrator attends their meetings and makes a presentation explaining the Housing Choice Voucher Program is and how it works.

She speaks to potentially new landlords on a daily basis and meets with all new landlords to how the program works (see attachment). There are also several brochures that are provided to them regarding the HQS inspection.

Landlords are encouraged to refer other landlords to us for inclusion in the program.

14) Implement voucher homeownership program

We have amended our Section 8 Administrative Plan to include a Home Ownership Component. We are seeking HUD funding to implement this portion of the plan.

15) Implement public housing or other homeownership programs at a state site.

The City of Fall River is considering our Housing Improvement Plan, which will govern the demolition and rebuilding on this site. Upon approval we will begin the process of relocating the residents in this state funded site after which we will begin demolition.

16) Implement public housing security improvements.

We have begun the installation of closed circuit monitoring of our developments. Two sites have the monitoring equipment and others will be added as we perform renovations.

17) Designate developments or buildings for particular resident groups (elderly, persons with disabilities).

We have an approved Designated Housing Plan.

18) Increase the number and percentage of employed persons in assisted families

We have changed our Selection Preferences to include working families. Our Ceiling rents also encourage working families to stay in public housing. Our percentage of residents at or below the extremely Low Income limits has decreased from over 90% to about 85%. This is a strong indication that working families are electing to enter and subsequently stay in public housing.

19) Provide or attract supportive services to improve assistance recipients' employability.

20) Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability.

We provide applications for our programs on our Website as well as participate in the Centralized Section 8 Application process. This widespread publicity for our programs assure that they are widely available to all applicants

21) Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability.

We provide applications for our programs on our Website as well as participate in the Centralized Section 8 Application process. This widespread publicity for our programs assure that they are widely available to all applicants. To assure a safe living environment for all residents we have contracted with the City of Fall river to provide police at our developments. This has resulted in a more secure livable environment in our sites.

22) Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required.

We have a incorporated physical improvements to our buildings which make them accessible to a range of disabled residents. Our staff acts as a reasonable accommodation committee and we make all reasonable changes to our sites and the individual units.

Attachment B – Goals and Objectives for Current 5 Year Plan

1) Reduce public housing vacancies in AMP 7 – Cardinal Medeiros Towers.

2) Continue Efforts to Improve public housing management - (PHAS score) -

3) Continue Efforts to Improve voucher management - (SEMAP score)

4) Increase customer satisfaction via Asset Management Initiatives.

5) Continue Implementation of Asset Based Management (ABM).

6) Renovate or modernize public housing units.

7) Provide voucher mobility counseling.

8) Conduct outreach efforts to potential voucher landlords

9) Implement voucher homeownership program.

10) Implement public housing or other homeownership programs at a state site.

11) Continue implementation of public housing security improvements.

12) Continue to designate developments or buildings for particular resident groups (elderly, persons with disabilities).

13) Increase the number and percentage of employed persons in assisted families

14) Provide or attract supportive services to improve assistance recipients' employability.

15) Continue to assure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability.

16) Continue measures providing suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability.

17) Continue affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required.

18) Federalization of State Assisted Units – The Fall River Housing Authority will be submitting an application for Conventional Development of Federal Public Housing with Rehabilitation for the following State Sites. This process will result in these units and buildings being transferred from our state-aided public housing program to the Federally Assisted Conventional Public Housing Program.

    The federalized units will be subject to all provisions of our federal program and this agency plan.

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	564

AS of 09/01/2008
Fall River Housing Authority
Deconcentration Policy for Federal Family Developments

Pursuant to the requirements of the Quality Housing and Work Responsibility Act of 1998 (QHWRA) the FRHA is hereby implementing a Deconcentration Plan to assure that families with children are not concentrated in our various federally aided family developments.

We have analyzed the income levels in the affected family developments and the following information summarizes the results.

Summary of Average Family Income Levels

Location	Average Family Income	Acceptable Range (85 to 115%)
All Federal Family Sites	$13,611	$11,569 to $15,653
Sunset Hill	$13,305	Within
Heritage Heights	$12,477	Within
Diafario Village	$13,888	Within
No. Rocliffe Apts	$12,379	Within
Fordney Apartments	$15,510	Within
Bennie Costa Plaza	$14,486	Within
Riley Apartments	$15,768	Above See Note Below (1)

In order to comply with the requirements of QHWRA we will adjust our Admissions and Continued Occupancy Plan to provide for the following actions:

1) All sites are within the limits as calculated pursuant to HUD regulations and therefore we not require any selection of residents based on income until the Income Levels are recomputed one year from now.

HUD has issued regulations eliminating the need for deconcentration at sites that have an average income at or below the extremely low income level.

(1) Riley Plaza is a site that potentially would be subject to the Deconcentration process since it is not within the 85 to 115% range. Riley Plaza has an average income of $15,768 per year as adjusted for Bedroom distribution. It has an average family size of 4. The Extremely Low Income Limits for a 4 person family $21,950. The average income is well below the threshold set in 24CFR903.2. i.e. the site is below the Extremely Low Income Threshhold and therefore the upper limit shall never be less than the limit at which a family would be defined as an extremely low income family under 24CFR5.603(b).

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

PHA Name: Fall River Housing Authority	Grant Type and Number Capital Fund Program Grant No: MA06-P006-50109 Replacement Housing Factor Grant No:	Federal FY of Grant: 2009

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

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	147,505			
3	1408 Management Improvements Soft Costs	515,000			
	Management Improvements Hard Costs				
4	1410 Central Office Cost Center	284,409			
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	100,000			
8	1440 Site Acquisition				
9	1450 Site Improvement	100,000			
10	1460 Dwelling Structures	1,257,183			
11	1465.1 Dwelling Equipment—Nonexpendable	60,000			
12	1470 Nondwelling Structures	370,000			
13	1475 Nondwelling Equipment	10,000			
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1502 Contingency				
	Amount of Annual Grant: (sum of lines…..)	2,844,097			
	Amount of line XX Related to LBP Activities				
	Amount of line XX Related to Section 504 compliance				
	Amount of line XX Related to Security –Soft Costs				
	Amount of Line XX related to Security-- Hard Costs				
	Amount of line XX Related to Energy Conservation Measures				
	Collateralization Expenses or Debt Service				

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

PHA Name: Fall River Housing Authority			**Grant Type and Number** Capital Fund Program Grant No: MA06-P006-50109 Replacement Housing Factor Grant No:				**Federal FY of Grant: 2009**		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost Original	Revised 1	Total Actual Cost		Status of Work
AMP 1									
6-1 Sunset Hill	Operations		1406		$33,925				
	Tenant Coord.		1408		$5,000				
	Police/Security		1408		$105,800				
	Fees & Costs - AE		1430		$23,000				
	Site Improvements		1450		$23,000				
	Vacancy Reduction		1460		$11,500				
	Replace Sump Pumps		1460		$10,000				
	Parking Upgrades		1470		$50,000				
	Playground Upgrades		1470		$50,000				
	Unit Kitch. Upgrades		1460		$29,585				
	Admin Bldg. AC Impr.		1470		$30,000				
AMP 1 Totals	**AMP 1 Total**				**$371,810**				
AMP 2	Operations		1406		$11,800				
	Police/Security		1408		$36,800				
6-2 Heritage	Fees & Costs - AE		1430		$8,000				
Heights	Site Improvements		1450		$8,000				
	Vacancy Reduction		1460		$4,000				
	New Circ. Pumps		1460		$10,000				
	Parking Upgrades		1470		$50,000				
	Playground Upgrades		1470		$10,000				
	Replace Boilers (ESCo)		1460		$10,000				
	Unit Kitch. Upgrades		1460		$100,000				
AMP 2 Totals					**$248,600**				
AMP 3	Operations		1406		$20,650				
	Police/Security		1408		$64,400				
6-3 Diaferio	Fees & Costs - AE		1430		$14,000				
Village	Site Improvements		1450		$14,000				
	Vacancy Reduction		1460		$7,000				

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

PHA Name: Fall River Housing Authority		Grant Type and Number Capital Fund Program Grant No: MA06-P006-50109 Replacement Housing Factor Grant No:					Federal FY of Grant: 2009		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost Original	Revised 1	Total Actual Cost		Status of Work
AMP 3 con't	Fire Alarm Upgrades		1460		$40,000				
	Playground upgrades		1470		$10,000				
	Siding Repairs		1470		$10,000				
	Screen Door Replace.		1460		$100,000				
	Bulkhead Upgrades		1460		$10,000				
	Replace Mixing Valves		1460		$50,000				
	Security System/Lights		1460		$40,000				
	Speed Bumps		1470		$10,000				
AMP 003 Totals					**$390,050**				
AMP 4	Operations		1406		$14,750				
	Police/Security		1408		$46,000				
	Fees & Costs - AE		1430		$10,000				
	Site Improvements		1450		$10,000				
	Vacancy Reduction		1460		$5,000				
MA 6-13	New Bath Exhaust Fans		1460		$10,000				
MA 6-15	Roof Replacements		1460		$10,000				
MA 6-16	Bldg. Exterior Upgrade		1460		$50,000				
MA 6-17	Parking Upgrades		1470		$50,000				
MA 6-17	Playground Equipment		1475		$10,000				
MA 6-17	Replace Water Shut-offs		1460		$10,000				
MA 6-17	Apt. Floor Replacement		1460		$10,000				
MA 6-17	Bldg. Exterior Upgrade		1460		$100,000				
AMP 004 Totals					**$335,750**				
AMP 5	Operations		1406		$22,125				
	Police/Security		1408		$69,000				
	Elder Service Coord.		1408		$17,000				
	Fees & Costs - AE		1430		$15,000				
	Site Improvements		1450		$15,000				
	Vacancy Reduction		1460		$7,500				

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

PHA Name: Fall River Housing Authority		Grant Type and Number Capital Fund Program Grant No: MA06-P006-50109 Replacement Housing Factor Grant No:					Federal FY of Grant: 2009		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost Original	Revised 1	Total Actual Cost		Status of Work
MA 6-04	Replace Attic Piping		1460		$10,000				
MA 6-04	Heating Upgrades		1460		$10,000				
MA 6-05	Security System/Lights		1460		$40,000				
MA 6-05	Replace Water Risers		1460		$60,000				
MA 6-05	New Trash Containers		1465		$10,000				
MA 6-06	Parking Upgrades		1470		$50,000				
MA 6-06	Common Area Improve.		1460		$10,000				
MA 6-06	New Trash Containers		1465		$10,000				
MA 6-06	Replace Water Shut-offs		1460		$10,000				
AMP 5 Totals					**$355,625**				
AMP 6	Operations		1406		$25,080				
	Police/Security		1408		$78,200				
	Elder Service Coord.		1408		$18,500				
	Fees & Costs - AE		1430		$17,000				
	Site Improvements		1450		$17,000				
	Vacancy Reduction		1460		$8,500				
MA 6-07	Common Area Improve.		1460		$10,000				
MA 6-07	C.R. Window Treat.		1460		$10,000				
MA 6-07	New Trash Containers		1465		$10,000				
MA 6-10	Replace Circ. Pumps		1460		$10,000				
MA 6-10	Replace Roof		1460		$110,000				
MA 6-10	Replace Water Shut-offs		1460		$10,000				
MA 6-10	Parking Upgrades		1470		$50,000				
MA 6-10	Apt. Floor Replacement		1460		$150,000				
MA 6-10	New Trash Containers		1465		$10,000				
MA 6-11	Replace Circ. Pumps		1460		$10,000				
MA 6-11	Heating Sys. Upgrade		1460		$10,000				
MA 6-11	New Trash Containers		1465		$10,000				
AMP 6 Totals					**$564,280**				

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

PHA Name: Fall River Housing Authority		Grant Type and Number Capital Fund Program Grant No: MA06-P006-50109 Replacement Housing Factor Grant No:					Federal FY of Grant: 2009		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost Original	Revised 1	Total Actual Cost		Status of Work
AMP 7	Operations		1406		$19,175				
	Police/Security		1408		$59,800				
	Elder Service Coord.		1408		$14,500				
	Fees & Costs - AE		1430		$13,000				
	Site Improvements		1450		$13,000				
	Vacancy Reduction		1460		$6,500				
	Replace Circ. Pumps		1460		$10,000				
	Common Area Improve.		1460		$10,000				
	New Trash Containers		1465		$10,000				
AMP 7 Totals					**$155,975**				
Authority Wide									
	Central Office Cost Center Fee		1410		284,409				
A. W. Totals					**284,409**				

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

PHA Name: Fall River Housing Authority	**Grant Type and Number** Capital Fund Program No: MA06-P006-50109 Replacement Housing Factor No:	**Federal FY of Grant: 2009**

Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
AMP 1	6/12/2011			6/12/2013			
AMP 2	6/12/2011			6/12/2011			
AMP 3	6/12/2011			6/12/2011			
AMP 4	6/12/2011			6/12/2011			
AMP 5	6/12/2011			6/12/2011			
AMP 6	6/12/2011			6/12/2011			
AMP 7	6/12/2011			6/12/2011			
COCC	6/12/2011			6/12/2011			

Capital Fund Program Five-Year Action Plan
Part I: Summary

PHA Name Fall River Housing Authority				☐ - **Original 5-Year Plan** ☐ **Revision No:**	
Development Number/Name/HA-Wide	Year 1 FFY 2009	Work Statement for Year 2 FFY Grant: 2010 PHA FY: 2011	Work Statement for Year 3 FFY Grant: 2011 PHA FY: 2012	Work Statement for Year 4 FFY Grant: 2012 PHA FY: 2013	Work Statement for Year 5 FFY Grant: 2013 PHA FY: 2014
AMP 1	Annual Statement	452,810	431,810	358,810	469,585
AMP 2		307,600	218,600	198,600	245,600
AMP 3		200,050	280,050	235,050	269,050
AMP 4		285,750	285,750	691,750	325,750
AMP 5		555,625	565,625	370,625	523,125
AMP 6		464,280	414,280	381,280	388,780
AMP 7		155,975	225,975	185,975	337,798
CCC Fee Admin		284,409	284,409	284,409	284,409
Total CFP Funds (Est.)	2,691,211	2,844,097	2,844,097	2,844,097	2,844,097
Total Replacement Housing Factor Funds					

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year 1	Activities for Year : 2 FFY Grant: 2010 PHA FY: 2011			Activities for Year: 3 FFY Grant: 2011 PHA FY: 2012		
	Development Number	Major Work Catagories	Estimated Cost	Development Number	Major Work Catagories	Estimated Cost
See Annual	**AMP 1**	Operations	$33,925	**AMP 1**	Operations	$33,925
Statement		Tenant Coord.	$5,000		Tenant Coord.	$5,000
FFY 2009		Police/Security	$105,800		Police/Security	$105,800
		Fees & Costs - AE	$23,000		Fees & Costs - AE	$23,000
		Site Improvements	$23,000		Apartment Appliances	$23,000
		Vacancy Reduction	$11,500		Vacancy Reduction	$11,500
		Relocation	$10,000		Roof Replacements	$101,585
		Replace Windows/Scr.	$100,585		Chimney Waterproof	$50,000
		Fire Alarm Upgrade	$40,000		Apartment Upgrades	$28,000
		Apt. Bath Upgrade	$100,000		Mech. Upgrades	$50,000
		AMP 1 Total	**$452,810**		**AMP 1 Total**	**$431,810**
	AMP 2	Operations	$11,800	**AMP 2**	Operations	$11,800
		Police/Security	$36,800		Police/Security	$36,800
		Fees & Costs - AE	$8,000		Fees & Costs - AE	$8,000
		Site Improvements	$8,000		Apartment Appliances	$8,000
		Vacancy Reduction	$4,000		Vacancy Reduction	$4,000
		Fire Alarm Upgrades	$40,000		Roof Replacements	$50,000
		Replace Wind./Screens	$50,000		Bldg. Envelope Repair	$50,000
		Apt. Bath Upgrades	$89,000		Mechanical Upgrades	$50,000
		HC Access Upgrades	$10,000		**AMP 2 Total**	**$218,600**
		Common Area Upgrades	$10,000			
		Security System/Lights	$40,000	**AMP 3**	Operations	$20,650
		AMP 2 Total	**$307,600**		Police/Security	$64,400
					Fees & Costs - AE	$14,000
	AMP 3	Operations	$20,650		Apartment Appliances	$14,000
		Police/Security	$64,400		Vacancy Reduction	$7,000
		Fees & Costs - AE	$14,000		Roof Replacements	$50,000
		Site Improvements	$14,000		Apartment Upgrades	$50,000
		Vacancy Reduction	$7,000		Mechanical Upgrades	$50,000
		Replace Bath Exhausts	$10,000		Common Area/Offices	$10,000
		Repl. Windows/Screens	$20,000		**AMP 3 Total**	**$280,050**
		Parking Upgrades	$50,000			
		AMP 3 Total	**$200,050**			

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year 1	Activities for Year : 2 FFY Grant: 2010 PHA FY: 2011			Activities for Year: 3 FFY Grant: 2011 PHA FY: 2012		
	Development Number	Major Work Catagories	Estimated Cost	Development Number	Major Work Catagories	Estimated Cost
See Annual	**AMP 4**	Operations	$14,750	**AMP 4**	Operations	$14,750
Statement		Police/Security	$46,000		Police/Security	$46,000
FFY 2009		Fees & Costs - AE	$10,000		Fees & Costs - AE	$10,000
		Site Improvements	$10,000		Apartment Appliances	$10,000
		Vacancy Reduction	$5,000		Vacancy Reduction	$5,000
		Apt. Floor Replacement	$40,000	MA 6-13	Roof Replacements	$50,000
		Apt. Electric Upgrades	$80,000	MA 6-15	Bldg Exterior Repairs	$50,000
		Bldg. Exterior Lighting	$40,000	MA 6-16	Window Replacement	$50,000
		Replace Gate Valves	$40,000	MA 6-17	Roof Replacements	$50,000
		AMP 4 Total	**$285,750**		**AMP 4 Total**	**$285,750**
	AMP 5	Operations	$22,125	**AMP 5**	Operations	$22,125
		Police/Security	$69,000		Police/Security	$69,000
		Elder Service Coord.	$17,000		Elder Service Coord.	$17,000
		Fees & Costs - AE	$15,000		Fees & Costs - AE	$15,000
		Site Improvements	$15,000		Apartment Appliances	$15,000
		Vacancy Reduction	$7,500		Vacancy Reduction	$7,500
	MA 6-04	Sewer Line Replace	$10,000	MA 6-04	Bldg. Exterior Repairs	$50,000
	MA 6-04	Security System/Lights	$40,000	MA 6-04	Mechanical Upgrades	$50,000
	MA 6-04	Apartment Upgrades	$50,000	MA 6-04	Repl. Windows/Screens	$10,000
	MA 6-04	Roof Replacement	$50,000	MA 6-05	Roof Replacement	$50,000
	MA 6-05	Bldg. Entrance Impr.	$10,000	MA 6-05	Window Replacement	$100,000
	MA 6-05	Trash Compactor Upgr.	$30,000	MA 6-05	Mechanical Upgrades	$10,000
	MA 6-05	Bldg. Exterior Repair	$50,000	MA 6-06	Roof Replacement	$50,000
	MA 6-05	Common Area Upgrade	$10,000	MA 6-06	Apartment Upgrades	$50,000
	MA 6-05	Apt. Flooring Replace	$10,000	MA 6-06	Mechanical Upgrades	$50,000
	MA 6-06	Water Riser Replace	$30,000		**AMP 5 Total**	**$565,625**
	MA 6-06	Mixing Valve Replace	$10,000	**AMP 6**	Operations	$25,080
	MA 6-06	Bldg. Entry Improve.	$10,000		Police/Security	$78,200
	MA 6-06	Trash Compactor Upgr.	$30,000		Elder Service Coord.	$18,500
	MA 6-06	Apt. Floor Replacement	$10,000		Fees & Costs - AE	$17,000
	MA 6-06	Bldg. Exterior Repairs	$50,000		Apartment Appliances	$17,000
	MA 6-06	HC Access Upgrade	$10,000		Vacancy Reduction	$8,500
		AMP 5 Total	**$555,625**	MA 6-07	Roof Replacement	$50,000
				MA 6-07	Mechanical Upgrades	$50,000

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year 1	Activities for Year : 2 FFY Grant: 2010 PHA FY: 2011			Activities for Year: 3 FFY Grant: 2011 PHA FY: 2012		
	Development Number	Major Work Catagories	Estimated Cost	Development Number	Major Work Catagories	Estimated Cost
See Annual	**AMP 6**	Operations	$25,080	MA 6-10	Window Replacement	$50,000
Statement		Police/Security	$78,200	MA 6-10	Mechanical Upgrades	$50,000
FFY 2009		Elder Service Coord.	$18,500	MA 6-11	Window Replacement	$50,000
		Fees & Costs - AE	$17,000		**AMP 6 Total**	**$414,280**
		Site Improvements	$17,000			
		Vacancy Reduction	$8,500	**AMP 7**	Operations	$19,175
	MA 6-07	Bldg. Entry Upgrade	$10,000		Police/Security	$59,800
	MA 6-07	Apt. Floor Replacement	$10,000		Elder Service Coord.	$14,500
	MA 6-07	Water Riser Replace	$20,000		Fees & Costs - AE	$13,000
	MA 6-07	Trash Compactor Repla.	$30,000		Apartment Appliances	$13,000
	MA 6-07	HC Access Upgrade	$10,000		Vacancy Reduction	$6,500
	MA 6-10	Bldg. Entry Upgrade	$10,000		Roof Replacements	$50,000
	MA 6-10	Trash Compactor Repl.	$30,000		Window Replacement	$50,000
	MA 6-10	Bldg. Exterior Repairs	$10,000		**AMP 7 Total**	**$225,975**
	MA 6-10	Emergency Generator	$70,000			
	MA 6-10	Replace Mixing Valves	$10,000	AMP Wide 1410	Central Cost Center Fee	**$284,409**
	MA 6-11	Bldg. Entry Upgrade	$10,000			
	MA 6-11	Trash Compactor Repl.	$30,000			
	MA 6-11	Common Area Upgrades	$10,000			
	MA 6-11	Bldg. Exterior Repairs	$10,000			
	MA 6-11	Apt. Floor Replacement	$10,000			
	MA 6-11	Apt. Lighting Upgrade	$10,000			
	MA 6-11	Mechanical Upgrades	$10,000			
		AMP 6 Total	**$464,280**			
	AMP 7	Operations	$19,175			
		Police/Security	$59,800			
		Elder Service Coord.	$14,500			
		Fees & Costs - AE	$13,000			
		Site Improvements	$13,000			
		Vacancy Reduction	$6,500			
		Trash Compactor Repl.	$30,000			
		AMP 7 Total	**$155,975**			
	AMP Wide 1410	Central Cost Center Fee	**$284,409**			

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year 1	Activities for Year : 4 FFY Grant: 2012 PHA FY: 2013			Activities for Year: 5 FFY Grant: 2013 PHA FY: 2014		
	Development Number	Major Work Catagories	Estimated Cost	Development Number	Major Work Catagories	Estimated Cost
See Annual	**AMP 1**	Operations	$33,925	**AMP 1**	Operations	$30,000
Statement		Tenant Coord.	$5,000		Tenant Coord.	$10,000
FFY 2009		Police/Security	$105,800		Police/Security	$100,000
		Fees & Costs - AE	$23,000		Fees & Costs - AE	$25,000
		Apartment Appliances	$23,000		Apartment Upgrades	$25,000
		Vacancy Reduction	$11,500		Vacancy Reduction	$25,000
		Heat/DHW Upgrade	$76,291		Common Area Improv.	$24,000
		Bldg Ext Imp.	$50,294		Bldg Ext Imp.	$155,585
		Landscape Imp.	$25,000		Landscape Imp.	$25,000
		Security Upgrades	$5,000		Security Upgrades	$50,000
		AMP 1 Total	**$358,810**		**AMP 1 Total**	**$469,585**
	AMP 2	Operations	$11,800	**AMP 2**	Operations	$11,800
		Police/Security	$36,800		Police/Security	$36,800
		Fees & Costs - AE	$8,000		Fees & Costs - AE	$8,000
		Apartment Appliances	$8,000		Apartment Upgrades	$20,000
		Vacancy Reduction	$4,000		Vacancy Reduction	$4,000
		Bldg Ext Imp.	$75,000		Bldg Ext Imp.	$100,000
		Site Improvements	$50,000		Common Area Improv.	$15,000
		Security Upgrades	$5,000		Security Upgrades	$50,000
		AMP 2 Total	**$198,600**		**AMP 2 Total**	**$245,600**
	AMP 3	Operations	$20,650	**AMP 3**	Operations	$20,650
		Police/Security	$64,400		Police/Security	$64,400
		Fees & Costs - AE	$14,000		Fees & Costs - AE	$14,000
		Apartment Appliances	$14,000		Apartment Upgrades	$20,000
		Vacancy Reduction	$7,000		Vacancy Reduction	$10,000
		Replace Boiler Stacks	$25,000		Bldg. ext. Improv.	$100,000
		Replace Closet Doors	$75,000		Heating System Upgr.	$15,000
		Dumpster Enclosures	$10,000		Common Area Improv.	$10,000
		Security Upgrades	$5,000		Security Upgrades	$15,000
		AMP 3 Total	**$235,050**		**AMP 3 Total**	**$269,050**

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year 1	Activities for Year : 4 FFY Grant: 2012 PHA FY: 2013			Activities for Year: 5 FFY Grant: 2013 PHA FY: 2014		
	Development Number	Major Work Catagories	Estimated Cost	Development Number	Major Work Catagories	Estimated Cost
See Annual	**AMP 4**	Operations	$14,750	**AMP 4**	Operations	$14,750
Statement		Police/Security	$46,000		Police/Security	$46,000
FFY 2009		Fees & Costs - AE	$10,000		Fees & Costs - AE	$10,000
		Apartment Appliances	$10,000		Apartment Appliances	$10,000
		Vacancy Reduction	$5,000		Vacancy Reduction	$5,000
	MA 6-13	Kitchen/Bath Upgrade	$55,000	MA 6-13	Bldg. Ext. Improv.	$50,000
	MA 6-13	Boiler Upgrades	$55,000	MA 6-13	Boiler Upgrades EMS	$5,000
	MA 6-13	Security Upgrades	$5,000	MA 6-13	Security Upgrades	$5,000
	MA 6-15	Kitchen/Bath Upgrade	$58,000	MA 6-15	Bldg. Ext. Improv.	$50,000
	MA 6-15	Boiler Upgrades	$58,000	MA 6-15	Boiler Upgrades EMS	$5,000
	MA 6-15	Security Upgrades	$5,000	MA 6-15	Security Upgrades	$5,000
	MA 6-16	Kitchen/Bath Upgrade	$130,000	MA 6-16	Bldg. Ext. Improv.	$50,000
	MA 6-16	Boiler Upgrades	$130,000	MA 6-16	Boiler Upgrades EMS	$5,000
	MA 6-16	Security Upgrades	$5,000	MA 6-16	Security Upgrades	$5,000
	MA 6-17	Kitchen/Bath Upgrade	$50,000	MA 6-17	Bldg. Ext. Improv.	$50,000
	MA 6-17	Boiler Upgrades	$50,000	MA 6-17	Boiler Upgrades EMS	$5,000
	MA 6-17	Security Upgrades	$5,000	MA 6-17	Security Upgrades	$5,000
		AMP 4 Total	**$691,750**		**AMP 4 Total**	**$325,750**
	AMP 5	Operations	$22,125	**AMP 5**	Operations	$22,125
		Police/Security	$69,000		Police/Security	$69,000
		Elder Service Coord.	$17,000		Elder Service Coord.	$17,000
		Fees & Costs - AE	$15,000		Fees & Costs - AE	$15,000
		Apartment Appliances	$15,000	MA 6-04	Bldg. Ext. Improv.	$90,000
		Vacancy Reduction	$7,500	MA 6-04	Apartment Upgrades	$20,000
	MA 6-04	Demolition	$100,000	MA 6-05	Bldg. Ext. Improv.	$5,000
	MA 6-04	Security Upgrades	$5,000	MA 6-05	Apartment Upgrades	$85,000
	MA 6-05	Heating Upgrades	$5,000	MA 6-05	Common Area Improv,	$15,000
	MA 6-05	Fire Pump Upgrade	$5,000	MA 6-05	Elevator Upgrades	$15,000
	MA 6-05	Security Upgrades	$5,000	MA 6-05	Office Improvements	$15,000
	MA 6-06	Bldg. Ext. Imp.	$50,000	MA 6-06	Bldg. Ext. Imp.	$75,000
	MA 6-06	Security Upgrades	$5,000	MA 6-06	Apartment Upgrades	$25,000
	MA 6-07	Apartment Upgrades	$50,000	MA 6-06	Common Area Improv.	$25,000
		AMP 5 Total	**$370,625**	MA 6-06	Elevator Upgrades	$15,000
				MA 6-06	Office Upgrades	$15,000
					AMP 5 Total	**$523,125**

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year 1	Activities for Year : 4 FFY Grant: 2012 PHA FY: 2013			Activities for Year: 5 FFY Grant: 2013 PHA FY: 2014		
	Development Number	Major Work Catagories	Estimated Cost	Development Number	Major Work Catagories	Estimated Cost
See Annual	**AMP 6**	Operations	$25,080	**AMP 6**	Operations	$25,080
Statement		Police/Security	$78,200		Police/Security	$78,200
FFY 2009		Elder Service Coord.	$18,500		Elder Service Coord.	$18,500
		Fees & Costs - AE	$17,000		Fees & Costs - AE	$17,000
		Apartment Appliances	$17,000	MA 6-07	Bldg. Ext. Imp.	$50,000
		Vacancy Reduction	$8,500	MA 6-07	Apartment Upgrades	$20,000
	MA 6-07	Bldg. Ext. Upgrades	$50,000	MA 6-07	Common Area Improv.	$10,000
	MA 6-07	Security Upgrades	$5,000	MA 6-07	Elevator Upgrades	$15,000
	MA 6-10	Security Upgrades	$5,000	MA 6-07	Office Upgrades	$5,000
	MA 6-11	Water Riser Repl.	$100,000	MA 6-10	Bldg. Ext. Imp.	$50,000
	MA 6-11	Bathroom Upgrades	$27,000	MA 6-10	Apartment Upgrades	$20,000
	MA 6-11	Ext. Lighting Upgrade	$25,000	MA 6-10	Common Area Improv.	$10,000
	MA 6-11	Security Upgrade	$5,000	MA 6-10	Elevator Upgrades	$15,000
		AMP 6 Total	**$381,280**	MA 6-10	Office Upgrades	$5,000
				MA 6-11	Bldg. Ext. Imp.	$20,000
	AMP 7	Operations	$19,175	MA 6-11	Apartment Upgrades	$10,000
		Police/Security	$59,800	MA 6-11	Common Area Improv.	$5,000
		Elder Service Coord.	$14,500	MA 6-11	Elevator Upgrades	$10,000
		Fees & Costs - AE	$13,000	MA 6-11	Office Upgrades	$5,000
		Apartment Appliances	$13,000		**AMP 6 Total**	**$388,780**
		Vacancy Reduction	$6,500			
		Fire Suppression Imp.	$35,000	**AMP 7**	Operations	$19,175
		Heating Upgrade	$20,000		Police/Security	$59,800
		Security Upgrades	$5,000		Elder Service Coord.	$14,500
		AMP 7 Total	**$185,975**		Fees & Costs - AE	$13,000
					Bldg. Ext. Imp.	$50,000
	AMP Wide 1410	Central Cost Center Fee	**$284,409**		Apartment Upgrades	$151,323
					Common Area Improv.	$5,000
					Elevator Upgrades	$15,000
					Office Upgrades	$10,000
					AMP 7 Total	**$337,798**
				AMP Wide 1410	Central Cost Center Fee	**$284,409**

FALL RIVER HOUSING AUTHORITY

VIOLENCE AGAINST WOMEN ACT: POLICY

The Fall River Housing Authority will enforce the passage of the Violence Against Women Act and the Department of Justice Reauthorization Act of 2005 (VAWA) which was originally enacted in 1994. Of significance to the FRHA, the VAWA prohibits the eviction of, and removal of assistance from, certain persons living in public housing if the asserted grounds for such actions include an instance wherein they were a victim of domestic violence, dating violence, sexual assault, or stalking, as those terms are defined in Section 3 of the United States Housing Act of 1937 as amended by VAWA (42 U.S.C. 13925) and incorporated in this policy below..

Called the "Violence Against Women Act", this law says that victims of domestic violence, dating violence, sexual assault, and stalking are established together in a broad group of protected individuals. This definition includes, among others, children. The purpose is to create new housing opportunities for victims of domestic violence; encourage – and in some cases, require the FRHA not to deny access or evict victims of domestic violence related to their being abused; increase victim confidentiality; and require the FRHA to consider the needs of victims of domestic violence in FRHA housing policies. The FRHA will recognize and accommodate the special nature of victims of domestic violence.

The provisions of this law affect those residents housed in Federally-subsidized public housing units and those individuals who receive Section 8 Housing Choice Vouchers (HCV) from the Fall River Housing Authority.

DEFINITIONS:

Dating violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the length, type and frequency of interaction between the persons involved in the relationship.

Domestic violence: Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws 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.

Immediate family: Spouse, parent, brother, sister or child of that person, or an individual to whom that person stands in loco parentis or any other person living in the household related to that person by blood or marriage.

Sexual assault: Any conduct prescribed by chapter 109A of title 18, US code whether or not the conduct occurs in the special maritime and jurisdiction of the US or in a federal prison and includes assaults committed by offenders who are strangers to the victim or who are known or related by blood or marriage.

Stalking: To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and to place under surveillance with the intent to kill, injure, harass or intimidate another person. To place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to that person, member of immediate family, spouse or partner.

Confidentiality: Information provided by the victim pursuant to the certification shall be retained in confidence and not entered into any shared database nor provided to any related entity except when the disclosure is: consented to by the individual in writing, required for use in eviction proceedings, or otherwise required by law.

Certification: The FRHA responding to subsections (1) (5) or (6) (i.e., a claim of protected status under VAWA) may request that an individual certify via a HUD-approved certification form that the individual is a victim of domestic violence, dating violence, or stalking, and that the incident or incident in question are bona fide incidents of such actual or threatened abuse and meet the requirements set forth in the statue. Such certification shall include the name of the perpetrator.

NOTIFICATION OF RESIDENTS:

The Fall River Housing Authority will notify all residents of their rights under VAWA by written notice and inform all new applicants during the application process and while being tenanted by management staff. The notification will include an explanation of VAWA. The notification will describe the verification (see attached "Violence Against Women Act Certification Form") that will be required by a resident or applicant claiming protection under the Act.

DOCUMENTATION:

Housing Assistance (HCV administration), Tenant Selection and Management offices will retain Certification Forms (Exhibit A), documentation of applicants/residents that have issues dealing with the VAWA. This documentation will be maintained in the tenant file of said person in the development they at which they reside, or, in the case of HCV recipients, the central file in the Housing Assistance Department

The Certification Form (Exhibit A), will be temporarily utilized until a HUD approved form is made available: The Management, Tenant Selection or Housing Assistance staff

will request that an individual certify via this Certification Form that the individual is a victim of domestic violence, dating violence, or stalking, and that the incident or incidents in question are bona fide incidents of such actual or threatened abuse and meet the requirements set forth in the aforementioned paragraphs. Such certification shall include the name of the perpetrator.

The resident has **fourteen (14)** business days to reply *in writing* from day of receipt from the FRHA. If the certification is not received within 14 business days of the FRHA's written request, nothing would limit the FRHA ability to evict/terminate assistance. The Director of Field Operations may extend the **14 day** deadline at his/her discretion. This form is not required to be executed under penalty of perjury, although HUD may elect to require that in its approved form when promulgated.

An individual may also satisfy the certification requirement by providing Housing Assistance, Tenant Selection or Management staff with 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, sexual assault, or stalking, or the effects the abuse, in which the professional attests under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident or incidents in question are bona fide incidents of abuse, and the victim of domestic violence, dating violence, or stalking has signed or attested to the documentation; or "producing a Federal, State, tribal, territorial, or local police or court record.

TRAINING:

Managers and clerks employed by the FRHA will be encouraged to participate in training sessions dealing with issues of Violence Against Women, in order to recognize residents who are victims.

IMPLEMENTATION:

The provisions of the law which apply to the administration of a Housing Authority's HCV Program and Federal Public Housing program deal with the ability of the public housing authority to house residents covered by the protections of the Act. The FRHA implementation of these provisions will occur as follows:

- An applicant or participant that is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission of an otherwise qualified applicant. The FRHA can bifurcate the lease to remove a lawful occupant or tenant who engages in criminal acts of violence to family members or others without evicting victimized lawful occupants.

- An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of

the lease by the victim or threatened victim of that violence and shall not be good cause for terminating assistance, tenancy, or occupancy rights of the victim of such violence.

- The FRHA will honor court orders regarding rights of access or control of property, including civil protection orders issued to protect the victim and issued to address the distribution or possession of property among household members in cases where a family breaks up.

- The FRHA can evict for other good cause unrelated to the incident or incidents of domestic violence, as long as the same standards apply to victims and non-victims.

- Eviction is not prohibited by the FRHA, if it 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."

- FRHA may not deny portable voucher assistance to a tenant who violated previous assisted lease terms solely in order to move out quickly because of the fear of domestic violence. FRHA may not terminate or deny portable voucher assistance to a tenant who is otherwise on compliance with program rules moved out of a previous assisted unit in order to "protect the health and safety of an individual who is or has been the victim of domestic violence, dating violence, or stalking and who is reasonably believed he or she was imminently threatened by harm from further violence if he or she remained in the assisted dwelling unit.

GRIEVANCE PROCEDURE:

All residents have the right to have a Grievance Hearing after a Private Conference is made. Upon filing a written request, as provided by the Fall River Housing Authority grievance procedure, any resident who disagrees with any FRHA action will be afforded this opportunity.

FALL RIVER HOUSING AUTHORITY
COMMUNITY SERVICE
POLICY AND PROCEDURES

I. DEFINITIONS AND PROCEDURE

Under Section12 of the United States Housing Act of 1937, every adult resident of public housing is required to perform community service, or participate in an economic self-sufficiency program or a combination of the two totaling eight hours each month. (42 USC 1437j) This requirement does not apply to various exempt groups such as elderly persons certain disabled individuals and others. (24 OFR 960-609). Called the "Community Service and Self-Sufficiency Requirement," or CSSR, this regulation intends that residents complete and provide verification of this service monthly as a condition of receipt of Federal housing assistance.

The FRHA has created this policy utilizing the guidelines proposed in the ***Advocate's Guide to the Public Housing Community Service and Self-Sufficiency Requirement in Massachusetts*** published by the Massachusetts Law Reform Institute.

For the purposes of this policy, the following definitions shall apply:

Community Service: The performance of voluntary work or duties for the public benefit that serve to improve the quality of life and/or enhance resident self-sufficiency and the self-responsibility of the resident in the community. Community service is not limited to a single type of service or location. A list of acceptable community service activities is included below. By statute, political activity is not an eligible community service activity. Political activity is defined as activity on behalf of candidates for elected office or on behalf of a political party.

Economic Self-sufficiency Program: Any program designed to encourage, assist, train or facilitate the economic independence of participants and their families or to provide work for participants. Programs deemed necessary to prepare a resident for work, such as substance abuse treatment or counseling will also be considered.

FRHA COMMUNITY SERVICE PROCEDURE

When an applicant is tenanted, Management Staff shall explain the lease obligations, including their responsibilities under CSSR. Residents will be notified (Attachment 1) which household members may be required to perform community service. Each resident shall receive information explaining these obligations and a list of the categories of individuals deemed exempt from performing community service. This notification will also include a list of appropriate verifications necessary to establish an exemption.

The resident shall acknowledge receipt of the Community Service Policy (Attachment 2). Management Staff will complete with resident the Community Service/Self-Sufficiency Exemption Checklist. If a resident or a family is deemed exempt, the appropriate notation will be made and verification attached to the Exemption Checklist. All documentation pertinent to the CSSR will be maintained in the resident file.

Based upon the verification provided, management staff will make a determination of exempt status and notify the resident. If a resident disagrees with the determination, he/she may file a grievance under the FRHA grievance procedure. The exemption status for each family member will be noted in the tenant file.

If a resident or household member is not exempt, they will be provided a list (Attachment 3) of appropriate community service activities and information about accessing these resources. The resident will be informed that beginning with the first month following tenancy, any non-exempt household members must provide verification of participation in an community service activity or economic self-sufficiency program.

Residents who are required to perform community service must submit monthly verification of 8 hours of applicable service or participation in a self-sufficiency program to the Management Office. This verification may include, but is not limited to, a pay stub, a signed time sheet, a signed letter from a supervisor or other such document as enumerates the type of activity and number of hours performed. This verification will be added to the resident file to document compliance with this requirement.

At the resident's annual income recertification Management Staff will review resident's Continued Occupancy forms and all submitted verifications. In addition, Management Staff will also complete a new Community Service/Self Sufficiency Exemption Check-list (Attachment 4) to ensure continued compliance with the CSSR. Residents are required to provide updated verifications for any exemptions claimed. Community Service status will be reviewed by Management Staff whenever there is a change to the resident's status as an additional method of ensuring compliance.

NON-COMPLIANCE AND OPPORTUNITY FOR CURE

A household member will be determined to be non-compliant if they fail to provide appropriate verification of exemption, or documentation of participation in an approved community service/self-sufficiency placement. The FRHA will notify any individual or family found to be in noncompliance of the following:

- Which family member(s) have been found to be in noncompliance;

- The right to grieve the determination of noncompliance according to the FRHA grievance procedure;
- That, unless the family member(s) enter into an agreement to comply, the lease will not be renewed.

The FRHA will offer the family member(s) the opportunity to enter into an agreement prior to the anniversary of the lease. The agreement shall state that the family member(s) will enter into an economic self-sufficiency program or perform community service for as many hours as necessary to comply with the CSSR for the previous 12-month period. This compliance must occur over a 12-month period dating from the time of the agreement, and the resident must stay current with the ongoing year's community service requirements. Any hours that a resident completes shall be applied to the period covered under the agreement until that year's commitment is completed.

Failure to adhere to the agreement will be considered noncompliance and is subject to non-renewal or termination of the lease.

MONITORING

Periodically, HUD will audit resident files for compliance with all regulations of the public housing program. Included in this audit is an assessment of the level of compliance with the Community Service requirement. In order to assure that the FRHA is fully compliant with the regulation, the Director of Housing Management and Support Services or his/her designee will inspect a random sampling of files. This inspection will be performed independent of standard FRHA file audit procedures. As part of the inspection, the reviewer will check the following:

- For the current calendar year, each household/resident's status under the CSR
- If exempt, the reviewer will note the specific reason for exemption, and ensure the appropriate verification documentation is included in the file.
- If any residents are not exempt from the requirement, the reviewer will ensure that these residents are participating in an appropriate community service program and that there is documentation of that service.
- If non-exempt residents have not provided appropriate documentation of participation in a community service program, these residents will be identified to the manager for lease enforcement.
- The reviewer will ensure the files pertaining to the Community Service requirement are well maintained and suitable for audit by HUD.

TRAINING

All FRHA Management Staff have been provided copies of HUD guidelines for administering the CSSR. Management staff will be required to attend training annually, to ensure familiarity

with any changes to HUD Requirements. Training will be conducted by senior staff, and as necessary, consultants with expertise in the administration of the CSSR.

II. EXEMPTIONS AND APPROVED ACTIVITIES

In the FRHA's interpretation of the CSSR, many existing FRHA residents are exempt from the requirements as follows. This determination has been reviewed with the FRHA Resident Advisory Board, and reflects he statutory requirements and input from HUD staff and resident advocates.

Exempt Family: Any family containing an individual who:

1) Is receiving benefits under TAFDC, SSI or ESEDC programs
2) Is a beneficiary of the Massachusetts State Earned Income Credit
3) Is receiving Veterans' Services Benefits
4) Is a participant in certain subsidized child care programs

Exempt individual: An adult who:

(1) Is 60 years of age or older.
(2) (i) Is a blind or disabled individual as defined under 216(i) (l) of 1614 of the Social Security Act (42 U.S.C. 416 (i) (l). 1382c), and who certifies that because of this disability she or he is unable to comply with the service provisions of this subpart, or (ii) Is a primary caretaker of such individual;
(3) Is engaged in work activities;
(4) A pregnant woman in the last 120 days of her pregnancy
(5) Meets the requirements for being exempted from having to engage in a work activity under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 *et seq.*) or under any other welfare program of the State in which the PHA is located, including a State-administered welfare-to-work program; or
(6) Is a member of a family receiving assistance, benefits or services under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 *et seq.*) or under any other welfare program of the State in which the PHA is located, including a State administered welfare-to-work program and has not been found by the State or other administering entity to be in non-compliance with such a program.

VERIFICATION OF EXEMPTION

In order to establish an exemption, the following verification must be provided:

- **Disability or blindness**-- Receipt by a household member of Social Security Disability Insurance (SSDI), Supplemental Security Income (SSI) or Emergency Aid to Elderly, Dependents and Children (EAEDC) Disability benefits, or receipt of a determination from TAFDC< Food Stamps, or other state welfare program' work activity requirements shall be proof of disability under this policy. A household member whose application for SSDI, SSI or EAEDC disability benefits is pending shall be considered disabled unless and until a denial of the application is received. Any resident who believes they meet the definition of disability under this policy may submit a statement from their treating physician providing FRHA staff with the fact that will assist them in determining whether the resident is disabled within the definition applicable under this policy. If a resident does not meet this definition but does not believe they will be able to comply with the community service requirement, the resident may apply for a reasonable accommodation. Residents who are deemed to be exempt because of blindness or disability shall sign a statement certifying that they are unable to comply.

- **Primary caregiver of a blind or disabled person--** A statement from the person being cared for or his/her guardian affirming that the resident seeking exemption acts as the primary caregiver for that person and stating the time period during which (s)he is expected to continue in that capacity

- **Engaged in work activity—**The verification of employment income provided to FRHA for rent determination shall be adequate for this purpose.

- **Exempt from work activity under state welfare program—**Verification of this exemption shall be provided by the MA Department of Transitional Assistance if the resident is a TAFDC or EAEDC recipient. Recipients of other assistance shall provide appropriate third-party documentation from that program or its administrator.

Sample verification forms are included in this policy as Attachment 5.

COMMUNITY SERVICE ACTIVITIES

When a resident is tenanted, and at all subsequent recertifications, FRHA will provide the resident with a list of approved community service placements. The FRHA, in conjunction with the Resident Advisory Board has determined that the FRHA and our residents will be best served by a liberal definition of eligible activities under the CSSR. The following list is intended as a partial list of acceptable opportunities and is not to be construed as complete. Any activity which benefits the resident's economic self-sufficiency will be accepted, as will any activity that reasonably provides the FRHA, its developments and residents, or the general public with a needed service. Acceptable activities include:

1) GED Program

2) High school completion
3) English as Second Language Program
4) Vocational School
5) College Courses
6) Participation in Foster Grandparent Program
7) Provide arts and crafts activities for the elderly or children
8) Gardening at FRHA sites
9) Volunteering at Fall River Food Kitchen or other nutrition program benefiting low-income residents of the city
10) Visiting nursing homes/hospitals.
11) Performing errands for elderly/handicapped residents
12) Peer Leadership programs
13) Volunteering with the Red Cross
14) Tutoring
15) Volunteer participation in school childcare program
16) Working with the Fall River Joint Tenants Council to educate residents about their rights and the organization's mission.
17) Volunteering with FRHA Youth Services programs
18) Other activities as may, from time to time be added by FRHA or agreed to with the Resident Advisory Board

FRHA shall not impose any sanction on a family with non-exempt members unless it first provides the family with a list of appropriate and available placements with regard to their linguistic capabilities and transportation needs. If a non-exempt household member elects to perform community service at an organization or placement not identified in the above list, the member must seek approval from FRHA.

ATTACHMENT 1—Sample Notification

FALL RIVER HOUSING AUTHORITY

COMMUNITY SERVICE AND SELF-SUFFICIENCY REQUIREMENT

RESIDENT NOTIFICATION

Dear Resident:

Per the Fall River Housing Authority Community Service Policy, it has been determined that the following members of your household are required to participate in a community service activity or economic self-sufficiency program for a total of eight (8) hours a month as a condition of their continued occupancy.

NAME	AGE	SSN#

If you believe any of these household members to be exempt from this requirement you must furnish appropriate verification of exemption to the Management Office within ten (10) days of receipt of this notification.

If you do not provide any verification, these household members will be required to perform community service/economic self-sufficiency requirements.

ATTACHMENT 2

FRHA
COMMUNITY SERVICE POLICY
VERIFICATION OF RECEIPT OF POLICY

I, _____, acknowledge that I have received and understand the Fall River Housing Authority Community Service Policy. I have been notified of my responsibilities under this policy, and that failure to adhere to these responsibilities constitutes a lease violation which could result in the non-renewal of my lease.

_____ **_____**

Signature **Date**

ATTACHMENT 3

<u>COMMUNITY SERVICE ACTIVITIES</u>

When a resident is tenanted, and at all subsequent recertifications, FRHA will provide the resident with a list of approved community service placements. The FRHA, in conjunction with the Resident Advisory Board has determined that the FRHA and our residents will be best served by a liberal definition of eligible activities under the CSSR. The following list is intended as a partial list of acceptable opportunities and is not to be construed as complete. Any activity which benefits the resident's economic self-sufficiency will be accepted, as will any activity that reasonably provides the FRHA, its developments and residents, or the general public with a needed service. Acceptable activities include:

19) GED Program
20) High school completion
21) English as Second Language Program
22) Vocational School
23) College Courses
24) Participation in Foster Grandparent Program
25) Provide arts and crafts activities for the elderly or children
26) Gardening at FRHA sites
27) Volunteering at Fall River Food Kitchen or other nutrition program benefiting low-income residents of the city
28) Visiting nursing homes/hospitals.
29) Performing errands for elderly/handicapped residents
30) Peer Leadership programs
31) Volunteering with the Red Cross
32) Tutoring
33) Volunteer participation in school childcare program
34) Working with the Fall River Joint Tenants Council to educate residents about their rights and the organization's mission.
35) Volunteering with FRHA Youth Services programs
36) Other activities as may, from time to time be added by FRHA or agreed to with the Resident Advisory Board

FRHA shall not impose any sanction on a family with non-exempt members unless it first provides the family with a list of appropriate and available placements with regard to their linguistic capabilities and transportation needs. If a non-exempt household member elects to perform community service at an organization or placement not identified in the above list, the member must seek approval from FRHA.

ATTACHMENT 4

ATTACHMENT 5

FALL RIVER HOUSING AUTHORITY
ADMISSIONS AND CONTINUED OCCUPANCY POLICY

1.0 FAIR HOUSING 5

2.0 REASONABLE ACCOMODATION 6

3.0 SERVICES FOR NON-ENGLISH SPEAKING APPLICANTS AND RESIDENTS 7

4.0 FAMILY OUTREACH 7

5.0 RIGHT TO PRIVACY 7

6.0 REQUIRED POSTINGS 7

7.0 TAKING APPLICATIONS 8

8.0 ELIGIBILITY FOR ADMISSION 9

8.1 INTRODUCTION 9
8.2 ELIGIBILITY CRITERIA 9
8.3 SUITABILITY 12
8.4 GROUNDS FOR DENIAL 14
8.5 INFORMAL REVIEW 16

9.0 MANAGING THE WAITING LIST 17

9.1 OPENING AND CLOSING THE WAITING LIST 17
9.2 ORGANIZATION OF THE WAITING LIST 17
9.3 FAMILIES NEARING THE TOP OF THE WAITING LIST 17
9.4 PURGING THE WAITING LIST 18
9.5 REMOVAL OF APPLICANTS FROM THE WAITING LIST 18
9.6 MISSED APPOINTMENTS 18
9.7 NOTIFICATION OF NEGATIVE ACTIONS 18

10.0 TENANT SELECTION AND ASSIGNMENT PLAN 19

10.1 PREFERENCES 18
10.2 ASSIGNMENT OF BEDROOM SIZES 22
10.3 SELECTION FROM THE WAITING LIST 23
10.4 DECONCENTRATION POLICY 24
10.5 DECONCENTRATION INCENTIVES 24
10.6 OFFER OF A UNIT 24

10.7 REJECTION OF UNIT 25
10.8 ACCEPTANCE OF UNIT 25

11.0 INCOME, EXCLUSIONS FROM INCOME, AND DEDUCTIONS FROM INCOME ..... .26

11.1 INCOME..... 26
11.2 ANNUAL INCOME..... 28
11.3 DEDUCTIONS FROM ANNUAL INCOME 32

12.0 VERIFICATION..... 33

12.1 ACCEPTABLE METHODS OF VERIFICATION 33
12.2 TYPES OF VERIFICATION 35
12.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NONCITIZEN STATUS 38
12.4 VERIFICATION OF SOCIAL SECURITY NUMBERS 40
12.5 TIMING OF VERIFICATION 40
12.6 FREQUENCY OF OBTAINING VERIFICATION..... 41

13.0 DETERMINATION OF TOTAL TENANT PAYMENT AND TENANT RENT..... 41

13.1 FAMILY CHOICE 41
13.2 THE FORMULA METHOD..... 41
13.3 MINIMUM RENT..... 42
13.4 THE FLAT RENT 43
13.5 RENT FOR FAMILIES UNDER THE NONCITIZEN RULE 43
13.6 PAYING RENT..... 44
13.7 ABSENCE DUE TO MEDICAL REASONS ……43

14.0 CONTINUED OCCUPANCY AND COMMUNITY SERVICE ELIMINATED

14.1 GENERAL……44
14.2 EXEMPTIONS……44
14.3 NOTIFICATION OF THE REQUIREMENT……44
14.4 VOLUNTEER OPPORTUNITIES AND ECONOMIC SELF SUFFICIENCY……...45
14.5 THE PROCESS……45
14.6 NOTIFICATION OF NON-COMPLIANCE WITH COMMUNITY SERVICE REQUIREMENT……46
14.7 OPPORTUNITY FOR CURE……..47
14.8 OPPORTUNITIES TO PERFORM THE SERVICE REQUIREMENTS……47

15.0 RECERTIFICATIONS 48

15.1 GENERAL..... 49
15.2 MISSED APPOINTMENTS 49
15.3 FLAT RENTS..... 49

15.4 THE FORMULA METHOD 49
15.5 EFFECTIVE DATE OF RENT CHANGES FOR ANNUAL REEXAMINATIONS 51
15.6 INTERIM REEXAMINATIONS 51
15.7 SPECIAL REEXAMINATIONS 53
15.8 EFFECTIVE DATE OF RENT CHANGES DUE TO INTERIM OR SPECIAL REEXAMINATIONS 53

16.0 UNIT TRANSFERS 53

16.1 OBJECTIVES OF THE TRANSFER POLICY 53
16.2 CATEGORIES OF TRANSFERS 54
16.3 DOCUMENTATION 54
16.4 PROCESSING TRANSFERS 54
16.5 COST OF THE FAMILY'S MOVE 55
16.6 TENANTS IN GOOD STANDING 56
16.7 TRANSFER REQUESTS 56
16.8 RIGHT OF THE FALL RIVER HOUSING AUTHORITY IN TRANSFER POLICY 56
16.9 PROCEDURE FOR OVER-HOUSED FEDERAL FAMILY TRANSFERS 56

17.0 INSPECTIONS 57

17.1 MOVE-IN INSPECTIONS 57
17.2 ANNUAL INSPECTIONS 57
17.3 PREVENTATIVE MAINTENANCE INSPECTIONS 57
17.4 SPECIAL INSPECTIONS 58
17.5 HOUSEKEEPING INSPECTIONS 58
17.6 NOTICE OF INSPECTION 58
17.7 EMERGENCY INSPECTIONS 58
17.8 PRE-MOVE-OUT INSPECTIONS 58
17.9 MOVE-OUT INSPECTIONS 58

18.0 PET POLICY 59

19.0 REPAYMENT AGREEMENTS 59

20.0 TERMINATION 59

20.1 TERMINATION BY TENANT 59
20.2 TERMINATION BY THE HOUSING AUTHORITY 59
20.3 ABANDONMENT 60

GLOSSARY 60

ACRONYMNS 69

APPENDIX 1 DECONCENTRATION POLICY 70

APPENDIX 2 FLAT RENTS 71

APPENDIX 3 FALL RIVER TENANT SELECTION POLICIES STATE AIDED DEVELOPMENTS…….72

APPENDIX 4 SCREENING PROCEDURES and ONE STRIKE POLICY…….75

ADMISSIONS AND CONTINUED OCCUPANCY POLICY

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

1.0 FAIR HOUSING

It is the policy of the Fall River Housing Authority to fully comply with all Federal, State and local nondiscrimination laws; the Americans with Disabilities Act; and the U. S. Department of Housing and Urban Development regulations governing Fair Housing and Equal Opportunity.

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

To further its commitment to full compliance with applicable Civil Rights laws, the Fall River Housing Authority will provide Federal/State/local information to applicants/tenants of the Public Housing Program regarding discrimination and any recourse available to them if they believe they may be victims of discrimination. Such information will be made available with the application, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made available at the Fall River Housing Authority office. In addition, all written information and advertisements will contain the appropriate Equal Opportunity language and logo.

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

The Fall River Housing Authority has adopted and is implementing the provsions of the Violence Against Women Act of 2005. The policies and procedures adopted by the Authority are contained in our Violence Against Women Policies and Procedures and attached by reference to this Plan.

2.0 REASONABLE ACCOMMODATION

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

Generally the individual knows best what it is they need; however, the Fall River Housing Authority retains the right to be shown how the requested accommodation enables the individual to access or use the Fall River Housing Authority's programs or services.

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

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

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

When the Fall River Housing Authority grants a reasonable accommodation request for an applicant, the applicant will be placed on the waiting list without regard to the need for the reasonable accommodation request. At the time of admission the Fall River Housing Authority will perform the actions/renovations to meet the request. i.e. an applicant granted a reasonable accommodation will not receive any special consideration on the waiting list.

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

3.0 SERVICES FOR NON-ENGLISH SPEAKING APPLICANTS AND RESIDENTS

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

4.0 FAMILY OUTREACH

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

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

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

5.0 RIGHT TO PRIVACY

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

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

6.0 REQUIRED POSTINGS

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

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

7.0 TAKING APPLICATIONS

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

220 Johnson Street, Fall River, MA 02723

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

Completed applications will be accepted for all applicants and the Fall River Housing Authority will verify the information. Incomplete applications will not be accepted but will be returned to the applicant with instructions needed to complete the application.

Applicants seeking information regarding their application are required to provide their Control Number, Name, Current Address and Social Security Number.

The Tenant Selection Department will not provide specific information regarding the length of time before a unit offer may be made.

Applications may be made in person at ***220 Johnson Street*** on Monday through Friday, between 9:00 a.m. and 4:00 p.m. Applications will be mailed to interested families upon request and may be returned by mail. FRHA staff will assist applicants from the hours of

9:00 a.m. to ***4***:00 p.m. each business day. On Thursdays the department will accept applications but will not assist in the preparation unless the applicant is deemed an emergency, in which case the staff will assist in the application taking.

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

Persons with disabilities who require a reasonable accommodation in completing an application may call the Fall River Housing Authority to make special arrangements. A Telecommunication Device for the Deaf (TDD) is available for the deaf. The TDD telephone number is (508) 675-3539.

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

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

8.0 ELIGIBILITY FOR ADMISSION

8.1 INTRODUCTION

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

8.2 ELIGIBILITY CRITERIA

A. Family status.

1. A **family with or without children**. Such a family is defined as a group of people related by blood, marriage, adoption or affinity that live together in

a stable family relationship. Anyone designated as head(s) of household have to be 18 years of age or older.

a. Children temporarily absent from the home due to placement in foster care are considered family members.
b. Unborn children and children in the process of being adopted are considered family members for the purpose of determining bedroom size but are not considered family members for determining income limit.

2. An **elderly family**, which is:

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

3. A **near-elderly family**, which is:

a. A family whose head, spouse, or sole member is a person who is at least 55 years of age but below the age of 62;
b. Two or more persons, who are at least 55 years of age but below the age of 62, living together; or
c. One or more persons, who are at least 55 years of age but below the age of 62, living with one or more live-in aides.

4. A **disabled family**, which is:

a. A family whose head, spouse, or sole member is a person with disabilities;
b. Two or more persons with disabilities living together; or
c. One or more persons with disabilities living with one or more live-in aides.

5. A remaining member of a tenant family.
6 A **single person** who is not an elderly or displaced person, a person with disabilities, or the remaining member of a tenant family.
7. An emancipated minor, a minor who has been declared to be emancipated by a court of competent jurisdiction.

B. Income eligibility

1. To be eligible for admission to developments or scattered-site units that were available for occupancy before 10/1/81, the family's annual income must be within the low-income limit set by HUD. This means the family income cannot exceed 80 percent of the median income for the area.
2. To be eligible for admission to developments or scattered-site units that became available on or after 10/1/81, the family's annual income must be within the very low-income limit set by HUD, unless HUD grants an exception. This means that without a HUD exception, the family income cannot exceed 50 percent of the median income for the area.
3. Income limits apply only at admission and are not applicable for continued occupancy.
4. A family may not be admitted to the public housing program from another assisted housing program (e.g., tenant-based Section 8) or from a public housing program operated by another housing authority without meeting the income requirements of the Fall River Housing Authority.
5. If the Fall River Housing Authority acquires a property for federal public housing purposes, the families living there must have incomes within the low-income limit in order to be eligible to remain as public housing tenants.
6. Income limit restrictions do not apply to families transferring within our Federal Public Housing Program.

C. Citizenship/Eligibility Status

- To be eligible each member of the family must be a citizen, national, or a noncitizen who has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980 (see 42 U.S.C. 1436a(a)).
- Family eligibility for assistance.

    a. A family shall not be eligible for assistance unless every member of the family residing in the unit is determined to have eligible status, with the exception noted below.
    b. Despite the ineligibility of one or more family members, a mixed family may be eligible for one of three types of assistance. (See Section 13.5 for calculating rents under the noncitizen rule)
    c. A family without any eligible members and receiving assistance on June 19, 1995 may be eligible for temporary deferral of termination of assistance.

D. Social Security Number Documentation

To be eligible, all family members must provide a Social Security number or certify that they do not have one.

E. Signing Consent Forms

1. In order to be eligible, each member of the family who is at least 18 years of age, and each family head and spouse regardless of age, shall sign one or more consent forms.

2. The consent form must contain, at a minimum, the following:

a. A provision authorizing HUD or the Fall River Housing Authority to obtain from State Wage Information Collection Agencies (SWICAs) any information or materials necessary to complete or verify the application for participation or for eligibility for continued occupancy; and
b. A provision authorizing HUD or the Fall River Housing Authority to verify with previous or current employers income information pertinent to the family's eligibility for or level of assistance;
c. A provision authorizing HUD to request income information from the IRS and the SSA for the sole purpose of verifying income information pertinent to the family's eligibility or level of benefits; and
d. A statement that the authorization to release the information requested by the consent form expires 15 months after the date the consent form is signed.

8.3 SUITABILITY

A. Applicant families will be evaluated to determine whether, based on their recent behavior, such behavior could reasonably be expected to result in noncompliance with the public housing lease. The Fall River Housing Authority will look at past conduct as an indicator of future conduct. Emphasis will be placed on whether a family's admission could reasonably be expected to have a detrimental effect on the development environment, other tenants, Fall River Housing Authority employees, or other people residing in the immediate vicinity of the property. Otherwise eligible families with be denied admission if they fail to meet the suitability criteria.

B. The Fall River Housing Authority will consider objective and reasonable aspects

of the family's background, including the following:

1. History of meeting financial obligations, especially rent;
2. Ability to maintain (or with assistance would have the ability to maintain) their housing in a decent and safe condition;
3. History of criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well being of other tenants or staff or cause damage to the property;
3. History of disturbing neighbors or destruction of property;
4. Having committed fraud in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from; and
5. History of abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment by others.

C. The Fall River Housing Authority will ask applicants to provide information demonstrating their ability to comply with the essential elements of the lease. The Fall River Housing Authority will verify the information provided. Such verification may include but may not be limited to the following:

1. A credit check of the head, spouse and co-head;
2. A rental history and background check of all adult family members. These checks may be made through a private company;
3. A criminal background check on all adult household members, including live-in aides. This check will be made through State or local law enforcement or court records in those cases where the household member has lived in the local jurisdiction for the last three years. Where the individual has lived outside the local area, the Fall River Housing Authority may contact law enforcement agencies where the individual had lived or request a check through the FBI's National Crime Information Center (NCIC);
4. A home visit. The home visit provides the opportunity for the family to demonstrate their ability to maintain their home in a safe and sanitary manner. This inspection considers cleanliness and care of rooms, appliances, and appurtenances. The inspection may also consider any evidence of criminal activity; and
5. A check of the State's lifetime sex offender registration program for each adult household member, including live-in aides. No individual registered with this program will be admitted to public housing.

6. Landlord References
7. An Ability to Comply With Lease form when no landlord references are received.
8. Triple I inquiry
9. An Intelius type inquiry to verify applicants information and background where information is missing or where gaps occur in the rental history.

INTERSTATE IDENTIFCATION INDEX PROCEDURE

A Triple I request will be conducted through the Fall River Police Department (FRPD) on an applicant who has been or is about to be offered a housing unit and who has a favorable Ma. CORI. This request will come from the Tenant Selection Department.

The FRPD will inform the FRHA, Tenant Selection Department whether or not the applicant has an FBI record.

If so the applicant will be sent a letter by the Tenant Selection Department informing them of the dates they must appear at the FRPD to get fingerprinted. If the applicant does not appear at the FRPD for fingerprinting on the assigned dates they will be removed from all the active waiting lists.

If the applicant was offered a unit, the offer will be recinded and their application will remain on hold until such time the FBI record is received by the Tenant Selection Department for review. Once the FBI record is received if favorable the Tenant Selection Department will offer the applicant another unit as soon as one is available. The offer will either be a federal or state unit, this would depend on which development from which program the applicant was previously offered.

If the FBI record is not favorable the applicant will be sent a rejection letter(s) and they will have the right to an appeal whether or not they have had any prior appeals with the FRHA.

If the applicant appeals and the rejection(s) is over turned the applicant's application will be reinstated to an active status and they will be offered a housing unit when their rank reaches the top of the waiting list.

The above also applies to additional adult family members requesting to be added to an FRHA tenant's lease.

8.4 GROUNDS FOR DENIAL

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

A. Do not meet any one or more of the eligibility criteria;

B. Do not supply information or documentation required by the application process;

C. Have failed to respond to a written request for information or a request to declare their continued interest in the program;

D. Have a history of not meeting financial obligations, especially rent;

E. Have a demonstrated history of living or housekeeping habits adversely affecting the health, safety, or welfare of other tenants;

F. Have a history of criminal activity by any household member involving (1) physical violence against persons or property, or (2) drug related criminal activity as defined in the Glossary; or (3) other criminal activity that, if continued as a tenant in public housing, would adversely affect the health, safety, or well-being of other tenants or Housing Authority Staff;;

G. Have a history of disturbing neighbors or destruction of property;

H. Currently owe rent or other amounts to any housing authority in connection with their public housing or Section 8 programs;

I. Have committed fraud as defined in the Glossary, bribery or other corruption in connection with any federal housing assistance program, including intentional misrepresentation of information related to their housing application or benefits there from;

J. Were evicted from assisted housing within three years of the projected date of admission because of drug-related criminal activity involving the personal use or possession for personal use;

K. Were evicted from assisted housing within five years of the projected date of admission because of drug-related criminal activity involving the illegal manufacture, sale, distribution, or possession with the intent to manufacture, sell, distribute a controlled substance as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802;

L. Are illegally using a controlled substance or are abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. The Fall River Housing Authority will waive this requirement if:

1. The person demonstrates to the Fall River Housing Authority's satisfaction that the person is no longer engaging in drug-related criminal activity or abuse of alcohol;
2. Has successfully completed a supervised drug or alcohol rehabilitation program;
3. Has otherwise been rehabilitated successfully; or is participating in a supervised drug or alcohol rehabilitation program.

M. Have engaged in or threatened violence or engaged in a pattern of abusive behavior towards any Fall River Housing Authority staff or residents;

N. **Denied for Life:** If any family member has been convicted of manufacturing or producing methamphetamine (speed) in a public housing development or in a Section 8 assisted property;

O. **Denied for Life:** Has a lifetime registration under a State sex offender registration program.

In the event the Housing Authority receives unfavorable information with respect to a applicant, other than information with respect to subsections J,K,N and O, it shall give consideration to the time, nature, and extent of the applicant's conduct and to factors that might indicate a reasonable probability of favorable future conduct, such as (1) Evidence of rehabilitation; (2) Evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling programs.

Sections 8.3 and 8.4 of this ACOP encompass the intent of the Fall River Housing Authority in screening applicants for admission to our federally subsidized housing programs. Where this policy is not clear or omits items included or contained in 24CFR Parts 5, 960 and 966 said One-Strike policy and the CFR shall apply.

8.5 INFORMAL REVIEW

A. If the Fall River Housing Authority determines that an applicant does not meet the criteria for receiving public housing assistance, the Fall River Housing Authority will promptly provide the applicant with written notice of the determination. The notice must contain a brief statement of the reason(s) for the decision and state that the applicant may request an informal review of the decision within **20** business days of the denial. The Fall River Housing Authority will describe how to obtain the informal review.

The informal review may be conducted by any person designated by the Fall River Housing Authority, other than a person who made or approved the decision under review or subordinate of this person. The applicant must be given the opportunity to present written or oral objections to the Fall River Housing Authority's decision. The Fall River Housing Authority must notify the applicant of the final decision within 14 calendar days after the informal review, including a brief statement of the reasons for the decision.

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

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

9.0 MANAGING THE WAITING LIST

9.1 OPENING AND CLOSING THE WAITING LIST

Opening of the waiting list will be announced with a public notice stating that applications for public housing will again be accepted. The public notice will state where, when, and how to apply. The notice will be published in a local newspaper of general circulation and also by any available minority media. The public notice will state any limitations to who may apply.

The notice will state that applicants already on waiting lists for other housing programs must apply separately for this program and such applicants will not lose their place on other waiting lists when they apply for public housing. The notice will include the Fair Housing logo and slogan and will be in compliance with Fair Housing requirements.
Closing of the waiting list will also be announced with a public notice. The public notice will state the date the waiting list will be closed and for what bedroom sizes. The public notice will be published in a local newspaper of general circulation and also by any available minority media.

9.2 ORGANIZATION OF THE WAITING LIST

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

A. The application will be a permanent file;

B. All applications will be maintained in order of bedroom size, preference, and then in order of date and time of application; and

C. Any contacts between the Fall River Housing Authority and the applicant will be documented in the applicant file.

D. Applicant will receive one Master Control Number unless they submit a second application on a different date.

9.3 FAMILIES NEARING THE TOP OF THE WAITING LIST

When a family appears to be nearing the top of the waiting list, the family will be invited to an orientation meeting and the verification process will begin. It is at this point in time that the family's waiting list preference will be verified. If the family no longer qualifies to be near the top of the list, the family's name will be returned to the appropriate spot on the waiting list. The Fall River Housing Authority must notify the family in writing of this determination and give the family the opportunity for an informal review.

9.4 PURGING THE WAITING LIST

The Fall River Housing Authority will update and purge its waiting list **every three years** to ensure that the pool of applicants reasonably represents the interested families for whom the Fall River Housing Authority has current information, i.e. applicant's address, family composition, income category, and preferences.

9.5 REMOVAL OF APPLICANTS FROM THE WAITING LIST

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

A. The applicant requests in writing that the name be removed;

B. The applicant fails to respond to a written request for information or a request to declare their continued interest in the program or fails to attend a scheduled briefing/orientation.

C. The applicant does not meet either the eligibility or suitability criteria for the program.

9.6 MISSED APPOINTMENTS

The Fall River Housing Authority will allow the family to reschedule for good cause. Generally, no more than one opportunity will be given to reschedule without good cause, and no more than three opportunities will be given for good cause. When good cause exists for missing an appointment, the Fall River Housing Authority will work closely with the family to find a more suitable time. Applicants will be dropped from the waiting list after missing 4 appointments. Applicants will be offered the right to an informal review of the Authority's decision to drop them from the list.

9.7 NOTIFICATION OF NEGATIVE ACTIONS

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

Authority system of removing applicant names from the waiting list will not violate the rights of persons with disabilities. If an applicant claims that their failure to respond to a request for information or updates was caused by a disability, the Fall River Housing Authority will verify that there is in fact a disability and the disability caused the failure to respond, and provide a reasonable accommodation. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of the original application. This paragraph will not apply to applicants that do not respond to correspondence from the FRHA. Failure to respond will result in removal from the list without any further correspondence.

10.0 TENANT SELECTION AND ASSIGNMENT PLAN

10.1 PREFERENCES

The HA uses these Local Preferences, which are weighted highest to lowest in the following order, reflect priorities by need as well as local concerns, and require verification at the time of offer:

1. Emergency Cases - applicants displaced by Fire, Natural Disaster, or Government action, including applicants in units determined to be uninhabitable by competent local authority shall be housed as an emergency case. Applicants granted emergency status will be housed in the next available unit appropriate for the family size. This will include families being displaced to the presence of Lead Paint that has been determined to be hazardous to a young child. Fall River Residents will be chosen before non-Fall River Residents within this category. This preference also includes tenants displaced from developments being modernized or demolished by the FRHA.

2. Residency preference for families who are residing in the City of Fall River, or have at least one adult member who works or has been hired to work, or is attending an educational or training program full-time in the City of Fall River, provided that no household member is currently living in subsidized or low income housing, or has lived in such assisted housing during the previous six months.

3. Working/Educational/Training preference for (a) families with at least one adult who is employed a minimum of 32 hours weekly and has been employed for at least three months, (b) families with at least one adult who is a full-time participant in an educational or training program designed to prepare the individual for the job market. Pursuant to 24CFR960.206(b)(2) this preference shall also be available to families in which the head and spouse or sole member, are age 62 or older or is a person with disabilities.

4. A family who is suffering from Domestic Violence (including sexual abuse) by a spouse or other family member.

5. All other applicants

Administrative Transfers will be made after emergency cases

The current definition extremely low income limits (30%) are as follows;

Number of People	Income
1 person	$15,350
2 people	$17,550
3 people	$19,750
4 people	$21,950
5 people	$23,700
6 people	$25,450
7 people	$27,250
8 people	$29,000

Families selected from the waiting list will be selected in such a manner as to assure that not less than 40% of all admissions are from families meeting the definition of extremely low income. The FRHA will analyze the selections on a quarterly basis and select applicants according to the preference categories shown above but skip applicants over these income limits until we have reached the 40% goal.

The preference system incorporated in this section is intended to be simple in nature in that each preference is separate from any other. Each preference stands on its own and no benefit occurs from qualifying for multiple preferences.

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

Not withstanding the above, families who are elderly, disabled, or displaced will be offered housing before other single persons. Single persons will not be selected until they are the only ones on the list, with the exception of a single working PERSON who is an FRHA overhoused tenant and is left as head of household.

For every ***10*** selected applicants receiving local preference, one applicant not receiving any subsidy of any kind nor residing in the city of Fall River will be selected.

Buildings Designed for the Elderly and Disabled (Cardinal Medeiros Towers): Preference will be given to elderly and disabled families. If there are no elderly or disabled families on the list, preference will then be given to near-elderly families. All

such families will be selected from the waiting list using the preferences as outlined above. Disabled applicants who apply for the Cardinal Medeiros Towers and are 40 years of age or older will automatically be allowed to file for the one bedroom apartments. They will only be on the studio list if they so choose. Due to a lack of demand for the units and the soaring vacancy rate at Cardinal Medeiros Towers we will offer units to single people not meeting the criteria outlined above. Single people will be placed on the Cardinal Medeiros Towers waiting list and selected based on date and time of application. In order to assure that the needs of elderly and disabled families are met we will offer at least 50% of the vacancies to elderly and disabled families on the Cardinal Medeiros Towers, provided that sufficient elderly and disabled are on the list.

Buildings Designated as Elderly Only Housing: Cottell Heights, Mitchell Heights, Holmes Apartments, O'Brien Apartments, Oak Village and Oliveira Apartments have been approved by HUD as being designated for elderly only. In filling vacancies in these developments, first priority will be given to elderly families.(62 years and older) If there are no elderly families on the list, next priority will be given to the near-elderly.(55 to 61 years old) Using these priorities, families will be selected from the waiting list using the preferences as outlined above. All residents of the household must be at least 55 years of age to be placed in a development designated as Elderly Only**.**

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

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

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

Housing Authority must notify the applicant of the final decision within 14 calendar days after the informal review, including a brief statement of the reasons for the final decision.

10.2 ASSIGNMENT OF BEDROOM SIZES

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

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

These standards are based on the assumption that each bedroom will accommodate no more than two (2) persons. Zero bedroom units will only be assigned to one-person families. Two adults will share a bedroom unless related by blood.
In determining bedroom size, the Fall River Housing Authority will include the presence of children to be born to a pregnant woman, children who are in the process of being adopted, children whose custody is being obtained, children who are temporarily away at school, or children who are temporarily in foster-care. The FRHA will assign the required bedroom size to the parent who has custody of the minor children 183 days per year.

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

A. Children of the same sex will share a bedroom unless there is a significant difference in age as determined by the FRHA.

B. Children of the opposite sex, both under the age of four (4) will share a bedroom.

C. Adults and children will not be required to share a bedroom.

D. Foster – adults and/or foster - children will not be required to share a bedroom with family members.

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

Exceptions to normal bedroom size standards include the following:

A. Units smaller than assigned through the above guidelines – A family may request a smaller unit size than the guidelines allow. The Fall River Housing Authority will allow the smaller size unit so long as generally no more than two (2) people per bedroom are assigned. In such situations, the family will sign a certification stating they understand they will be ineligible for a larger size unit for one (1) year or until the family size changes, whichever may occur first.

B. Units larger than assigned through the above guidelines – A family may request a larger unit size than the guidelines allow. The Fall River Housing Authority will allow the larger size unit if the family provides a verified medical need that the family be housed in a larger unit.

C. If there are no families on the waiting list for a larger size, smaller families may be housed if they sign a release form stating they will transfer (at the family's own expense) to the appropriate size unit when an eligible family needing the larger unit applies. The family transferring will be given a 30-day notice before being required to move.

D. Larger units may be offered in order to improve the marketing of a development suffering a high vacancy rate.

10.3 SELECTION FROM THE WAITING LIST

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

If there are not enough extremely low-income families on the waiting list we will conduct outreach on a non-discriminatory basis to attract extremely low-income families to reach the statutory requirement.

10.4 DECONCENTRATION POLICY

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

The Fall River Housing Authority will affirmatively market our housing to all eligible income groups. Lower income residents will not be steered toward lower income developments and higher income people will not be steered toward higher income developments.

Prior to the beginning of each fiscal year, we will analyze the income levels of families residing in each of our developments, the income levels of census tracts in which our developments are located, and the income levels of the families on the waiting list. Based on this analysis, we will determine the level of marketing strategies and deconcentration incentives to implement. The worksheet for the analysis can be found in Appendix 1.

10.5 DECONCENTRATION INCENTIVES

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

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

10.6 OFFER OF A UNIT

When the Fall River Housing Authority discovers that a unit will become available, we will contact the first family on the waiting list who has the highest priority for this type of unit or development and whose income category would help to meet the deconcentration goal and/or the income targeting goal. Reference to deconcentration will only occur when our analysis shows that actions are necessary to overcome concentration of families based on income

The Fall River Housing Authority will contact the family by telephone or first class mail to make an offer. The family will be given five (5) business days from the date the letter was mailed to contact the Fall River Housing Authority regarding the offer.

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

10.7 REJECTION OF UNIT

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

If the Fall River Housing Authority did not skip over other families on the waiting list to reach this family, did not offer any other deconcentration incentive, and the family rejects the unit without good cause, the family will forfeit their application's date and time. The family will keep their original control number and their preferences, (with the exception of emergency preference, if the unit is refused by a local or non local applicant they will forfeit the emergency preference. The local applicant if so qualified will be relisted to local preference). The date and time of application will be changed to the date and time the unit was rejected. Elderly applicants will not be relisted until their third refusal of an elderly unit.

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

10.8 ACCEPTANCE OF UNIT

The family will be required to sign a lease that will become effective no later than three (3) business days after the date of acceptance or the business day after the day the unit becomes available, whichever is later.

Prior to signing the lease the head or co-head will be required to attend the Lease and Occupancy Orientation when they are initially accepted for occupancy. The family will not be housed if they have not attended the orientation. Applicants who provide prior notice of an inability to attend the orientation will be rescheduled. Failure of an applicant

to attend the orientation, without good cause, may result in the cancellation of the occupancy process. The family is required to submit a receipt from a licensed pest control firm confirming that their goods have been exterminated prior to the execution of the lease.

The applicant will be provided a copy of the lease, the grievance procedure, utility allowances, utility charges, the current schedule of routine maintenance charges, and a request for reasonable accommodation form. These documents will be explained in detail. The applicant will sign a certification that they have received these documents and that they have reviewed them with Housing Authority personnel. The certification will be filed in the tenant's file.

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

11.0 INCOME, EXCLUSIONS FROM INCOME, AND DEDUCTIONS FROM INCOME

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

11.1 INCOME

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

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

Annual income includes, but is not limited to:

A. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services.
B. The net income from the operation of a business or profession. Expenditures for

business expansion or amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession is included in income, except to the extent the withdrawal is a reimbursement of cash or assets invested in the operation by the family.

C. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from an investment is included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of $5,000, annual income includes the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD. For Real Estate the Interest imputed will be based on the Real Estate's Appraised Value for Real Estate Tax and using the current HUD promulgated passbook savings rate.

D. The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount. (However, deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts are excluded.)

E. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay. (However, lump sum additions such as insurance payments from worker's compensation are excluded.)

F. Welfare assistance.

1. If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income consists of:

   a. The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
   b. The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare

assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this requirement is the amount resulting from one application of the percentage.

2. If the amount of welfare is reduced due to an act of fraud by a family member or because of any family member's failure to comply with requirements to participate in an economic self-sufficiency program or work activity, the amount of rent required to be paid by the family will not be decreased. In such cases, the amount of income attributable to the family will include what the family would have received had they complied with the welfare requirements and/or had not committed an act of fraud.
3. If the amount of welfare assistance is reduced as a result of a generally applicable time limit, the reduced amount is the amount that shall be counted as income.

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

11.2 ANNUAL INCOME

Annual income does not include the following:

A. Income from employment of children (including foster children) under the age of 18 years;

B. Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);

C. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses;

D. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;

E. Income of a live-in aide;

F. The full amount of student financial assistance paid directly to the student or to the educational institution;

G. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;

H. The amounts received from the following programs:

1. Amounts received under training programs funded by HUD;

2. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);

3. Amounts received by a participant in other publicly assisted programs that are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and that are made solely to allow participation in a specific program;

4. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed $200 per month) received by a resident for performing a service for the Housing Authority or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiatives coordination. No resident may receive more than one such stipend during the same period of time;

5. Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the employment training program;

6. Temporary, nonrecurring or sporadic income (including gifts);

7. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;

8. Earnings in excess of $480 for each full-time student 18 years old or older (excluding the head of household and spouse);

9. Adoption assistance payments in excess of $480 per adopted child;

10. For family members who enrolled in certain training programs prior to 10/1/99, the earnings and benefits resulting from the participation if the program provides employment training and supportive services in accordance with the Family Support Act of 1988, Section 22 of the 1937 Act (42 U.S.C. 1437t), or any comparable Federal, State, or local law during the exclusion period. For purposes of this exclusion the following definitions apply:

    a. Comparable Federal, State or local law means a program providing employment training and supportive services that:

        i. Is authorized by a Federal, State or local law;
        ii. Is funded by the Federal, State or local government;
        iii. Is operated or administered by a public agency; and
        iv. Has as its objective to assist participants in acquiring employment skills.

    b. Exclusion period means the period during which the family member participates in a program described in this section, plus 18 months from the date the family member begins the first job acquired by the family member after completion of such program that is not funded by public housing assistance under the 1937 Act. If the family member is terminated from employment with good cause, the exclusion period shall end.

    c. Earnings and benefits means the incremental earnings and benefits resulting from a qualifying employment training program or subsequent job.

11. The incremental earnings due to employment during the 12-month period following date of hire shall be excluded. This exclusion (paragraph 11) will not apply for any family who concurrently is eligible for exclusion #10. Additionally, this exclusion is only available to the following families:

    a. Families whose income increases as a result of employment of a family member who was previously unemployed for one or more

years.

b. Families whose income increases during the participation of a family member in any family self-sufficiency program.

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

11 Incremental earnings for the subsequent 12-month period will be included at 50% of the income.

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

12. Deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts;

13. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;

14. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or

15. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits. These exclusions include:

a. The value of the allotment of food stamps

b. Payments to volunteers under the Domestic Volunteer Services Act of 1973

c. Payments received under the Alaska Native Claims Settlement Act

d. Income from submarginal land of the U.S. that is held in trust for certain Indian tribes

e. Payments made under HHS's Low-Income Energy Assistance Program

f. Payments received under the Job Training Partnership Act

g. Income from the disposition of funds of the Grand River Band of Ottawa Indians

h. The first $2000 per capita received from judgment funds awarded for certain Indian claims

i. Amount of scholarships awarded under Title IV including Work Study

j. Payments received under the Older Americans Act of 1965

k. Payments from Agent Orange Settlement

l. Payments received under the Maine Indian Claims Act

m. The value of child care under the Child Care and Development Block Grant Act of 1990

n. Earned income tax credit refund payments

o. Payments for living expenses under the Americorps Program

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

11.3 DEDUCTIONS FROM ANNUAL INCOME

The following deductions will be made from annual income:

A. $480 for each dependent;

B. $400 for any elderly family or disabled family;

C. For any family that is not an elderly or disabled family but has a member (other than the head or spouse) who is a person with a disability, disability assistance expenses in excess of 3% of annual income. This allowance may not exceed the employment income received by family members who are 18 years of age or older as a result of the assistance to the person with disabilities.

D. For any elderly or disabled family:

1. That has no disability assistance expenses, an allowance for medical expenses equal to the amount by which the medical expenses exceed 3% of annual income;
2. That has disability expenses greater than or equal to 3% of annual income, an allowance for disability assistance expenses computed in accordance with paragraph C, plus an allowance for medical expenses that equal the family's medical expenses;
3. That has disability assistance expenses that are less than 3% of annual income, an allowance for combined disability assistance expenses and medical expenses that is equal to the total of these expenses less 3% of annual income.

E. Child care expenses.

12.0 VERIFICATION

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

12.1 ACCEPTABLE METHODS OF VERIFICATION

Age, relationship, U.S. citizenship, and Social Security numbers will generally be verified with documentation provided by the family. To verify age and place of birth, a birth certificate, citizenship papers or baptismal papers will be requested**.** For citizenship, the family's certification will be accepted. (Or for citizenship documentation such as listed below will be required.) Verification of these items will include photocopies of the Social Security cards and other documents presented by the family, the INS SAVE approval code, and forms signed by the family.

Other information will be verified by third party verification. This type of verification includes written documentation with forms sent directly to and received directly by a source, not passed through the hands of the family. This verification may also be direct contact with the source, in person or by telephone. It may also be a report generated by a request from the Fall River Housing Authority or automatically by another government

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

When third party verification cannot be obtained, the Fall River Housing Authority may accept documentation received from the applicant/tenant. Hand-carried documentation may be accepted if the Fall River Housing Authority has been unable to obtain third party verification in a 2-week period of time. Photocopies of the documents provided by the family will be maintained in the file.

When neither third party verification nor hand-carried verification can be obtained, the Fall River Housing Authority may accept a notarized statement signed under the pains and penalties of perjury by the head, spouse or co-head. Such documents will be maintained in the file.

The FRHA may also require that an applicant or resident execute IRS Form 4506 - Request for Copy of A Tax Return where it has reason to believe that this is the most advantageous way to obtain the required income verification.

If an applicant or tenant claims to have "no-income" the FRHA will require that a sworn affidavit be submitted to the FRHA. This requirement may be extended to include other agencies where appropriate.

If an applicant claims status under the Violence Against Womens Act, they are required to provide appropriate verifications. To verify abuse status, VAWA adds a new section 6(u) of the act that provides for a certification by the individual of his or her status as a victim of domestic violence, sexual abuse, dating abuse or stalking in order to qualify for the protections implemented in the statute and provide for the confidentiality of that certification. We may request that the applicant certify via a HUD approved certification form that the applicant is a victim of domestic violence, sexual abuse, dating violence or stalking, and the incident(s) in question are bona-fide incidents of such actual or threatened abuse and meet the requirements set forth in the statute. Such certification shall include the name of the perpetrator. (This form will be requested once it has been issued by HUD).

Alternatively, an applicant claiming abuse may satisfy the certification requirements by-

1. Providing the requesting PHA with documentation signed by an employee, Agent volunteer of a victim's service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing domestic violence, sexual assault, dating violence or stalking or the effects of the abuse in

which the professional attests under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident(s) in question are bona-fide incidents of abuse, and the victim of abuse or stalking has signed or attested to the documentation.

2. Producing a Federal, State, tribal, territorial or local police or court record.

12.2 TYPES OF VERIFICATION

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

Verification Requirements for Individual Items		
Item to Be Verified	**3rd party verification**	**Hand-carried verification**
General Eligibility Items		
Social Security Number	Letter from Social Security, electronic reports	Social Security card
Citizenship	N/A	Signed certification, voter's registration card, birth certificate, etc.
Eligible immigration status	INS SAVE confirmation #	INS card
Disability	Letter from medical professional, SSI, etc	Proof of SSI or Social Security disability payments
Full time student status (if >18)	Letter from school	For high school students, any document evidencing enrollment
Need for a live-in aide	Letter from doctor or other	N/A

Verification Requirements for Individual Items		
Item to Be Verified	**3rd party verification**	**Hand-carried verification**
	professional knowledgeable of condition	
Child care costs	Letter from care provider	Bills and receipts
Disability assistance expenses	Letters from suppliers, care givers, etc.	Bills and records of payment
Medical expenses	Letters from providers, prescription record from pharmacy, medical professional's letter stating assistance or a companion animal is needed	Bills, receipts, records of payment, dates of trips, mileage log, receipts for fares and tolls
Value of and Income from Assets		
Savings, checking accounts	Letter from institution	Passbook, most current statements For checking/ savings accounts under $2,000 the value and interest may be estimated using the hand carried statements. (2)
CDS, bonds, etc	Letter from institution	Tax return, 1099's, information brochure from institution, the CD, the bond. For CD's, bonds etc. under $2,000 the value as well as the interest/dividends may be estimated using the hand carried verifications. (2)
Stocks	Letter from broker or holding company	Stock or most current statement, price in newspaper, 1099's or through Internet. Dividends under $200 may be estimated using the 1099's. Under $2,000 the value and interest/dividends may be estimated using the hand

Verification Requirements for Individual Items		
Item to Be Verified	**3rd party verification**	**Hand-carried verification**
		carried verifications. (2)
Real property	Letter from tax office, assessment, etc.	Property tax statement (for current value), assessment, records or income and expenses, tax return
Personal property	Assessment, bluebook, etc	Receipt for purchase, other evidence of worth
Cash value of life insurance policies	Letter from insurance company	Current statement. For cash values under $2,000 the hand carried documentation is sufficient. (2)
Assets disposed of for less than fair market value	N/A	Original receipt and receipt at disposition, other evidence of worth
Income		
Earned income	Letter from employer	Recent Multiple pay stubs
Self-employed	N/A	Tax return from prior year, books of accounts
Regular gifts and contributions	Letter from source, letter from organization receiving gift (i.e., if grandmother pays day care provider, the day care provider could so state)	Bank deposits, other similar evidence
Alimony/child support	Court order, letter from source, letter from Human Services	Record of deposits, divorce decree
Periodic payments (i.e., social security, welfare, pensions, workers compensation, unemployment)	Letter or electronic reports from the source. Unemployment to be verified monthly.	Award letter, letter announcing change in amount of future payments. Unemployment to be verified monthly. See note (1)
Training program	Letter from program provider	N/A

Verification Requirements for Individual Items		
Item to Be Verified	**3rd party verification**	**Hand-carried verification**
participation	indicating - whether enrolled or completed - whether training is HUD-funded - whether Federal, State, local govt., or local program - whether it is employment training - whether it has clearly defined goals and objectives - whether program has supportive services - whether payments are for out-of-pocket expenses incurred in order to participate in a program - date of first job after program completion	Evidence of job start

NOTE (1)
Third party verification of SS/SSI benefits of applicants and household members is not available. PHAs should request a current (dated within the last **90** days) SSA benefit verification letter for each household member that receives social security benefits. If the applicant and/or household member are unable to provide the requested document, ask the applicant/household member to call SSA at 1-800-772-1213 to request a benefit verification letter. The request for a benefit verification letter can also be made at the SSA Internet Website at www.ssa.gov. From the front page of the website (Social Security Online), click on *Already receiving* benefits, which is located in the center column of the page. From the right side of the page under *Things You Can Do Online*, click on *Get a "Proof of Income Letter*." Follow the instructions on the page to complete the request for a benefit verification letter. The applicant/household member should provide the POA with the original benefit verification letter. The POA should make a photocopy of the original benefit verification letter, return the original benefit verification letter to the applicant/household member, and maintain the photocopy of the benefit verification letter in the tenant file.

Note (2) It is not cost effective to spend staff time and fees to facilitate third party verifications in these cases. The cost exceeds the benefit of obtaining third party verifications.

The Housing Authority will use electronic means of verification where applicable. This includes but is not limited to the use of HUD's Upfront Income Verification (UIV) and Tenant Assessment Sub System (TASS). Other electronic verification systems will be used when available.

12.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NONCITIZEN STATUS

The citizenship/eligible noncitizen status of each family member regardless of age must be determined.

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

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

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

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

Noncitizen students on student visas, though in the country legally, are not eligible to be admitted to public housing.

Any family member who does not choose to declare their status must be listed on the statement of noneligible members.

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

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

If the Fall River Housing Authority determines that a family member has knowingly permitted an ineligible noncitizen (other than any ineligible noncitizens listed on the

lease) to permanently reside in their public housing unit, the family will be evicted. Such family will not be eligible to be readmitted to public housing for a period of 24 months from the date of eviction or termination.

12.4 VERIFICATION OF SOCIAL SECURITY NUMBERS

Prior to admission, each family member who has a Social Security number must provide verification of their Social Security number. New family members must provide this verification prior to being added to the lease. Children in assisted households must provide this verification at the first regular reexamination.

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

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

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

If a member of a tenant family indicates they have a Social Security number, but cannot readily verify it, they shall be asked to certify to this fact and shall have up to sixty (60) days to provide the verification. If the individual is at least 62 years of age, they will be given one hundred and twenty (120) days to provide the verification. If the individual fails to provide the verification within the time allowed, the family will be evicted.

12.5 TIMING OF VERIFICATION

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

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

12.6 FREQUENCY OF OBTAINING VERIFICATION

For each family member, citizenship/eligible noncitizen status will be verified only once. This verification will be obtained prior to admission. If the status of any family member was not determined prior to admission, verification of their status will be obtained at the next regular reexamination. Prior to a new member joining the family, their citizenship/eligible noncitizen status will be verified.

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

13.0 DETERMINATION OF TOTAL TENANT PAYMENT AND TENANT RENT

13.1 FAMILY CHOICE

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

A. Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they would otherwise undergo.

B. Families who opt for the flat rent may request to have a reexamination and return to the formula based method at any time for any of the following reasons:

1. The family's income has decreased.
2. The family's circumstances have changed increasing their expenses for child care, medical care, etc.
3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.

13.2 THE FORMULA METHOD

The total tenant payment is equal to the highest of:

A. 10% of monthly income;

B. 30% of adjusted monthly income; or

C. The welfare rent (does not currently pertain to Mass.).

The family will pay the greater of the total tenant payment or the minimum rent of $50.00, but never more than the flat rent.

In the case of a family who has qualified for the income exclusion at Section 11.2(H)(11), upon the expiration of the 12-month period described in that section, an additional rent benefit accrues to the family. If the family member's employment continues, then for the 12-month period following the 12-month period of disallowance, the resulting rent increase will be capped at 50 percent of the rent increase the family would have otherwise received.

13.3 MINIMUM RENT

The Fall River Housing Authority has set the minimum rent at $50.00. However if the family requests a hardship exemption, the Fall River Housing Authority will immediately suspend the minimum rent for the family until the Housing Authority can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature.

A. A hardship exists in the following circumstances:

1. When the family has lost eligibility for or is waiting an eligibility determination for a Federal, State, or local assistance program;
2. When the family would be evicted as a result of the imposition of the minimum rent requirement;
3. When the income of the family has decreased because of changed circumstances, including loss of employment;
4. When the family has an increase in expenses because of changed circumstances, for medical costs, childcare, transportation, education, or similar items;
5. When a death has occurred in the family.

B. No hardship. If the Housing Authority determines there is no qualifying hardship, the minimum rent will be reinstated, including requiring back payment of minimum rent for the time of suspension.

C. Temporary hardship. If the Housing Authority reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will be not be imposed for a period of 90 days from the date of the family's request. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. The Housing Authority will offer a repayment agreement in accordance with the Section 19 of this policy for any rent not paid during the

period of suspension. During the suspension period the Housing Authority will not evict the family for nonpayment of the amount of tenant rent owed for the suspension period.

D. Long-term hardship. If the Housing Authority determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists.

E. Appeals. The family may use the grievance procedure to appeal the Housing Authority's determination regarding the hardship. No escrow deposit will be required in order to access the grievance procedure.

13.4 THE FLAT RENT

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

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

If a resident fails to complete the recertification process, the Fall River Housing Authority will charge the resident the highest rent allowable for bedroom size.

13.5 RENT FOR FAMILIES UNDER THE NONCITIZEN RULE

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

A. The family was receiving assistance on June 19, 1995;

B. The family was granted continuation of assistance before November 29, 1996;

C. The family's head or spouse has eligible immigration status; and

D. The family does not include any person who does not have eligible status other than the head of household, the spouse of the head of household, any parent of the head or spouse, or any child (under the age of 18) of the head or spouse.

If a mixed family qualifies for prorated assistance but decides not to accept it, or if the family has no eligible members, the family may be eligible for temporary deferral of termination of assistance to permit the family additional time for the orderly transition of

some or all of its members to locate other affordable housing. Under this provision, the family receives full assistance. If assistance is granted under this provision prior to November 29, 1996, it may last no longer than three (3) years. If granted after that date, the maximum period of time for assistance under the provision is eighteen (18) months. The Fall River Housing Authority will grant each family a period of six (6) months to find suitable affordable housing. If the family cannot find suitable affordable housing, the Fall River Housing Authority will provide additional search periods up to the maximum time allowable.

Suitable housing means housing that is not substandard and is of appropriate size for the family. Affordable housing means that it can be rented for an amount not exceeding the amount the family pays for rent, plus utilities, plus 25%.

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

A. Determine the 95th percentile of gross rents (tenant rent plus utility allowance) for the Fall River Housing Authority. The 95th percentile is called the maximum rent.

B. Subtract the family's total tenant payment from the maximum rent. The resulting number is called the maximum subsidy.

C. Divide the maximum subsidy by the number of family members and multiply the result times the number of eligible family members. This yields the prorated subsidy.

D. Subtract the prorated subsidy from the maximum rent to find the prorated total tenant payment. From this amount subtract the full utility allowance to obtain the prorated tenant rent.

13.6 PAYING RENT

Rent and other charges are due and payable on or by the seventh day of the month. All rents shall be paid via U.S. Postal Service to P.O. Box 2755. Reasonable accommodations for this requirement will be made for persons with disabilities. As a safety measure, no cash shall be accepted as a rent payment

In the event that Tenant fails to pay all or any part of the rent within thirty (30) days of its due date, LHA may charge Tenant a late fee ion the amount of $25. If Tenant shows good cause for late payment to LHA and if LHA and Tenant enter a repayment agreement, LHA in its discretion may waive the interest charge. By charging interest for late payment of rent, LHA in no way excuses Tenant's breach of Tenant's obligation to pay rent, and LHA retains the rights to terminate the lease, to evict Tenant and Tenant’s household, and to collect arrearages, constable fees and costs on account of the Tenant's failure to pay rent when due.

If rent is paid by a personal check and the check is returned for insufficient funds, this shall be considered a non-payment of rent and will incur the late charge plus an additional charge of $10 for processing costs.

13.7 ABSENCE DUE TO MEDICAL REASONS

A tenant may be absent from the unit for up to 180 days while receiving medical treatment for a condition that has been certified as a medical necessity by a licensed physician and the treatment will take place at a licensed medical treatment facility. Upon the expiration of the 180 days the tenant will have been considered to have abandoned the **apartment and the** apartment will be considered vacated by the FRHA. The tenant must inform the FRHA of this treatment prior to the start of the absence from the apartment.

A tenant that qualifies for this clause may request that the FRHA recognize the need for this treatment and upon a timely move from the apartment be placed on the FRHA waiting list and upon completion of the treatment be considered as the first priority for placement at the development where they lived when they vacated.

The tenant requesting assistance under this clause must be considered a tenant in good standing to be placed on the waiting list as a priority.

14.0 CONTINUED OCCUPANCY AND COMMUNITY SERVICE

14.1 GENERAL

In order to be eligible for continued occupancy, each adult family member must either (1) contribute eight hours per month of community service (not including political activities) within the community in which the public housing development is located, or (2) participate in an economic self-sufficiency program unless they are exempt from this requirement

14.2 EXEMPTIONS

The following adult family members of tenant families are exempt from this requirement.

A. Family members who are 62 or older

B. Family members who are blind or disabled

C. Family members who are the primary care giver for someone who is blind or disabled

D. Family members engaged in work activity

E. Family members who are exempt from work activity under part A title IV of the Social Security Act or under any other State welfare program, including the welfare-to-work program

F. Family members receiving assistance under a State program funded under part A title IV of the Social Security Act or under any other State welfare program, including welfare-to-work and who are in compliance with that program

14.3 NOTIFICATION OF THE REQUIREMENT

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

The Fall River Housing Authority shall notify all such family members of the community service requirement and of the categories of individuals who are exempt from the requirement. The notification will provide the opportunity for family members to claim and explain an exempt status. The Fall River Housing Authority shall verify such claims.

The notification will advise families that their community service obligation will begin upon the effective date of their first annual reexamination on or after 4/1/2002. For family's paying a flat rent, the obligation begins on the date their annual reexamination would have been effective had an annual reexamination taken place. It will also advise them that failure to comply with the community service requirement will result in ineligibility for continued occupancy at the time of any subsequent annual reexamination**.**

14.4 VOLUNTEER OPPORTUNITIES AND ECONOMIC SELF SUFFICIENCY

Community service includes performing work or duties in the public benefit that serve to improve the quality of life and/or enhance resident self-sufficiency, and/or increase the self-responsibility of the resident within the community.

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

The Fall River Housing Authority will coordinate with social service agencies, local schools, and the Human Resources Office in identifying a list of volunteer community service positions.

Together with the resident advisory councils, the Fall River Housing Authority may create volunteer positions such as hall monitoring, litter patrols, and supervising and record keeping for volunteers.

14.5 THE PROCESS

At the first annual reexamination on or after April 1, 2002 and each annual reexamination thereafter, the Fall River Housing Authority will do the following:

A. Provide a list of volunteer opportunities to the family members.

B. Provide information about obtaining suitable volunteer positions.

C. Provide a volunteer time sheet to the family member. Instructions for the time sheet require the individual to complete the form and have a supervisor date and sign for each period of work.

D. Assign family members to a volunteer coordinator who will assist the family members in identifying appropriate volunteer positions and in meeting their responsibilities. The volunteer coordinator will track the family member's progress monthly and will meet with the family member as needed to best encourage compliance.

E. Thirty (30) days before the family's next lease anniversary date, the volunteer coordinator will advise the Fall River Housing Authority whether each applicable adult family member is in compliance with the community service requirement.

14.6 NOTIFICATION OF NON-COMPLIANCE WITH COMMUNITY SERVICE REQUIREMENT

The Fall River Housing Authority will notify any family found to be in noncompliance of the following:

A. The family member(s) has been determined to be in noncompliance;

B. That the determination is subject to the grievance procedure; and

C. That, unless the family member(s) enter into an agreement to comply, the lease will not be renewed or will be terminated;

14.7 OPPORTUNITY FOR CURE

The Fall River Housing Authority will offer the family member(s) the opportunity to enter into an agreement prior to the anniversary of the lease. The agreement shall state that the family member(s) agrees to enter into an economic self-sufficiency program or agrees to contribute to community service for as many hours as needed to comply with the requirement over the past 12-month period. The cure shall occur over the 12-month period beginning with the date of the agreement and the resident shall at the same time stay current with that year's community service requirement. The first hours a resident earns goes toward the current commitment until the current year's commitment is made.

The volunteer coordinator will assist the family member in identifying volunteer opportunities and will track compliance on a monthly basis.

If any applicable family member does not accept the terms of the agreement, does not fulfill their obligation to participate in an economic self-sufficiency program, or falls behind in their obligation under the agreement to perform community service by more than three (3) hours after three (3) months, the Fall River Housing Authority shall take action to terminate the lease.

14.8 OPPORTUNITIES TO PERFORM THE SERVICE REQUIREMENTS

The Fall River Housing Authority in conjunction with the Resident Advisory Board has determined that the FRHA and our residents will best be served if we liberally define what constitutes Community Service and Economic Self Sufficiency activities. The following partial list of activities, are suggestions only and are not meant to be all inclusive. Any activity which benefits the residents' economic self sufficiency will be accepted and any activity that reasonable provides the FRHA developments or the general public with a needed service will also be accepted. All opportunities to perform community service will be provided and performed with pride and dignity.

- GED Program
- High School completion
- ESL English as a Second Language Program
- Vocational School
- College Courses
- Participation in Foster Grandparent program
- Provide arts and crafts for elderly residents
- Provide arts and crafts for children
- Gardening around FRHA sites
- Volunteering with Food Kitchens or programs to help low income residents of Fall River
- Visit Nursing homes or Hospitals
- Run Errands for Elderly or Handicapped City residents

- Peer Leadership
- Red Cross
- Tutoring
- Volunteer participation in after school childcare program
- Working with FR Joint Tenants to educate residents on their rights and organization, as well as passing out flyers and otherwise assisting the FRJTC in its mission
- Other activities as may from time to time be added by the FRHA or agreed to with the Resident Advisory Board
- Volunteer work in the public sector
- Volunteer work in the FRHA and the FRHAJTC
- Attendance at monthly resident meetings

15.0 RECERTIFICATIONS

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

15.1 GENERAL

The Fall River Housing Authority will send a notification letter to the family letting them know that it is time for their annual reexamination, giving them the option of selecting either the flat rent or formula method, and scheduling an appointment if they are currently paying a formula rent. If the family thinks they may want to switch from a flat rent to a formula rent, they should request an appointment. At the appointment, the family can make their final decision regarding which rent method they will choose. The letter also includes, for those families paying the formula method, forms for the family to complete in preparation for the interview. The letter includes instructions permitting the family to reschedule the interview if necessary. The letter tells families who may need to make alternate arrangements due to a disability that they may contact staff to request an accommodation of their needs.
During the appointment, the Fall River Housing Authority will determine whether family composition may require a transfer to a different bedroom size unit, and if so, the family's name will placed on the transfer list.

15.2 MISSED APPOINTMENTS

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

15.3 FLAT RENTS

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

A. Each year at the time of the annual reexamination, the family has the option of selecting a flat rent amount in lieu of completing the reexamination process and having their rent based on the formula amount.

B. The amount of the flat rent

C. A fact sheet about formula rents that explains the types of income counted, the most common types of income excluded, and the categories allowances that can be deducted from income.

D. Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they otherwise would undergo.

E. Families who opt for the flat rent may request to have a reexamination and return to the formula-based method at any time for any of the following reasons:

   1. The family's income has decreased.
   2. The family's circumstances have changed increasing their expenses for child care, medical care, etc.
   3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.

F. The dates upon which the Fall River Housing Authority expects to review the amount of the flat rent, the approximate rent increase the family could expect, and the approximate date upon which a future rent increase could become effective.

G. The name and phone number of an individual to call to get additional information or counseling concerning flat rents.

H. A certification for the family to sign accepting or declining the flat rent.

Each year prior to their anniversary date, Fall River Housing Authority will send a reexamination letter to the family offering the choice between a flat or a formula rent. The opportunity to select the flat rent is available only at this time. At the appointment, the Fall River Housing Authority may assist the family in identifying the rent method that would be most advantageous for the family. If the family wishes to select the flat rent method without meeting with the Fall River Housing Authority representative, they may

make the selection on the form and return the form to the Fall River Housing Authority. In such case, the Fall River Housing Authority will cancel the appointment.

15.4 THE FORMULA METHOD

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

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

The total tenant payment is equal to the highest of:

A. 10% of monthly income;

B. 30% of adjusted monthly income; or

C. The welfare rent (does not currently pertain to Mass.).

The family will pay the greater of the total tenant payment or the minimum rent of $50.00, but never more than the flat rent.

15.5 EFFECTIVE DATE OF RENT CHANGES FOR ANNUAL REEXAMINATIONS

Recertification effective dates will be the month in which the annual anniversary of the commencement of the resident’s tenancy occurs. (i.e. if a resident is tenanted on January 1, the recertification effective date will be in January.) Thirty (30) days notice of any rent increase will be provided to the family.
If the rent determination is delayed due to a reason beyond the control of the family, then any rent increase will be effective the first of the month after the month in which the family receives a 30-day notice of the amount. If the new rent is a reduction and the delay is beyond the control of the family, the reduction will be effective as scheduled on the anniversary date.
If the family caused the delay, then any increase will be effective on the anniversary date. Any reduction will be effective the first of the month after the rent amount is determined.

15.6 INTERIM REEXAMINATIONS

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

Families will not be required to report any increase in income, if on flat rent, or decreases in allowable expenses between annual reexaminations.

Families will not be required to report any increase in income under l5% or $100 per month if on formula method.

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

A. A member has been added to the family through birth or adoption or court-awarded custody.

B. A household member is leaving or has left the family unit.

In order to add a household member other than through birth or adoption (including a live-in aide), the family must request that the new member be added to the lease. Before adding the new member to the lease, the individual must complete an application form stating their income, assets, and all other information required of an applicant. The individual must provide their Social Security number if they have one and must verify their citizenship/eligible immigrant status. (Their housing will not be delayed due to delays in verifying eligible immigrant status other than delays caused by the family.) The new family member will go through the screening process similar to the process for applicants. The Fall River Housing Authority will determine the eligibility of the individual before adding them to the lease. If the individual is found to be ineligible or does not pass the screening criteria, they will be advised in writing and given the opportunity for an informal review. If they are found to be eligible and do pass the screening criteria, their name will be added to the lease. Any additional household member (18) and over is required to sign the Lease Acknowledgment Form which makes said adult household member accountable to all provisions of the lease. At the same time, if the family’s rent is being determined under the formula method, the family's annual income will be recalculated taking into account the circumstances of the new family member. The effective date of the new rent will be in accordance with paragraph below 15.8.

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

15.7 SPECIAL REEXAMINATIONS

If a family's income is too unstable to project for twelve (12) months, including families that temporarily have no income (0 renters) or have a temporary decrease in income, the Fall River Housing Authority may schedule special reexaminations every sixty (60) days until the income stabilizes and an annual income can be determined.

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

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

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

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

16.0 UNIT TRANSFERS

16.1 OBJECTIVES OF THE TRANSFER POLICY

The objectives of the Transfer Policy include the following: These objectives are not listed in strict order of preference.

A. To address emergency situations.
B. To fully utilize available housing resources while avoiding overcrowding by insuring that each family occupies the appropriate size unit.
C. To facilitate a relocation when required for modernization or other management purposes such as demolition of any subsidized housing.
D. To facilitate relocation of families with inadequate housing accommodations.
E. To provide an incentive for families to assist in meeting the Fall River Housing Authority's deconcentration goal.
F. To eliminate vacancy loss and other expense due to unnecessary transfers.

16.2 CATEGORIES OF TRANSFERS

Category 1: Emergency transfers. These transfers are necessary when conditions pose an immediate threat to the life, health, or safety of a family or one of its members. Such situations may involve defects of the unit or the building in which it is located, the health condition of a family member, a hate crime, the safety of witnesses to a crime, or a law enforcement matter particular to the neighborhood. This includes tenants displaced due to the demolition or modernization of any subsidized housing.

Category 2: Immediate administrative transfers. These transfers are necessary in order to permit a family needing accessible features to move to a unit with such a feature or to enable modernization work to proceed.

Category 3: Regular administrative transfers. These transfers are made to offer incentives to families willing to help meet certain Fall River Housing Authority occupancy goals, to correct occupancy standards where the unit size is inappropriate for the size and composition of the family, to allow for non-emergency but medically advisable transfers, and other transfers approved by the Fall River Housing Authority when a transfer is the only or best way of solving a serious problem.

16.3 DOCUMENTATION

When the transfer is at the request of the family, the family may be required to provide third party verification of the need for the transfer.

16.4 PROCESSING TRANSFERS

Transfers on the waiting list will be sorted by the above categories and within each category by date and time.

Transfers in category 16-2 1 and 2 will be housed ahead of any other families, including those on the applicant waiting list. Transfers in category 1 will be housed ahead of transfers in category 2

Upon offer and acceptance of a unit, the family will execute all lease up documents and pay any rent and/or security deposit due within two (2) days of being informed the unit is ready to rent. The family will be allowed seven (7) days to complete a transfer. The family will be responsible for paying rent at the old unit as well as the new unit for any period of time they have possession of both apartments beyond the seven (7) period listed above. The prorated rent and other charges (key deposit and any additional security deposit owing) must be paid at the time of lease execution.

The following is the policy for the rejection of an offer to transfer:

- If the family rejects with good cause any unit offered, they will not lose their place on the transfer waiting list.

- If the transfer is being made at the request of the FRHA and the family rejects two offers without good cause, the FRHA will take action to terminate their tenancy.

- If the reason for the transfer is that the current unit is too small to meet the Fall River Housing Authority's optimum occupancy standards, the family may request in writing to stay in the unit without being transferred so long as their occupancy will not exceed two people per living/sleeping room.

D. If the transfer is being made at the family's request, the family may, without good cause and without penalty, turn down one offer. After turning down a second such offer without good cause, the family's name will be removed from the transfer list. They may re-apply but will no longer be considered a transfer. They will not receive any priority or preference.

16.5 COST OF THE FAMILY'S MOVE

The cost of the transfer generally will be borne by the family in the following circumstances:

A. When the transfer is made at the request of the family or by others on behalf of the family (i.e. by the police);
B. When the transfer is needed to move the family to an appropriately sized unit, either larger or smaller;
C. When the transfer is necessitated because a family with disabilities needs the accessible unit into which the transferring family moved (The family without disabilities signed a statement to this effect prior to accepting the accessible unit); or
D. When the transfer is needed because action or inaction by the family caused the unit to be unsafe or uninhabitable.

The cost of the transfer will be borne by the Fall River Housing Authority in the following circumstances:
A. When the transfer is needed in order to carry out rehabilitation activities; or
B. When action or inaction by the Fall River Housing Authority has caused the unit to be unsafe or inhabitable.

The responsibility for moving costs in other circumstances will be determined on a case by case basis.

16.6 TENANTS IN GOOD STANDING

When the transfer is at the request of the family, it will not be approved unless the family is in good standing with the Fall River Housing Authority. This means the family must be in compliance with their lease, current in all payments to the Housing Authority, and must pass a housekeeping inspection.

16.7 TRANSFER REQUESTS

A tenant may request a transfer at any time by completing a transfer request form. In considering the request, the Fall River Housing Authority may request a meeting with the tenant to better understand the need for transfer and to explore possible alternatives. The Fall River Housing Authority will review the request in a timely manner and if a meeting is desired, it shall contact the tenant within ten (10) business days of receipt of the request to schedule a meeting.

The Fall River Housing Authority will grant or deny the transfer request in writing within ten (10) business days of receiving the request or holding the meeting, whichever is later. If the transfer is approved, the family's name will be added to the transfer waiting list.

If the transfer is denied, the denial letter will advise the family of their right to utilize the grievance procedure.

The manager of the development where the resident resides is responsible for determining whether the resident is eligible for transfer under this policy. Approved transfer requests will be forwarded to the Tenant Selection Department for processing and unit assignment.

16.8 RIGHT OF THE FALL RIVER HOUSING AUTHORITY IN TRANSFER POLICY

The provisions listed above are to be used as a guide to insure fair and impartial means of assigning units for transfers. It is not intended that this policy will create a property right or any other type of right for a tenant to transfer or refuse to transfer.

16.9 PROCEDURE FOR OVER-HOUSED FEDERAL FAMILY TRANSFERS

Managers assigned to Federal Family developments must maintain a ledger containing a list of over-housed tenants within their developments. The list must be

maintained according to the date the tenant became over-housed. The tenant who has been over-housed the longest should be first on the list. When the FRHA determines that a transfer will be made the offer will first be made to residents within the site if there are any active transfer requests for that unit size at the site. These transfers will be coordinated with the Tenant Selection Department.

An over-housed tenant that refuses a reasonable request to transfer to a unit of the appropriate size will be subject to eviction for said refusal, subject to review before the Grievance Panel if the tenant requests a hearing.

17.0 INSPECTIONS

An authorized representative of the Fall River Housing Authority and an adult family member will inspect the premises prior to commencement of occupancy. A written statement of the condition of the premises will be made, all equipment will be provided, and the statement will be signed by both parties with a copy retained in the Fall River Housing Authority file and a copy given to the family member. An authorized Fall River Housing Authority representative will inspect the premises at the time the resident vacates and will furnish a statement of any charges to be made provided the resident turns in the proper notice under State law.

17.1 MOVE-IN INSPECTIONS

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

17.2 ANNUAL INSPECTIONS

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

17.3 PREVENTATIVE MAINTENANCE INSPECTIONS

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

17.4 SPECIAL INSPECTIONS

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

17.5 HOUSEKEEPING INSPECTIONS

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

17.6 NOTICE OF INSPECTION

For inspections defined as annual inspections, preventative maintenance inspections, and housekeeping inspections the Fall River Housing Authority will give the tenant at least seven (2) days written notice. Special inspections and access for modernization will require two (2) days written notice.

17.7 EMERGENCY INSPECTIONS

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

17.8 PRE-MOVE-OUT INSPECTIONS

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

17.9 MOVE-OUT INSPECTIONS

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

18.0 PET POLICY SEE SEPARATE PET POLICY

19.0 REPAYMENT AGREEMENTS

When a resident owes the Fall River Housing Authority back charges and is unable to pay the balance by the due date, the resident may request that the Fall River Housing Authority allow them to enter into a Repayment Agreement. The Fall River Housing Authority has the sole discretion of whether to accept such an agreement, and the length of time allowed for Repayment Agreement is at the sole discretion of the Authority. All Repayment Agreements must assure that the full payment is made within a period not to exceed twelve (12) months. All Repayment Agreements must be in writing and signed by both parties. Failure to comply with the Repayment Agreement terms may subject the Resident to eviction procedures.

The housing authority will allow repayment agreements for those tenants whose rental amount is the minimum rent and who have had their rent abated for a temporary period.

20.0 TERMINATION

20.1 TERMINATION BY TENANT

The tenant may terminate the lease at any time upon submitting a 30-day written notice. If the tenant vacates prior to the end of the thirty (30) days, they will be responsible for rent through the end of the notice period or until the unit is re-rented, whichever occurs first.

20.2 TERMINATION BY THE HOUSING AUTHORITY

The Fall River Housing Authority after 10/1/2003 will not renew the lease of any family that is not in compliance with the community service requirement or an approved Agreement to Cure. If they do not voluntarily leave the property, eviction proceedings will begin.
The Fall River Housing Authority will terminate the lease for serious or repeated violations of material lease terms. Such violations include but are not limited to the following:

A. Nonpayment of rent or other charges;
B. A history of late rental payments;
C. Failure to provide timely and accurate information regarding family composition, income circumstances, or other information related to eligibility or rent;
D. Failure to allow inspection of the unit;
E. Failure to maintain the unit in a safe and sanitary manner;
F. Assignment or subletting of the premises;
G. Use of the premises for purposes other than as a dwelling unit (other than for housing authority approved resident businesses);
H. Destruction of property;
I. Acts of destruction, defacement, or removal of any part of the premises or failure to cause guests to refrain from such acts;
J. Any criminal activity on the property or drug-related criminal activity on or off the premises. This includes but is not limited to the manufacture of methamphetamine on the premises of the Fall River Housing Authority;
K. Non-compliance with Non-Citizen Rule requirements;
L. Permitting persons not on the lease to reside in the unit more than fourteen (14) days each year without the prior written approval of the Housing Authority; and
M. Other good cause.

The Fall River Housing Authority will take immediate action to evict any household that includes an individual who is subject to a lifetime registration requirement under a State sex offender registration program.

20.3 ABANDONMENT

The Fall River Housing Authority will consider a unit to be abandoned when a resident has both fallen behind in rent and has clearly indicated by words or actions an intention not to continue living in the unit. The Fall River Housing Authority will seek possession of such abandoned unit through the appropriate court proceedings.

GLOSSARY

50058 Form: The HUD form that housing authorities are required to complete for each assisted household in public housing to record information used in the certification and re-certification process and, at the option of the housing authority, for interim reexaminations.

1937 Housing Act: The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (24 CFR 5.100)

Adjusted Annual Income: The amount of household income, after deductions for specified allowances, on which tenant rent is based. (24 CFR 5.611)

Adult: A household member who is 18 years or older or who is the head of the household, or spouse, or co-head.

Allowances: Amounts deducted from the household's annual income in determining adjusted annual income (the income amount used in the rent calculation). Allowances are given for elderly families, dependents, medical expenses for elderly families, disability expenses, and child care expenses for children under 13 years of age. Other allowance can be given at the discretion of the housing authority.

Annual Contributions Contract (ACC): The written contract between HUD and a housing authority under which HUD agrees to provide funding for a program under the 1937 Act, and the housing authority agrees to comply with HUD requirements for the program. (24 CFR 5.403)

Annual Income: All amounts, monetary or not, that:

A. Go to (or on behalf of) the family head or spouse (even if temporarily absent) or to any other family member; or

B. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and

C. Are not specifically excluded from annual income.

Annual Income also includes amounts derived (during the 12-month period) from assets to which any member of the family has access. (1937 Housing Act; 24 CFR 5.609*)*

Applicant (applicant family): A person or family that has applied for admission to a program but is not yet a participant in the program. (24 CFR 5.403)

As-Paid States: States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs. Currently, the four as-paid States are New Hampshire, New York, Oregon, and Vermont.

Assets: The value of equity in savings, checking, IRA and Keogh accounts, real property, stocks, bonds, and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles are not counted as assets. (Also see "net family assets.")

Asset Income: Income received from assets held by family members. If assets total more than $5,000, income from the assets is "imputed" and the greater of actual asset income and imputed asset income is counted in annual income. (See "imputed asset income" below.)

Ceiling Rent: Maximum rent allowed for some units in public housing projects.

Certification: The examination of a household's income, expenses, and family composition to determine the family's eligibility for program participation and to calculate the family's share of rent.

Child: For purposes of citizenship regulations, a member of the family other than the family head or spouse who is under 18 years of age. (24 CFR 5.504(b))

Child Care Expenses: Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care. In the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income. (24 CFR 5.603(d))

Citizen: A citizen or national of the United States. (24 CFR 5.504(b))

Consent Form: Any consent form approved by HUD to be signed by assistance applicants and participants for the purpose of obtaining income information from employers and SWICAs, return information from the Social Security Administration, and return information for unearned income from the Internal Revenue Service. The consent forms may authorize the collection of other information from assistance applicants or participant to determine eligibility or level of benefits. (24 CFR 5.214)

Dating violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the length, type and frequency of interaction between the persons involved in the relationship

Decent, Safe, and Sanitary: Housing is decent, safe, and sanitary if it satisfies the applicable housing quality standards.

Department: The Department of Housing and Urban Development. (24 CFR 5.100)

Dependent: A member of the family (except foster children and foster adults), other than the family head or spouse, who is under 18 years of age or is a person with a disability or is a full-time student. (24 CFR 5.603(d))

Dependent Allowance: An amount, equal to $480 multiplied by the number of dependents, that is deducted from the household's annual income in determining adjusted annual income.

Disability Assistance Expenses: Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source. (24 CFR 5.603(d))

Disability Assistance Expense Allowance: In determining adjusted annual income, the amount of disability assistance expenses deducted from annual income for families with a disabled household member.

Disabled Family: A family whose head, spouse, or sole member is a person with disabilities; two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides. (24 CFR 5.403(b)) (Also see "person with disabilities.")

Disabled Person: See "person with disabilities."

Displaced Family: A family in which each member, or whose sole member, is a person displaced by governmental action (such as urban renewal), or a person whose dwelling has been extensively

damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. (24 CFR 5.403(b))

Displaced Person: A person displaced by governmental action or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. *[1937 Act]*

Domestic Violence: Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws 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**.**

Drug-Related Criminal Activity: The illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use of a controlled substance (as defined in 21 USC sec 802).

Elderly Family: A family whose head, spouse, or sole member is a person who is at least 62 years of age; two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aides. (24 CFR 5.403)

Elderly Family Allowance: For elderly families, an allowance of $400 is deducted from the household's annual income in determining adjusted annual income.

Elderly Person: A person who is at least 62 years of age. (1937 Housing Act)

Extremely low-income families: Those families whose incomes do not exceed 30% of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families.

Fair Housing Act: Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601 et seq.). (24 CFR 5.100)

Family includes but is not limited to**:**

A. A family with or without children;
B. An elderly family;
C. A near-elderly family;
D. A disabled family;
E. A displaced family;
F. The remaining member of a tenant family; and
G. A single person who is not an elderly or displaced person, a person with disabilities, or the remaining member of a tenant family. (24 CFR 5.403)

Family Members: All members of the household other than live-in aides, foster children, and foster adults. All family members permanently reside in the unit, though they may be temporarily absent. All family members are listed on the lease.

Family Self-Sufficiency Program (FSS Program): The program established by a housing authority to promote self-sufficiency among participating families, including the coordination of supportive services. (24 CFR 984.103(b))

Flat Rent: A rent amount the family may choose to pay in lieu of having their rent determined under the formula method. The flat rent is established by the housing authority set at the lesser of the market value for the unit or the cost to operate the unit. Families selecting the flat rent option have their income evaluated once every three years, rather than annually.

Formula Method: A means of calculating a family's rent based on 10% of their monthly income, 30% of their adjusted monthly income, the welfare rent, or the minimum rent. Under the formula method, rents may be capped by a ceiling rent. Under this method, the family's income is evaluated at least annually.

Fraud: Intentional misrepresentation of a material fact with the intention that the object of the misrepresentation rely on the representation, resulting in detriment to the party misled.

Full-Time Student: A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree. (24 CFR 5.603(d))

Head of Household: The adult member of the family who is the head of the household for purposes of determining income eligibility and rent. (24 CFR 5.504(b))

Household Members: All members of the household including members of the family, live-in aides, foster children, and foster adults. All household members are listed on the lease, and no one other than household members are listed on the lease.

Housing Assistance Plan: A housing plan that is submitted by a unit of general local government and approved by HUD as being acceptable under the standards of 24 CFR 570.

Immediate family: Spouse, parent, brother, sister or child of that person, or an individual to whom that person stands in loco parentis or any other person living in the household related to that person by blood or marriage

Imputed Income: For households with net family assets of more than $5,000, the amount calculated by multiplying net family assets by a HUD-specified percentage. If imputed income is more than actual income from assets, the imputed amount is used as income from assets in determining annual income.

In-Kind Payments: Contributions other than cash made to the family or to a family member in exchange for services provided or for the general support of the family (e.g., groceries provided on a weekly basis, baby sitting provided on a regular basis).

Interim (examination): A reexamination of a family income, expenses, and household composition conducted between the regular annual recertifications when a change in a household's circumstances warrants such a reexamination.

Live-In Aide: A person who resides with one or more elderly persons, near-elderly persons, or persons with disabilities and who:

A. Is determined to be essential to the care and well- being of the persons;
B. Is not obligated for the support of the persons; and
C. Would not be living in the unit except to provide the necessary supportive services. (24 CFR 5.403(b))

A live-in aide is treated differently than family members:

1. Income of the live-in aide will not be counted for purposes of determining eligibility or level of benefits.
2. Live-in aides are not subject to Non-Citizen Rule requirements.
3. Live-in aides may not be considered as a remaining member of the tenant family.

Relatives are not automatically excluded from being live-in aides, but they must meet all of the elements in the live-in aide definition described above.

Family members of a live-in attendant may also reside in the unit providing doing so does not increase the subsidy by the cost of an additional bedroom and that the presence of the live-in's family members does not overcrowd the unit.

A Live in Aide may only reside in the unit with the approval of the HA. Written verification will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or case worker. The verification provider must certify that a live-in aide is necessary for the care of the family member who is elderly, near-elderly (50-61) or disabled.

Verification must include the hours the care will be provided, as well as the services and time required by the family member from the live-in aide.

Low-Income Families: Those families whose incomes do not exceed 80% of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80% of the median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low family incomes. (1937Act)
Medical Expenses: Medical expenses (of all family members of an elderly or disabled family), including medical insurance premiums, that are anticipated during the period for which annual income is computed and that are not covered by insurance. (24 CFR 5.603(d)). These expenses include, but are not limited to, prescription and non-prescription drugs, costs for doctors, dentists, therapists, medical facilities, care for a service animals, transportation for medical purposes.
Mixed Family: A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status. (24 CFR 5.504(b))
Monthly Adjusted Income: One twelfth of adjusted income. (24 CFR 5.603(d))
Monthly Income: One twelfth of annual income. (24 CFR 5.603(d))
National: A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession. (24 CFR 5.504(b))
Near-Elderly Family: A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62; two or more persons, who are at least 50 years of age but below the age of 62, living together; or one or more persons who are at least 50 years of age but below the age of 62 living with one or more live-in aides. (24 CFR 5.403(b))
Net Family Assets:

A. Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.

B. In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income.

C. In determining net family assets, housing authorities or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms. (24 CFR 5.603(d))

Non-Citizen: A person who is neither a citizen nor national of the United States. (24 CFR 5.504(b))

Occupancy Standards: The standards that a housing authority establishes for determining the appropriate number of bedrooms needed to house families of different sizes or composition.

Person with Disabilities: A person who:

A. Has a disability as defined in Section 223 of the Social Security Act, which states:

"Inability to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death or that 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 attained the age of 55 and is blind and unable 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."

B. Is determined, pursuant to regulations issued by the Secretary, to have a physical, mental, or emotional impairment that:

1. Is expected to be of long-continued and indefinite duration;
2. Substantially impedes his or her ability to live independently; and
3. Is of such a nature that such ability could be improved by more suitable housing conditions, or

C. Has a developmental disability as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act, which states:

"Severe chronic disability that:

1. Is attributable to a mental or physical impairment or combination of mental and physical impairments;
2. Is manifested before the person attains age 22;
3. Is likely to continue indefinitely;
4. Results in substantial functional limitation in three or more of the following areas of major life activity: (1) self care, (2) receptive and responsive language, (3) learning, (4) mobility, (e) self-direction, (6) capacity for independent living, and (7) economic self-sufficiency; and
5. Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated."

This definition does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome. (1937 Act)

No individual shall be considered to be a person with disabilities for purposes of eligibility solely based on any drug or alcohol dependence.

Proration of Assistance: The reduction in a family's housing assistance payment to reflect the proportion of family members in a mixed family who are eligible for assistance. (24 CFR5.520)

Public Housing Agency (PHA): Any State, county, municipality, or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in or assist in the development or operation of low-income housing under the 1937 Housing Act. (24 CFR 5.100)

Recertification: The annual reexamination of a family's income, expenses, and composition to determine the family's rent.

Remaining Member of a Tenant Family: A member of the family listed on the lease who continues to live in the public housing dwelling after all other family members have left. (Handbook 7565.1 REV-2, 3-5b.)

Self-Declaration: A type of verification statement by the tenant as to the amount and source of income, expenses, or family composition. Self-declaration is acceptable verification only when third-party verification or documentation cannot be obtained.

Sexual Assault: Any conduct prescribed by chapter 109A of title 18, US code whether or not the conduct occurs in the special maritime and jurisdiction of the US or in a federal prison and includes assaults committed by offenders who are strangers to the victim or who are known or related by blood or marriage

Shelter Allowance: That portion of a welfare benefit (e.g., TANF) that the welfare agency designates to be used for rent and utilities.

Single Person: Someone living alone or intending to live alone who does not qualify as an elderly family, a person with disabilities, a displaced person, or the remaining member of a tenant family. (Public Housing: Handbook 7465.1 REV-2, 3-5)

Stalking: To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and to place under surveillance with the intent to kill, injure, harass or intimidate another person. To place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to that person, member of immediate family, spouse or partner.

State Wage Information Collection Agency (SWICA): The State agency receiving quarterly wage reports from employers in the State or an alternative system that has been determined by the Secretary of Labor to be as effective and timely in providing employment-related income and eligibility information. (24 CFR 5.214)

Temporary Assistance to Needy Families (TANF): The program that replaced the Assistance to Families with Dependent Children (AFDC) that provides financial assistance to needy families who meet program eligibility criteria. Benefits are limited to a specified time period.

Tenant: The person or family renting or occupying an assisted dwelling unit. (24 CFR 5.504(b))

Tenant Rent: The amount payable monthly by the family as rent to the housing authority. Where all utilities (except telephone) and other essential housing services are supplied by the housing authority or owner, tenant rent equals total tenant payment. Where some or all utilities (except telephone) and other essential housing services are supplied by the housing authority and the cost thereof is not included in the amount paid as rent, tenant rent equals total tenant payment less the utility allowance. (24 CFR 5.603(d))

Third-Party (verification): Written or oral confirmation of a family's income, expenses, or household composition provided by a source outside the household.

Total Tenant Payment (TTP):

A. Total tenant payment for families whose initial lease is effective on or after August 1, 1982:

1. Total tenant payment is the amount calculated under Section 3(a)(1) of the 1937 Act which is the higher of :

a. 30% of the family’s monthly adjusted income;
b. 10% of the family’s monthly income; or
c. If the family is receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with the family’s actual housing costs, is specifically designated by such agency to meet the family’s housing costs, the portion of such payments which is so designated.

If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under section 3(a)(1) shall be the amount resulting from one application of the percentage.

2. Total tenant payment for families residing in public housing does not include charges for excess utility consumption or other miscellaneous charges.

B. Total tenant payment for families residing in public housing whose initial lease was effective before August 1, 1982: Paragraphs (b) and (c) of 24 CFR 913.107, as it existed immediately before November 18, 1996), will continue to govern the total tenant payment of families, under a public housing program, whose initial lease was effective before August 1, 1982.

Utility Allowance: If the cost of utilities (except telephone) and other housing services for an assisted unit is not included in the tenant rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made by a housing authority of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment. (24 CFR 5.603)

Utility Reimbursement: The amount, if any, by which the utility allowance for the unit, if applicable, exceeds the total tenant payment for the family occupying the unit. (24 CFR 5.603)

Very Low-Income Families: Low-income families whose incomes do not exceed 50% of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50% of the median for the areas on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes. Such ceilings shall be established in consultation with the Secretary of Agriculture for any rural area, as defined in Section 520 of the Housing Act of 1949, taking into account the subsidy characteristics and types of programs to which such ceilings apply. (1937 Act)

Welfare Assistance: Welfare or other payments to families or individuals, based on need, that are made under programs funded by Federal, State or local governments. (24 CFR 5.603(d))

Welfare Rent: In "as-paid" welfare programs, the amount of the welfare benefit designated for shelter and utilities.

ACRONYMS

ACC	Annual Contributions Contract
CFR	Code of Federal Regulations
FSS	Family Self Sufficiency (program)
HCDA	Housing and Community Development Act
HQS	Housing Quality Standards
HUD	Department of Housing and Urban Development
INS	(U.S.) Immigration and Naturalization Service
NAHA	(Cranston-Gonzalez) National Affordable Housing Act
NOFA	Notice of Funding Availability
OMB	(U.S.) Office of Management and Budget
PHA	Public Housing Agency
QHWR	Quality Housing and Work Responsibility Act of 1998
SSA	Social Security Administration
TTP	Total Tenant Payment

APPENDIX 1

AS of 09/01/2007

Deconcentration Policy for Federal Family Developments

Pursuant to the requirements of the Quality Housing and Work Responsibility Act of 1998 (QHWRA) the FRHA is hereby implementing a Deconcentration Plan to assure that families with children are not concentrated in our various federally aided family developments.

We have analyzed the income levels in the affected family developments and the following information summarizes the results.

Summary of Average Family Income Levels

Location	Average Family Income	Acceptable Range (85 to 115%)
All Federal Family Sites	13,638	11,592 to 15,684
Sunset Hill	14,160	Within
Heritage Heights	11,727	Within
Diafario Village	13,161	Within
No. Rocliffe Apts	13,082	Within
Fordney Apartments	14,648	Within
Bennie Costa Plaza	14,216	Within
Riley Apartments	17,170	Above See Note Below (1)

In order to comply with the requirements of QHWRA we will adjust our Admissions and Continued Occupancy Plan to provide for the following actions:

1) All sites are within the limits as calculated pursuant to HUD regulations and therefore we not require any selection of residents based on income until the Income Levels are recomputed one year from now.

HUD has issued regulations eliminating the need for deconcentration at sites that have an average income at or below the extremely low income level.

(1) Riley Plaza is a site that potentially would be subject to the Deconcentration process since it is not within the 85 to 115% range. Riley Plaza has an average income of $17,170 per year as adjusted for Bedroom distribution. It has an average family size of 4. The Extremely Low Income Limits for a 4 person family $21,950. The average income is well below the threshold set in 24CFR903.2. i.e. the site is below the Extremely Low Income Threshhold and therefore the upper limit shall never be less than the limit at which a family would be defined as an extremely low income family under 24CFR5.603(b).

APPENDIX 2
FLAT RENTS

FAMILY DEVELOPMENTS

BEDROOMS	Sunset Hill	Heritage Heights	Diafario	Turnkeys
1BR	**$355**	**$370**	**$440**	**$440**
2BR	**$405**	**$440**	**$505**	**$505**
3BR	**$440**	**$475**	**$535**	**$535**
4BR	**$475**	**$505**	**$575**	**$575**
5BR	**$600**	**$630**	**$710**	**$710**

ELDERLY DEVELOPMENTS

BEDROOM CATEGORY	RENT
0BR	**$370**
1BR	**$475**
2BR	**$540**

Appendix 3
FALL RIVER TENANT SELECTION POLICIES
STATE AIDED DEVELOPMENTS

Selection Categories

(1) Priority Categories. The LHA shall use the following priority categories in descending order in determining the order of tenant selection:

(a) 1st Priority -Homeless due to Displacement by Natural Forces an applicant, otherwise eligible and qualified, who has been displaced by:

1. fire not due to the negligence or intentional act of applicant or a household member;

2. earthquake, flood or other natural cause; or

3. a disaster declared or otherwise formally recognized under disaster relief laws.

(b) 2nd Priority - Homeless due to Displacement by Public Action (Urban Renewal) an applicant, otherwise eligible and qualified, who will be displaced within 90 days, or has been displaced within the three years prior to application, by:

1. any low rent housing project as defined in M.G.L. c. 121B, § 1, or

2. a public slum clearance or urban renewal project initiated after January 1, 1947, or

3. other public improvement.

(c) 3rd Priority - Homeless due to Displacement by Public Action (Sanitary Code Violations) an applicant, otherwise eligible and qualified, who is being displaced, or has been displaced within 90 days prior to application, by enforcement of minimum standards of fitness for human habitation established by the State Sanitary Code (105 CMR 410.000) or local ordinances, provided that:

1. neither the applicant nor a household member has caused or substantially contributed to the cause of enforcement proceedings, and

2. the applicant has pursued available ways to remedy the situation by seeking assistance through the courts or appropriate administrative or enforcement agencies.

(d) 4th Priority - Emergency Case under the Emergency Case Plan established by the LHA pursuant to 760 CMR 5.11.

(e) 5th Priority - AHVP Participant an applicant, otherwise eligible and qualified, who is living in a non-permanent, transitional housing subsidized by the AHVP.

(f) 6th Priority - Transfer for Good Cause.

(g) 7th Priority - Standard Applicant an applicant, otherwise eligible and qualified, who does not fit within any of the previous six priority categories.

Preference Categories

(2) Preference Categories. Apart from the affirmative action preference to be applied pursuant to 760CMR 5.10(3) the LHA shall apply the following preferences in descending order within each of the priority categories in determining the order of tenant selection:

(a) Veteran - Any veteran applying for elderly/handicapped housing receives this preference if the applicant resides in the community. A veteran applying for family housing receives this preference in all c. 200 units or, if the LHA has no c. 200 units, in 20% of c. 705 units. In c. 200 and c. 705 units the order of preference is as follows:

1. veterans with service-connected disability;
2. families of deceased veterans whose death was service connected; and
3. other veterans.

(b) Local Resident. Any local resident applying for public housing receives this preference.

(c) Resident of Greater Fall River. Any resident of or person whose place of employment includes the Towns of Somerset, Swansea, Westport, Dighton, Rehoboth, Seekonk, Assonet and Freetown receives this preference.

(d) Resident of Commonwealth of Massachusetts. Any resident of or person whose place of employment is within the Commonwealth of Massachusetts.

Removal From List

(a) Applicants meeting the following criteria shall be removed from the waiting list.

(1) An applicant who fails to accept the offer of a unit within seven days or to provide such documentation within that period, shall be removed from the waiting list. After being removed from the waiting list, if the applicant files a new application with the LHA the applicant shall not be entitled to any priority or preference received on the prior application(s) for a period of three years.

(2) An applicant offered an AHVP voucher shall make a diligent search to locate an apartment within the time specified in 760 CMR 53.00. An applicant who is unsuccessful in locating a unit within such time shall lose the voucher, and the LHA shall remove the applicant from the AHVP waiting list. When an applicant is on the waiting list for elderly/handicapped housing and becomes an AHVP participant the LHA shall drop the applicant to the bottom of that waiting list.

(3) When making a transfer for good cause, the LHA shall make one written offer of a unit which is of appropriate unit size and appropriate for the tenant's documented medical needs (if any). A tenant must accept the transfer offer within seven days of the date of the offer. For good cause the LHA may extend the time for accepting the offer. A tenant who fails to accept a transfer offer of a unit of appropriate unit size within seven days shall be removed from the transfer list. After being removed from the waiting list, if the tenant files a new application with the LHA the tenant shall not be entitled to any priority or preference received on the prior application(s) for a period of three years unless there are mitigating circumstances deemed sufficient by the LHA.

(4) An applicant who accepts an offer of housing in a unit under the Fall River Housing Authority's Federal Public Housing Program, shall be removed from the waiting list. Applicants removed from the list under this provision shall be eligible to reapply after having resided in their unit for nine (9) months of any twelve-month period.

(5) An applicant who fails to respond to the FRHA's request to update and reclassify an application.

The FRHA and the RAB agreed that we would pursue the consolidation of the FRHA waiting lists. As such we will be developing a revised ACOP which will consolidate the waiting lists. The above state guidelines will be included in the ACOP and we will maintain HUD's requirements where they differ from DHCD's. We will discusss the final version with the RAB prior to implementation.

APPENDIX 4
FALL RIVER HOUSING AUTHORITY
SCREENING PROCEDURES

1. All applicants shall be screened in accordance with HUD's regulations and sound management practices. During screening, FRHA will require applicants to demonstrate ability to comply with essential provisions of the lease as summarized below:

(a) to pay rent and other charges (e.g. utility bills) as required by the lease in a timely manner;

(b) to care for and avoid damaging the unit and common areas;

(c) to use facilities and equipment in a reasonable way;

(d) to create no health, or safety hazards, and to report maintenance needs;

(e) not to interfere with the rights and peaceful enjoyment of others, and to avoid damaging the property of others;

(f) not to engage in criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises by other residents or staff; and not to engage in drug-related criminal activity; and

(g) to comply with necessary and reasonable rules and program requirements of HUD and the FRHA.

2. How the FRHA will check ability to comply with essential lease requirements:

(a) Applicant ability and willingness to comply with the essential lease requirements will be checked and documented in accordance with FRHA's Procedure on Applicant Screening (Suitability - Section 8.3 of our ACOP). Applicant screening shall assess the conduct of the applicant and other family members listed on the application, in present and prior housing. Any costs incurred to complete the application process and screening will by paid by the FRHA.

(b) The history of applicant conduct and behavior must demonstrate that the applicant family can reasonably be expected **not to**:

(i) Interfere with other residents in such a manner as to diminish their peaceful enjoyment of the premises by adversely affecting their health, safety, or welfare;

(ii) Adversely affect the physical environment or financial stability of the project;
(iii) Violate the terms and conditions of the lease;
(iv) Require services from FRHA staff that would alter the fundamental nature of FRHA's program.

(c) FRHA will conduct a detailed interview of all applicants using an interview checklist as a part of the screening procedures. The form will ask questions based on the essential elements of tenancy. Answers will be subject to third party verification.

(d) FRHA will complete a credit check and a rental history check on all applicants.

(e) Payment of funds owed to FRHA or any other housing authority is part of the screening evaluation. FRHA will reject an applicant for unpaid balances owed FRHA by the applicant for any program that FRHA operates.

(f) FRHA will complete a criminal background check on all adult applicants or any member for whom criminal records are available. Before the FRHA rejects an applicant on the basis of criminal history, the FRHA must notify the household of the proposed rejection and provide the household member whose criminal history is at issue with a copy of the criminal record and an opportunity to dispute the accuracy and relevance of that record.

(g) If any screening activity suggests that an applicant household member may be currently engaged in illegal use of drugs, the FRHA shall seek information from a drug abuse treatment facility to determine whether the facility has reasonable cause to believe the household member is currently engaging in illegal drug use.

(h) FRHA may complete a home visit on applicants that have passed criminal history screening and have incomplete or questionable landlord references to determine if the applicant's housekeeping would create health or sanitation problems. Staff completing the home visit will consider whether the conditions they observe are the result of the applicant's treatment of the unit or are caused by the unit's overall substandard condition.

(i) Housekeeping criteria to be checked shall include, but not be limited to:

Conditions in living room, kitchen (food preparation and clean-up), bathroom, bedrooms, entrance-ways, halls, and yard (if applicable);

Cleanliness in each room; and

General care of appliances, fixtures, windows, doors and cabinets.

Other FRHA lease compliance criteria will also be checked, such as:

Evidence of destruction of property;
Unauthorized occupants;

Evidence of criminal activity; and

Conditions inconsistent with application information.

All applicants shall have at least two days' advance written notice of Home Visits.

(j) All applicants may be asked to attend and complete FRHA's Pre-Occupancy Orientation.

(k) FRHA's examination of relevant information respecting past and current habits or practices will include, but is not limited to, an assessment of the applicant's adult family members':

• Past performance in meeting financial obligations, especially rent and utility bills.

• Record of disturbance of neighbors (sufficient to warrant a police call) destruction of property, or living or housekeeping habits that may adversely affect the health, safety, or welfare of other tenants or neighbors.

• History of criminal activity on the part of any applicant family member involving crimes of physical violence to persons or property or other criminal acts including drug-related criminal activity that would adversely affect the health, safety, or welfare of other residents or staff or cause damage to the unit or development.

- FRHA may require an applicant to exclude a household member in order to be admitted if that household member has participated in or been culpable for criminal actions that warrant rejection;

- FRHA may, if a statute requires that the FRHA prohibit admission for a prescribed period of time after some disqualifying behavior or event, choose to continue that prohibition for a longer period of time.

• A record of eviction from housing or involuntary termination from residential programs (taking into account date and circumstances).

• An applicant's ability and willingness to comply with the terms of FRHA's lease.

(l) The FRHA is required to reject the applications of certain applicants for criminal activity or drug abuse by household members:

• The FRHA shall reject the application of any applicant for three years from the date of eviction if any household member has been evicted from any federally assisted housing for drug-related criminal activity. However, the FRHA may admit the household if the FRHA determines that:

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

• The FRHA is required to reject the application of a household if the FRHA determines that:

- Any household member is currently engaging in illegal use of a drug xv; or

- The FRHA has reasonable cause to believe that a household member's illegal use or pattern of illegal use of a drug may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents; or

- Any household member has ever been convicted of manufacture or production of methamphetamine on the premises of any federally assisted housing; or

- Any member of the household is subject to a lifetime registration requirement under a State sex offender registration program; or

- Any member of the household's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents xvi.

(m) An applicant's intentional misrepresentation of information related to eligibility, preference for admission, housing history, allowances, family composition or rent will result in rejection. Unintentional mistakes that do not confer any advantage to the applicant will not be considered misrepresentations.

(n) Applicants must be able to demonstrate the ability and willingness to comply with the terms of FRHA's lease, either alone or with assistance that they can demonstrate they will have at the time of admission.xvii Availability of assistance is subject to verification by FRHA.

3. Screening applicants who claim mitigating circumstances

(a) If negative information is received about an applicant, FRHA shall consider the time, nature, and extent of the applicant's conduct and to factors that might indicate a reasonable probability of favorable future conduct. To be considered, mitigating circumstances must be verifiable.

(b) Mitigating circumstances are facts relating to the applicant's negative rental history or For purposes of this section a household member is "currently engaged in" the criminal activity if the person has engaged in the behavior behavior, that, when verified, indicate: (1) the reason for the unsuitable rental history and/or behavior; and (2) that the reason for the unsuitable rental history and behavior is no longer in effect or is under control, **AND** applicant's prospect for lease compliance is an acceptable one, justifying admission. Mitigating circumstances would overcome or outweigh information already gathered in the screening process.

(c) If the applicant asserts that mitigating circumstances relate to a change in disability, medical condition or treatment, FRHA shall refer such information to persons qualified to evaluate the evidence and verify the mitigating circumstance. FRHA shall also have the right to request further information to verify the mitigating circumstance, even if such information is of a medically confidential nature. Such inquiries will be limited to the information necessary to verify the mitigating circumstances or, in the case of a person with disabilities, to verify a reasonable accommodation.

(d) Examples of mitigating circumstances might include:

(i) Evidence of successful rehabilitation;
(ii) Evidence of the applicant family's participation in social service or other appropriate counseling service; or
(iii) Evidence of successful and sustained modification of previous disqualifying behavior.

(e) Consideration of mitigating circumstances does not guarantee that applicant will qualify for admission. FRHA will consider such circumstances in light of:

(i) the applicant's ability to verify the mitigating circumstances and prospects for improved future behavior;
(ii) the applicant's overall performance with respect to all the screening requirements; and

(iii) the nature and seriousness of any criminal activity, especially drug related criminal activity that appears in the applicant's record.

4. Qualified and Unqualified Applicants

(a) Verified information will be analyzed and a determination made with respect to:
(i) Eligibility of the applicant as a family;
(ii) Eligibility of the applicant with respect to income limits for admission;
(iii) Eligibility of the applicant with respect to citizenship or eligible immigration status;
(iv) Unit size required for and selected by the family;
(v) Preference category (if any) to which the family is entitled; and
(vi) Qualification of the applicant with respect to the Selection Criteria.

(b) Qualified families will be notified by FRHA of the approximate date of admission insofar as that date can be determined, however the date stated by FRHA is an estimate and does not guarantee that applicants can expect to be housed by that date.

(c) Unqualified applicants will be promptly notified by a Notice of Rejection from PHA, stating the basis for such determination and offering an opportunity for informal hearing. Informal hearings for applicants are different from the resident grievance process. Applicants are not entitled to use of the resident grievance process.

(d) Applicants known to have a disability that are eligible but fail to meet the Selection Criteria, will be offered an opportunity for a second meeting to determine whether mitigating circumstances or reasonable accommodations will make it possible for them to be housed in accordance with the Screening Procedures.

The following One Strike Policy of the FRHA shall prevail in any interpretation of this policy.

RESOLUTION NO. 101

BE IT RESOLVED BY THE MEMBERS OF THE FALL RIVER HOUSING AUTHORITY:

That the Board of Commissioners of the Fall River Housing Authority hereby adopts the following policies in connection with the Public Housing Management Assessment Program (PHMAP), in accordance with Indicator Number 8 in the PHMAP process relative to Security as all individuals have the right to live in peace and be free from fear, intimidation and abuse; and because of the extraordinary demand for affordable rental housing, public and assisted housing should be reserved to responsible individuals.

Prevention through Screening - The Board of Commissioners hereby adopts the policy of requiring the screening of all applicants for Fall River Housing Authority Federally Aided Housing Programs. Admission will be denied to all applicants who fall the following:

a. A CORI (Criminal Offender Record Information) check will be performed on all applicants and household members who are eighteen (18) years of age or older.

b. Where necessary and appropriate, the Fall River Housing Authority will perform criminal background checks utilizing NCIC (National Criminal Information Center) information available to Public Housing Authorities.

c. Any criminal activity reported that includes crimes to persons or property and other criminal acts, which, if exhibited while a resident of public housing, would adversely affect the life, health, safety, security, welfare, or peaceful enjoyment of other tenants or adversely affect the physical environment of the residence, community or Fall River Housing Authority personnel. Any drug-related activity which causes the Fall River Housing Authority to reasonably believe that the applicant or household member is illegally using, selling or possessing, shall be automatic grounds for rejection of the applicant.

d. All applicants and any household members eighteen (18) years of age or older that have been evicted from public housing or assisted housing under the United States Housing Act of 1937 within the last three (3) years for drug-related criminal activity will be rejected for occupancy.

e. Evidence of the completion of a rehabilitation program may be considered by the Fall River Housing Authority in determining eligibility.

f. Landlord references will be obtained to determine if the applicant exhibits activity which is conducive to that of a public housing residency. Factors to be considered are:

   1. Applicants that caused disturbances in a prior residence.
   2. Applicant has caused damage or destruction of property to a prior residence.
   3. Applicant has had poor housekeeping at a prior residence.
   4. Applicant has a history of non payment of rent.
   5. Applicant has a history of failing to meet lease terms.

g. If after performing new background checks of applicants, the Fall River Housing Authority reasonably believes that the applicant or household member has a history of alcohol abuse which would interfere with the health, safety or right of peaceful enjoyment of the premises by other residents, the Fall River Housing Authority will reject said applicant for public housing.

h. The Fall River Housing Authority may perform any such credit or tenant history checks that it believes will yield it information on the proposed tenancy of the applicant.

Enforcement of Lease – The Board of Commissioners hereby adopts the policy that the following is to be considered as grounds for the termination of a tenant:

a. The Fall River Housing Authority has reasonable cause to believe that the resident engages in drug related criminal activity (42 USC 1437d(l)) on or off the premises not just near or on the premises;

b. The Fall River Housing Authority has reasonable cause to believe that the resident engages in criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises by other residents or Fall River Housing Authority personnel; and

c. The Fall River Housing Authority has reasonable cause to believe that the resident abuses alcohol in such a way that may interfere with the safety, health or right to peaceful enjoyment of the premises by other residents or Fall River Housing Authority personnel.

Tracking of Crime – The Board of Commissioners hereby adopts the policy requiring the Fall River Housing Authority to track crime and crime-related problems in its developments and will track and report incidents of crime to the local police authorities to improve law enforcement and crime prevention. (The Fall River Police Department is currently tracking all crime in our developments and management meets monthly with the Fall River Police Department to report any incidents of crime to the Fall River Police Department.)

Chapter 1

STATEMENT OF POLICIES AND OBJECTIVES

INTRODUCTION

The Section 8 Program was enacted as part of the Housing and Community Development Act of 1974, which recodified the U.S. Housing Act of 1937. The Act has been amended from time to time, and its requirements, as they apply to the Section 8 Voucher Program, are described in and implemented through this Administrative Plan.

Administration of the Section 8 Program and the functions and responsibilities of the Housing Authority (HA) staff shall be in compliance with the HA's Personnel Policy and the Department of Housing and Urban Development's (HUD) Section 8 Regulations as well as all Federal, State and local Fair Housing Laws and Regulations.

A. LOCAL OBJECTIVES

The overall plan for the Section 8 Program is designed to achieve three major objectives:

1. To provide improved living conditions and decent, safe, and sanitary housing for very low income families while maintaining their rent payments at an affordable level.

2. To provide an incentive to private property owners to rent to lower income families by offering timely assistance payments.

3. To promote freedom of housing choice and spatial deconcentration of lower income and minority families.

B. PURPOSE OF THE PLAN

The purpose of the Administrative Plan is to establish policies for carrying out the programs in a manner consistent with HUD requirements and local objectives. The Plan covers both admission and continued participation in these programs. Policies are the same for both programs unless otherwise noted.

The HA is responsible for complying with all changes in HUD regulations pertaining to these programs. If such changes conflict with this Plan, HUD regulations will have precedence. The original Plan and any changes must be approved by the Board of Commissioners of the agency and a copy provided to HUD.

C. FAIR HOUSING POLICY/VIOLENCE AGAINST WOMEN [24 CFR 982.54(d)(6)]

It is the policy of the Housing Authority to comply fully with all Federal, State, and local nondiscrimination laws and with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment.

The HA shall not deny any family or individual the opportunity to apply for or receive assistance under the Section 8 Programs on the basis of race, color, sex, religion, creed, national or ethnic origin, age, family status, handicap or disability.

To further its commitment to full compliance with applicable Civil Rights laws, the HA will provide Federal/State/local information to Voucher holders regarding "discrimination" and any recourse available to them if they are victims of discrimination. Such information will be made available during the family briefing session, and all

applicable Fair Housing Information and Discrimination Complaint Forms will be made a part of the Voucher holder's briefing packet.

Except as otherwise provided in 24 CFR 8.21(c)(1), 8.24(a), 8.25, and 8.31, no individual with disabilities shall be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination because the HA's facilities are inaccessible to or unusable by persons with disabilities.

Posters and housing information are displayed in locations throughout the HA's office in such a manner as to be easily readable from a wheelchair.

The Fall River Housing Authority has adopted and is implementing the provisions of the Violence Against Women Act of 2005. The policies and procedures adopted by the Authority are contained in our Violence Against Women Policies and Procedures and attached by reference to this Plan.

D. SERVICE POLICY /ACCOMMODATIONS

This policy is applicable to all situations described in this Administrative Plan when a family initiates contact with the HA, when the HA initiates contact with a family including when a family applies, and when the HA schedules or reschedules appointments of any kind.

It is the policy of this HA to be service-directed in the administration of our housing programs, and to exercise and demonstrate a high level of professionalism while providing housing services to the families within our jurisdiction.

The HA's policies and practices will be designed to provide assurances that all persons with disabilities will be provided reasonable accommodation so that they may fully access and utilize the housing program and related services. The availability of specific accommodations will be made known by including notices on HA forms and letters to all families, and all requests will be verified so that the HA can properly accommodate the need presented by the disability.

Requests for reasonable accommodation from persons with disabilities will be granted upon verification that they meet the need presented by the disability.

Reasonable accommodation will be made for persons with a disability who require an advocate or accessible offices. A designee will be allowed to provide some information, but only with the permission of the person with the disability.

All HA mailings will be made available in an accessible format upon request, as a reasonable accommodation.

Verification of a Request for Accommodation

All requests for accommodation or modification will be verified with a reliable knowledgeable, professional.

The Housing Authority utilizes organizations which provide assistance for hearing- and sight- impaired persons when needed.

A list of available accessible units will be maintained by the HA.

E. TRANSLATIONS OF DOCUMENTS

In determining whether it is feasible to translate documents into other languages, the HA will consider the following factors:

Number of applicants and participants who do not speak English and speak the other language.

Cost of translation into the other language per/client who speaks the language.

Evaluation of the need for translation by agencies that work with the non-English speaking clients.

The availability of organizations to translate documents, letters and forms for non-English speaking families.

Availability of bilingual staff to explain untranslated documents to clients.

F. FAMILY OUTREACH

The HA will publicize and disseminate information to make known the availability of housing assistance and related services for very low income families on a regular basis. When the HA's waiting list is open, the HA will publicize the availability and nature of housing assistance for very low income families in a newspaper of general circulation, minority media, and by other suitable means.

To reach persons who cannot read the newspapers, the HA will distribute fact sheets to the broadcasting media, and initiate personal contacts with members of the news media and community service personnel. The HA may also utilize public service announcements.

The HA will communicate the status of housing availability to other service providers in the community, advise them of housing eligibility factors and guidelines in order that they can make proper referrals for housing assistance.

G. OWNER OUTREACH [24 CFR 982.54(d)(5)]

The HA encourages owners of decent, safe and sanitary housing units to lease to Section 8 families. The HA maintains a list of interested landlords & list of units available for the Section 8 Program and updates this list regularly. When listings from owners are received, they will be compiled by the HA staff by date of availability.

The Housing Authority will actively recruit suburban property owners and when available grant exception rents for accessible and suburban properties.

The staff of the HA initiates personal contact with private property owners and managers by conducting formal and informal discussions and meetings.

Printed material is offered to acquaint owners and managers with the opportunities available under the program.

The HA periodically evaluates the distribution of assisted families to identify areas within the jurisdiction where owner outreach should be targeted.

The HA conducts periodic meetings with participating owners to improve owner relations and to recruit new owners.

H. PRIVACY RIGHTS

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

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

In accordance with HUD requirements, the HA will furnish prospective owners with the family's current address as shown in the HA's records and, if known to the HA, the name and address of the landlord at the family's current and prior address.

The HA's practices and procedures are designed to safeguard the privacy of applicants and program participants. All applicant and participant files will be stored in a secure location which is only to be accessed by authorized staff. The staff person who is utilizing a file is responsible for its security. Files will never be left unattended or placed in common areas.

HA staff will not discuss family information contained in files unless there is a business reason to do so. Inappropriate discussion of family information, or improper disclosure of family information by staff will result in disciplinary action.

I. EQUAL EMPLOYMENT OPPORTUNITY

The HA practices affirmative action in hiring, promotion and conditions of employment. Position vacancies are advertised in agencies, media offering services to minority groups. The HA's recruitment practices will apply aggressive outreach to community-based racial and ethnic groups so that the composition and culture of the staff reflects the composition and culture of the community, to the extent possible. All HA job postings will display the affirmative action/equal employment opportunity logo and slogan prominently.

J. RULES AND REGULATIONS

This Administrative Plan is set forth to define the HA's local policies for operation of the housing programs in the context of Federal laws and Regulations. All issues related to Section 8 not addressed in this document are governed by such Federal regulations, HUD Memos, Notices and guidelines, or other applicable law.

K. JURISDICTION

The jurisdiction of the HA is the City of Fall River.

L. MONITORING PROGRAM PERFORMANCE

Reports will be maintained for:

Monitoring funding availability, to ensure the HA is at maximum lease-up but not over leased

Tracking outstanding Vouchers for expiration

Timeliness of annual activities
Numbers of failed inspections and abatements

Claim payments made

Number and reason for moves and terminations of assistance.

Number of new vouchers issued

Repayment of amounts owed the HA

In order to ensure quality control, supervisory staff audits the following functions:

5% of reexaminations
100% of new applications
5% of the HQS inspections completed by each inspector
100% of claims processed

M. TERMINOLOGY

The Fall River Housing Authority is referred to as "HA" or "Housing Authority" throughout this document.

"Family" is used interchangeably with "Applicant" or "Participant" and can refer to a single person family.

"Tenant" is used to refer to participants in terms of their relation to landlords. "Landlord" and "owner" are used interchangeably.

"Disability" is used where "handicap" was formerly used.

"New Rule" refers to the HUD Occupancy Regulations effective 10/2/95. "Old Rule" refers to the Regulations that were superseded on that date.

"Non citizens Rule" refers to the regulation effective June 19, 1995 restricting assistance to U.S. citizens and eligible immigrants.

The Section 8 programs are also known as the Voucher program.

"HQS" means the Housing Quality Standards required by regulations as enhanced by the HA.

"Failure to Provide" refers to all requirements in the first Family Obligation. See Chapter 15, "Denial or Termination of Assistance."

See Glossary for other terminology.

Chapter 2

ELIGIBILITY FOR ADMISSION

INTRODUCTION

This Chapter defines both HUD's and the HA's criteria for admission and denial of admission to the program. The policy of this HA is to strive for objectivity and consistency in applying these criteria to evaluate the eligibility of families who apply. The HA staff will review all information provided by the family carefully and without regard to factors other than those defined in this Chapter. Families will be provided the opportunity to explain their circumstances, to furnish additional information, if needed, and to receive an explanation of the basis for any decision made by the HA pertaining to their eligibility.

Eligibility Factors

To be eligible for participation, an applicant must meet HUD's criteria, as well as any permissible additional criteria established by the HA.

The HUD eligibility criteria are:

An applicant must be a "family"
An applicant must be within the appropriate Income Limits
An applicant must furnish Social Security Numbers
An applicant must furnish evidence of Citizenship/Eligible Immigrant Status

For the HA's additional criteria for eligibility, see Section E, "Other Criteria for Admission."

The Family's initial eligibility for placement on the waiting list will be made in accordance with the eligibility factors. Evidence of Citizenship/Eligible Immigrant Status will not be verified until the family is selected from the waiting list for issuance of a Voucher.

Eligibility factors will be verified prior to the family being offered Section 8 assistance.

A. FAMILY COMPOSITION [24 CFR 982.54(d)(4)(i)]

The applicant must qualify as a Family. A Family may be an eligible single person or a group of persons.

A group of persons consisting of one or more elderly or disabled persons living with one or more live-in aides is a family.

A "family" includes a family with a child or children.

Two or more persons sharing residency whose income and resources are available to meet the family's needs AND who are (a) either related by blood, marriage, or operation of law, or (b) who have evidenced a stable family relationship are considered a family.

A child who is temporarily away from home because of placement in foster care is considered a member of the family. This provision only pertains to the foster child's temporary absence from the home, and is not intended to artificially enlarge the space available for other family members. The FRHA shall consider the facts of each individual situation in determining if an absence is temporary.

A single person may be:

An elderly person
A displaced person
A person with a disability
Any "other single" person who is not age 62 or older, disabled, displaced, or the remaining member of a tenant family. However, in no event may any single person be provided with a Voucher of two bedrooms or more.

Head of Household

The head of household is the adult member of the household who is designated by the family as head, is wholly or partly responsible for paying the rent, and has the legal capacity to enter into a lease under State/local law. Emancipated minors who qualify under State law will be recognized as head of household.

A family may designate an elderly or disabled family member as head of household solely to qualify the family as an Elderly Household, provided that the person is at least partially responsible for paying the rent.

Spouse of Head

Spouse means the husband or wife of the head.

For proper application of the Noncitizens Rule, the definition of spouse is: the marriage partner who, in order to dissolve the relationship, would have to be divorced. It includes the partner in a common law marriage. The term "spouse" does not apply to boyfriends, girlfriends, significant others, or co-heads.

Live-In Attendants

A Family may include a live-in aide who:

Is determined to be essential to the care and well being of an elderly person, a near-elderly person, or a person with disabilities, and

Is not obligated for the support of the person(s), and

Would not be living in the unit except to provide care for the person(s).

A live-in aide is treated differently than family members:

1. Income of the live-in aide will not be counted for purposes of determining eligibility or level of benefits.

2. Live-in aides are not subject to Non-Citizen Rule requirements.

3. Live-in aides may not be considered as a remaining member of the tenant family.

Relatives are not automatically excluded from being live-in aides, but they must meet all of the elements in the live-in aide definition described above.

Family members of a live-in attendant may also reside in the unit providing doing so does not increase the subsidy by the cost of an additional bedroom and that the presence of the live-in's family members does not overcrowd the unit.

A Live in Aide may only reside in the unit with the approval of the HA. Written verification will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or case worker. The verification provider must certify that a live-in aide is necessary for the care of the family member who is elderly, near-elderly (50-61) or disabled.

Verification must include the hours the care will be provided, as well as the services and time required by the family member from the live-in aide.

The HA has the right to disapprove a person selected by the family to serve as live-in aide based on the "Other Criteria for Eligibility" described in this Chapter (Section E).

Split Households Prior to Voucher Issuance

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

1. Which family member applied as head of household.

2. Which family unit retains the children or any disabled or elderly members.

3. Restrictions that were in place at the time the family applied.

4. Role of domestic violence in the split.

5. Recommendations of social service agencies or qualified professionals such as children's protective services.

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

Multiple Families in the Same Household

When families apply which consist of two families living together, (such as a mother and father, and a daughter with her own husband or children), if they apply as a family unit, they will be treated as a family unit. Any split will result in application of the procedures listed above under "Split Households".

Joint Custody of Children

Children who are subject to a joint custody agreement but live with one parent at least 51% of the time will be considered members of the household. "51% of the time" is defined as 183 days of the year, which do not have to run consecutively. When both parents are on the Waiting List or Section 8 program and both are trying to claim the child, the parent whose address is listed in the school records will be allowed to claim the school-age child as a dependent.

B. INCOME LIMITATIONS [24 CFR 813.106, 982.201 (b) (d), 982.54(d)(4)(ii)]

In order to be eligible for assistance, an applicant must be either:

A very low-income family; or

A low-income family in any of the following categories:

A low-income family that is continuously assisted under the 1937 Housing Act. An applicant is continuously assisted if the family has received assistance under any 1937 Housing Act program within 60 days of voucher issuance. Programs include public housing, all Section 8 programs, and all Section 23 programs.

A low-income family physically displaced by rental rehabilitation activity under 24 CFR part 511.

A low-income non-purchasing family residing in a HOPE 1 or HOPE 2 project.

A low-income non-purchasing family residing in a project subject to a home ownership program under 24 CFR 248.173.

A low-income family displaced as a result of the prepayment of a mortgage or voluntary termination of a mortgage insurance contract under 24 CFR 248.165.

To determine if the family is income-eligible, the HA compares the Annual Income of the family to the applicable income limit for the family's size.

Families whose Annual Income exceeds the income limit will be denied admission and offered an informal review.

Single jurisdiction HA’s: The applicable income limit to be used at initial issuance of a voucher is the income limit of the HA.

Multi jurisdictional HAs: The applicable income limit used for initial issuance of a voucher is the highest income limit with the HA's jurisdiction.

For admission to the program (initial lease-up), the family must be within the very low income limit of the jurisdiction where they want to live.

Portability: For initial lease-up, families who exercise portability must be within the very low income limit for the jurisdiction of the receiving HA in which they want to live.

Participant families who exercise portability, and request or require a change in their form of assistance, must be within the low income limit of the receiving HA if they are to receive the alternate form of assistance.

C. MANDATORY SOCIAL SECURITY NUMBERS [24 CFR 750.10 (a-f)]

Families are required to provide verification of Social Security Numbers for all family members age 6 and older prior to admission, if they have been issued a number by the Social Security Administration. This requirement also applies to persons joining the family after admission to the program.

Failure to furnish verification of social security numbers is grounds for denial or termination of assistance.

D. CITIZENSHIP/ELIGIBLE IMMIGRATION STATUS [24 CFR 812.5]

In order to receive assistance, a family member must be a U.S. citizen or eligible immigrant. Individuals who are neither may elect not to contend their status. Eligible immigrants are persons who are in one of the six immigrant categories as specified by HUD.

For the Citizenship/Eligible Immigration requirement, the status of each member of the family is considered individually before the family's status is defined.

Mixed Families. A family is eligible for assistance as long as at least one member is a citizen or eligible immigrant. Families that include eligible and ineligible individuals are called "mixed". Such applicant families will be given notice that their assistance will be prorated and that they may request a hearing if they contest this determination.

No eligible members. Applicant families that include no eligible members will be ineligible for assistance. Such families will be denied admission and offered an opportunity for a hearing.

Non-citizen students defined by HUD in the non citizen regulations are not eligible for assistance.

Appeals. For this eligibility requirement only, the applicant is entitled to a hearing exactly like those provided for participants.

E. OTHER CRITERIA FOR ADMISSION [24 CFR 982.552 (c)]

The HA may apply the following criteria, in addition to the HUD eligibility criteria, as grounds for denial of admission to the program. (Further clarification on causes for denial are outlined in Chapter 15 of this Plan.)

1. The Family must have not have violated any family obligation during a previous participation in the Section 8 program.

When the HA denies assistance to an applicant with a disability, the applicant may request a review of the family obligation that was violated, if the violation was a result of the disability.

An exception may be granted at the discretion of the HA if the family member who violated the family obligation is not a current member of the household on the application, and the remaining family members were not responsible for or a party to the violation.

2. No family member may have committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.

3. Family must not have violated the requirements under the family's Contract of Participation in the Family Self Sufficiency Program without good cause.

4. Family must have paid any outstanding debt owed the HA or another HA as a result of prior participation in any federal housing program.

No Repayment Agreement will be accepted.

At the time of initial application, the family must pay any such debts in full in order to be placed on the waiting list.

The HA reserves the right, in the case of extreme hardship, to offer or amend a Repayment Agreement in accordance with its procedures. Full documentation of the hardship will be required. In no case will the debt be forgiven.

6. No member of the family may have engaged in drug related or violent criminal activity. Activity may include arrests, convictions or other credible preponderance of evidence that such activity has occurred.

If either as a result of the standardized inquiry or the receipt of a verifiable referral, there is indication that the family or any family member has engaged in drug-related criminal activity or violent criminal activity, the HA may conduct closer inquiry to determine whether the family should be denied admission.

The HA will check criminal history for all applicants/adults in the household to determine whether any member of the family has engaged in violent or drug-related criminal activity. This includes residents that are porting into Fall River.

Verification of any past activity will be done at final eligibility and may include a check of conviction records.

7. No family member may have engaged in serious or repeated lease violations while a resident of public housing.

8. No family member may have engaged in or threatened abusive or violent behavior toward HA personnel.

9. Families must not supply false, inaccurate or incomplete information on any application for federal housing programs, including public housing and Section 8 Existing.

Appendix 5 to this ACOP encompasses the intent of the Fall River Housing Authority in screening applicants for admission to our federally subsidized housing programs. Where this policy is not clear or omits items included in this policy or contained in 24CFR Parts 5 and 982 said One-Strike policy and the CFR shall apply.

F. SUITABILITY OF FAMILY [24 CFR 982.202 (b) (1)]

The HA may take into consideration any of the additional criteria for admission in Section E above, but may not otherwise screen for factors which relate to the suitability of the applicant family as tenants. It is the responsibility of the owner to screen the applicants as to their suitability for tenancy.

The HA will advise families how to file a complaint if they have been discriminated against by an owner. The HA will advise the family to make a Fair Housing complaint. The HA could also report the owner to HUD (Fair Housing/Equal Opportunity) or the local Fair Housing Organization.

G. CHANGES IN ELIGIBILITY PRIOR TO EFFECTIVE DATE OF THE CONTRACT

Changes that occur during the period between final eligibility determination and executed Contract date will affect eligibility and/or level of benefits for the Section 8 Programs. Consequently, families are required to report changes in family circumstances within five business days to the HA. If an applicant family is no longer eligible, they will be notified of the ineligible status in writing, and an informal review will be offered consistent with procedures outlined in this plan.

H. INELIGIBLE FAMILIES

Families who are determined to be ineligible will be notified in writing of the reason for denial and given an opportunity to request an informal review, or an informal hearing if they were denied due to non citizen status. See Chapter 19, "Complaints and Appeals" for additional information about reviews and hearings.

I. HOUSING AUTHORITY DISCRETION

The HA at all times shall reserve the right to exercise its judgment regarding denial of assistance on a case by case basis for any of the listed circumstances described in this Chapter. The HA may also opt to enter into a probationary agreement with an applicant family or participant if it is felt to be in the best interest of the HA.

Chapter 3

APPLYING FOR ADMISSION

INTRODUCTION

The policy of the HA is to ensure that all families who express an interest in housing assistance are given an equal opportunity to apply, and are treated in a fair and consistent manner. This Chapter describes the policies and procedures for completing an initial application for assistance, placement and denial of placement on the waiting list, and limitations on who may apply. The primary purpose of the intake function is to gather information about the family, but the HA will also utilize this process to provide information to the family so that an accurate and timely decision of eligibility can be made. Applicants will be placed on the waiting list in accordance with this Plan.

A. APPLICATION TAKING

The Fall River Housing Authority has elected to utilize the MassNAHRO's Centralized Application and Waiting List process. Over the past few years, the Department of Housing and Urban Development has encouraged the use of a Centralized Waiting List by Public Housing Authorities.

After initial implementation of the Centralized Waiting list applications will be accepted at all times i.e. the list will remain open. The FRHA may however determine that application taking will be suspended pursuant to section B below.

It is anticipated that a Centralized Section 8 Waiting List will afford the Fall River Housing Authority and its clients the following benefits:

1. Ease of application process for participants who may apply at the office of any Housing Authority participating in the centralized waiting list option.

2. Eliminate the procedural hardship on families and administrative burden to the Housing Authority of closing and opening of the Section 8 Waiting List. The Centralized Section 8 Waiting List will be maintained as an open waiting list.

3. Increase housing opportunities for families who now have the potential option of placement at a number of locations throughout the Commonwealth through the submission of a single application.

A single, standardized Preliminary Application is available at each participating Housing Authority. A master list of all participating Housing Authorities will be maintained at the office of the Massachusetts Chapter of the National Association of Housing and Redevelopment Officials (hereinafter MassNAHRO) and at each participating Housing Authority. Only one application will be accepted for each Head of Household.

The Preliminary Application will request information as required to administer the Section 8 Housing Choice Voucher Program such as: name and city or town (where Head of Household and spouse live and work), telephone number, total number of family members, Head of Household's social security number, if client is 62 years of age or older or disabled, total gross family income, race, and ethnicity. Information regarding preferences adopted by participating

Housing Authorities will also be elicited on this application.

The Housing Authorities collectively reserve the right to modify the application to include other information required or useful to administer the Section 8 Housing Choice Voucher Program. All participating Housing Authorities must agree to adopt said modification to the application in advance to such modification.
Applications will be available for completion at the Fall River Housing Authority in person between the hours of 9:00 am and 4:00 pm on Mondays through Fridays, and maybe mailed or faxed.

Upon completion of the application it shall be marked by the Housing Authority staff with date and the time of submission and the family shall be provided with a standard receipt evidencing submission of the application.

The Fall River Housing Authority will then enter the information from the Preliminary Application into the Centralized Waiting List.

Families who wish to apply for any of the HA's programs must complete a written application form when application-taking is open. Applications will be made available in an accessible format upon request from a person with a disability.

Applications will be mailed to interested families upon request in exceptional cases. Handicapped/disabled individuals will be included in this category.

The HA will accept as written verification of an applicants disability the following items;

1. Documents showing that the applicant is currently receiving Supplemental Security Income (SSI) for a disability.
2. Documents showing that the applicant is currently receiving Social Security Disability Income (SSDI)
3. Documents showing that the applicant is currently receiving Emergency Aid to Elderly Disabled and Children (EAEDC).
4. Other form of payment based on disability.
5. Verification of disability by a third party professional (doctor, therapist or case worker). This verification will require only a Yes or No as to whether the applicant is disabled.

The application process will involve two phases. The first is the "initial" application for assistance (referred to as a pre-application). This first phase results in the family's placement on the waiting list.

The second phase is the "final determination of eligibility" (referred as the full application). The full application takes place when the family reaches the top of the waiting list. At this time the HA ensures that verification of all HUD and HA eligibility factors is current in order to determine the family's eligibility for the issuance of a voucher.

The waiting list will remain open for a minimum of 2 days. Applications requested during this 2 day period must be returned to the HA within 2 weeks of the application opening.

B. OPENING/CLOSING OF APPLICATION TAKING

The HA will utilize the following procedures for opening the waiting list:

When the HA opens the waiting list, the HA may advertise through public notice in the Fall River Herald News, New Bedford Standard Times, O'Journal, and other local service organizations, disability organizations, local radio, and local TV with closed captions advertisements if available at said TV station.

The notice will contain:

The dates, times, and the locations where families may apply.

The programs for which applications will be taken.

A brief description of the program.

A statement that public housing residents must submit a separate application if they want to apply for Section 8.

Limitations, if any, on who may apply.

These notices will be completed at least one week prior to the reopening of applications.

The notices will be made in an accessible format if requested. They will provide potential applicants with information that includes the HA address and telephone number, how to submit an application, information on eligibility requirements, and the availability of local preferences.

Upon request from a person with a disability, additional time may be given as an accommodation for submission of an application after the closing deadline. This accommodation is to allow persons with disabilities the opportunity to submit an application in cases when a social service organization provides inaccurate or untimely information about the closing date.

When Application Taking Is Suspended

Suspension of application taking is announced in the same way as opening the waiting list and may be accomplished by announcing the time periods when application taking is opened. That is we will announce the time period during which applications will be accepted. As stated earlier in this plan, we anticipate that the list will remain open upon our joining the MassNAHRO Centralized Waiting List. Should we need to suspend application taking this paragraph will be the basis for the closing.

The open period shall be long enough to achieve a waiting list adequate to cover projected turnover and new allocations over the next 24 months. The HA will give at least three days notice prior to closing the list. When the period for accepting applications is over, the HA will add the new applicants to the list by separating the new applicants into groups based on preferences and ranking applicants within each group via a random selection process.

The random selection process will be administered by MassNAHRO and will be performed for all applications received during the initial opening period. Upon completion of the initial opening period all applications will placed on the centralized waiting list based on the date and time of application.

When new applicants are added to the waiting list we will perform the random drawing as detailed above. Those added via this method will be placed on the waiting list after those remaining on the list. That is those already on the list will not lose their position.

Limits on Who May Apply

When the waiting list is open any family asking to be placed on the waiting list for Section 8 rental assistance will be given the opportunity to complete an application.

C. "INITIAL" APPLICATION PROCEDURES

The HA will utilize a preliminary-application form (pre-application). The information is to be filled out by the applicant whenever possible. To provide specific accommodation to persons with disabilities, the information may be completed by a staff person over the telephone. It may also be mailed to the applicant and, if requested, it will be mailed in an accessible format. Translations will be provided for non-English speaking applicants by staff.

The purpose of the pre-application is to permit the HA to preliminarily assess family eligibility or ineligibility and to determine placement on the waiting list. The pre-application may contain questions designed to obtain the following information:

Names and age of all members

Gender and relationship of all members

Street Address and phone numbers

Mailing Address (If PO Box or other permanent address)

Amount(s) and source(s) of income received by household members

Information regarding Disabilities relating to program requirements (i.e., deductions)

Information related to qualification for preferences

Social Security Numbers

Race/ethnicity

Citizenship/eligible immigration status

Arrests/Convictions for Drug Related or Violent Criminal Activity

Request for Specific Accommodation needed to fully utilize program and services

Previous address

Current and previous landlords' names and addresses

Program integrity questions regarding previous participation in HUD programs

Duplicate applications, including applications from a segment of an applicant household, will not be accepted. Ineligible families will not be placed on the waiting list.

Pre-applications will not require an interview. The information on the application will not be verified until the applicant has been selected for final eligibility determination. Final eligibility will be determined when the full application process is completed and all information is verified.

Applicants are required to inform the HA in writing within 10 business days of changes in family composition, income, and address, as well as any changes in their Preference status. Applicants are also required to respond to requests from the HA to update information on their application, or to determine their continued interest in assistance.

A family may update its application (i.e. change of address) for Section 8 Assistance at the office of any Housing Authority participating in the Centralized application process regardless of where the original application was submitted. To update the application a written request must be submitted by the family. A receipt will be provided to the family as evidence of said update. The Housing Authority who receives the updated information will give the family a receipt indicating that the family had submitted the update.

If determined necessary by MassNAHRO, on an annual basis, MassNAHRO may send a letter to each applicant on the Centralized Section 8 Waiting List. This letter will be sent to the address on the Section 8 preliminary Application or on any written change of status request that was completed and sent to a participating Housing Authority. Applicants will be requested to respond to the mailing within a time parameter set forth in the letter and the letter shall indicate that failure to respond will result in the removal of his/her name from the Centralized Section 8 Waiting List. In the event that the applicant does not respond within the applicable time parameter, his/her name shall be removed from the Centralized Section 8 Waiting List.

Failure to provide information or to respond to mailings will result in the applicant being removed from the waiting list. See Chapter 19, "Complaints and Appeals"

D. NOTIFICATION OF APPLICANT STATUS

If after a review of the pre-application the family is determined to be preliminarily eligible, they will be notified in writing, in an accessible format upon request as a reasonable accommodation. The notice will contain the approximate date that assistance may be offered, and will further explain that the estimated date is subject to factors such as turnover and additional funding.

This written notification of preliminary eligibility will be mailed to the applicant by first class mail

If the family is determined to be ineligible based on the information provided in the pre- application, the HA will notify the family in writing (in an accessible format upon request as a reasonable accommodation), state the reason(s), and inform them of their right to an informal review. Persons with disabilities may request to have an advocate attend the informal review as an accommodation. See Chapter 19, "Complaints and Appeals."

If a family is denied assistance by the Fall River Housing Authority, they will have the right to the grievance procedures set forth in the Fall River Housing Authority's Administrative Plan. After such time expires to request an informal hearing or a hearing is held and the decision is upheld, the family will be denied participation in the Section 8 Program by the Housing Authority making the determination. The family's name will not be removed by the Fall River Housing Authority from the Centralized Section 8 Waiting List because the family may be eligible under another participating Housing Authority's policies. However, the family will not be again selected by the Fall River Housing Authority unless the family has been withdrawn from the Centralized Section 8 Waiting List and a new application has been submitted.

Applicants wishing to verify their status on the Section 8 Centralized Waiting List must request the information in writing. The FRHA will respond in writing.

E. TIME OF SELECTION

When funding is available, families will be selected from the waiting list in their preference- determined sequence, regardless of family size.

When there is insufficient funding available for the family at the top of the list, the HA will not admit any other applicant until funding is available for the first applicant. Applicants will not be passed over on the waiting list.

A pool of completed eligible applicant files may be maintained to minimize delays in admissions when funding becomes available. However, families are still offered vouchers in the waiting list sequence.

F. COMPLETION OF A FULL APPLICATION

All Preferences claimed on the pre-application or while the family is on the waiting list will be verified after the family is selected from the waiting list, and prior to completing the full application

The qualification for preference must exist at the time the preference is verified regardless of the length of time an applicant has been on the waiting list because the preference is based on current status.

After the preference is verified, when the HA is ready to select applicants, applicants will be required to complete a full application in their own handwriting, unless assistance is needed, or a request for accommodation is made by a person with a disability. Applicant will then be interviewed by HA staff to review the information on the full application form.

The applicant will sign and certify that all information is complete and accurate.

The full application may be mailed as an accommodation to a person with a disability in advance to complete when the applicant attends the interview.

Requirement to Attend Interview

Further, if the family does not respond to a letter sent by a participating Housing Authority to attend an eligibility determination appointment or to otherwise respond to the Housing Authority, the Housing Authority who requested said response may remove the family's name from the Centralized Section 8 Waiting List. The manner and grounds for said removal shall be governed by the Administrative Plan for the Housing Authority making said removal.

The HA utilizes the full application interview to discuss the family's circumstances in greater detail, to clarify information which has been provided by the family, and to ensure that the information is complete. The interview is also used as a vehicle to meet the informational needs of the family by providing information about the application and verification process, as well as to advise the family of other HA services or programs which may be available.

All adult family members and emancipated minors must attend the interview appointment and certify by signature that all of the information is complete and accurate.

It is the applicant's responsibility to reschedule the interview if he/she misses the appointment. If the applicant does not reschedule or misses two scheduled meetings, the HA will reject the application.

Applicants who fail to appear and want to reschedule a missed appointment must make the request to reschedule no later than 2 days from the original appointment date. The request must be made to the staff person who scheduled the appointment or her/his supervisor if the person is not available.

Reasonable accommodation may be made for persons with a disability who requires an advocate or accessible offices. A designee will be allowed to provide some information, but only with permission of the person with a disability.

If an application is denied due to failure to attend the full application interview, the applicant will be notified in writing and offered an opportunity to request an informal review. (See Chapter 19, "Complaints and Appeals.")

All adult members and emancipated minors must sign the HUD Form 9886, Release of Information, the application form and all supplemental forms required by the HA, the declarations and consents related to citizenship/immigration status and any other documents required by the HA. Applicants will be required to sign specific verification forms for information which is not covered by the HUD form 9886. Failure to do so will be cause for denial of the application for failure to provide necessary certifications and release as required by the HA.

Information provided by the applicant will be verified including information related to family composition, income, allowances and deductions, assets, eligible immigration status, criminal history, full time student status and other factors related to preferences, eligibility and rent calculation. Verifications may not be more than 60 days old at the time of voucher issuance.

If the HA determines at or after the interview that additional information or document(s) are needed, the HA will request the document(s) or information in writing. The family will be given 10 calendar days to supply the information.

If the information is not supplied in this time period, the HA will provide the family a notification of denial for assistance. (See Chapter 19, "Complaints and Appeals.")

G. FINAL DETERMINATION AND NOTIFICATION OF ELIGIBILITY

After the verification process is completed, the HA will make a final determination of eligibility. This decision is based upon information provided by the family, the verification completed by the HA, and the current eligibility criteria in effect. If the family is determined to be eligible, the HA will mail a notification of eligibility. A briefing will be scheduled for the issuance of a voucher and the family's orientation to the housing program.

Chapter 4

ESTABLISHING PREFERENCES AND MAINTAINING THE WAITING LIST

INTRODUCTION

It is the HA's objective to ensure that the families are placed in the proper order on the waiting list so that an offer of assistance is not delayed to any family, or made to any family prematurely.

By maintaining an accurate waiting list, the HA will be able to perform the activities which ensure that an adequate pool of qualified applicants will be available so that program funds are used in a timely manner.

A. APPLICATION POOL

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

1. The application will be a permanent file.

2. Applications equal in preference will be maintained by random selection process as described on page 3-2.

3. All applicants must meet "Very Low Income" eligibility requirements as established by HUD. Any exceptions to these requirements, other than those outlined in Chapter 2, "Eligibility for Admission," must have been approved previously by the HUD Field Office.

B. WAITING LIST PREFERENCES

The HA will apply a system of preferences. All applications will be ordered by highest to lowest preference status, with applications assigned only the highest preference for which they appear to qualify. Among applicants with equal preference status, the waiting list will be organized by random selection process described on page 3-2.

An applicant will not be granted any preference if any member of the family has been evicted from any federally assisted housing during the past three years because of drug-related criminal activity.

The HA may grant an exception to such a family if the responsible member has successfully completed a rehabilitation program.

Types of Applicants With Preference Over "Other Singles":

Elderly, disabled and involuntarily displaced singles will be given a selection priority over all "Other Single" applicants regardless of preference status. Single persons will not be selected until they are the only ones on the list.

"Other Singles" denotes a one-person household in which the individual member is neither elderly, disabled, or displaced by government action. Such applicants will be placed on the waiting list in accordance with the random selection process described in this plan, but cannot be selected for assistance before any elderly, disabled or involuntarily displaced single regardless of any preferences.

C. LOCAL PREFERENCES

The HA uses these Local Preferences, which are weighted highest to lowest in the following order, reflect priorities by need as well as local concerns, and require verification at the time of offer:

1. Resident of the City of Fall River paying forty percent (40%) or more of their adjusted income for rent. This also includes the applicants on the Centralized Waiting List at showing a Rent Burden of 50%.

2. Residency preference for families who are residing in the City of Fall River, or have at least one adult member who works or has been hired to work, provided that no household member is currently living in subsidized or low income housing, or has lived in such assisted housing during the previous six months. No applicant living in a Federally subsidized Public Housing Project will be denied this preference. This includes applicants that show Fall River as their residence or place of employment as being the City of Fall River.

3. Working preference for (a) families with at least one adult who is employed a minimum of 32 hours weekly and has been employed for at least three months. Pursuant to 24CFR982.207(b)(2) this preference shall also be available to families in which the head and spouse or sole member, are age 62 or older or is a person with disabilities.

4. A family who is suffering from Domestic Violence (including sexual abuse) by a spouse or other family member.

5. Disabled/handicapped families under the age of 62. (The HA will select 15% of those receiving assistance from this category. This 15% includes those disabled/handicapped families under the age of 62 that are selected under preferences 1, 2 3 or 4). The intent of this preference is to assure that 15 percent of those selected are handicapped/

6. All other families subject to the income limits of the program.

7. Families at or below 30% of the current income limits as published by HUD.

The current income limits at 30% are as follows;

Effective 2/13/2008

Number of People	Income
1 person	$15,350
2 people	$17,550
3 people	$19,750
4 people	$21,950
5 people	$23,700
6 people	$25,450
7 people	$27,250
8 people	$29,000

Families within preferences will be selected in such a manner that not less than 75% of selected applicants fall within this category.

D. EXCEPTIONS FOR SPECIAL ADMISSIONS

If the FRHA develops a program that is targeted for specifically named families, the HA will admit these families under a Special Admission procedure.

Special admissions families will be admitted outside of the regular waiting list process. They do not have to qualify for any preferences, nor are they required to be on the program waiting list. They are not counted in the limit on non-federal preference admissions. The HA maintains separate records of these admissions.

The following are examples of types of program funding that may be designated by HUD/FRHA/DHCD for families living in a specified unit:

1. A family displaced because of demolition, disposition, discontinuation or loss of funding of a federal or state public housing project or program;

2. A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;

3. For housing covered by the Low Income Housing Preservation and Resident Homeownership Act of 1990;

4. A family residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term; and

5. A non-purchasing family residing in a HOPE 2 project.

E. TARGETED FUNDING

When HUD awards special funding for certain family types, families who qualify are placed on the regular waiting list. When a specific type of funding becomes available, the waiting list is searched for the first available family meeting the targeted funding criteria.

The HA has no "Targeted" Programs at present.

F. PREFERENCE ELIGIBILITY

Change in Circumstances

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to notify the HA in writing when their circumstances change, including any change of address.

Cross-Listing of Public Housing and Section 8

The HA will not merge the waiting lists for public housing and Section 8. However, if the Section 8 waiting list is open when the applicant is placed on the public housing list, the HA must offer to place the family on both lists. If the public housing waiting list is open at the time an applicant applies for Section 8, the HA must offer to place the family on the public housing waiting list.

G. ORDER OF SELECTION

The order of selection is based on random selection method described on Page 15.

It is a HUD requirement that elderly and disabled families and displaced singles will always be selected before other singles.

H. FINAL VERIFICATION OF PREFERENCES

Preference information on applications will be updated as applicants are selected from the waiting list. At that time, the HA will obtain necessary verifications of preference at the interview and by third party verification.

I. PREFERENCE DENIAL

If the HA denies a preference, the HA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for a review. If the preference denial is upheld as a result of the review, the applicant will be placed on the waiting list without benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

If the applicant falsifies documents or makes false statements in order to qualify for any preference, they will be removed from the Waiting List.

J. REMOVAL FROM WAITING LIST AND PURGING

If an applicant fails to respond to a mailing from the HA within the time frame indicated, they will be removed from the waiting list. An extension may be considered an accommodation if requested in advance by a person with a disability. If a letter is returned by the Post Office without a forwarding address, the applicant will be removed without further notice, and the envelope and letter will be maintained in the file. If a letter is returned with a forwarding address, it will be re- mailed to the address indicated.

If an applicant is removed from the waiting list for failure to respond, they will not be entitled to reinstatement unless family/health/work emergency is verified by the HA.

The waiting list will be purged by a mailing to all applicants to ensure that the waiting list is current and accurate. The mailing will ask for current information and confirmation of continued interest.

The same guidelines will be used for failure to respond to this mailing. Notices will be made available in accessible format upon the request of a person with a disability.

Chapter 5

SUBSIDY STANDARDS

INTRODUCTION

HUD guidelines require that HA's establish subsidy standards for the determination of Voucher bedroom size, and that such standards provide for a minimum commitment of subsidy while avoiding overcrowding. The standards used for the Voucher size also must be within the minimum unit size requirements of HUD's Housing Quality Standards. This Chapter explains the subsidy standards which will be used to determine the voucher size for various sized families when they are selected from the waiting list, as well as the HA's procedures when a family's size changes, or a family selects a unit size that is different from the Voucher.

A. DETERMINING VOUCHER SIZE

The HA does not determine who shares a bedroom/sleeping room, but there must be at least one person per bedroom on the Voucher. The HA's subsidy standards for determining voucher size shall be applied in a manner consistent with Fair Housing guidelines.

For subsidy standards, an adult is a person 18 years or older, or an emancipated minor.

All standards in this section relate to the number of bedrooms on the Voucher, not the family's actual living arrangements.

The unit size on the Voucher remains the same as long as the family composition remains the same, regardless of the actual unit size rented.

Generally, the HA assigns one bedroom to two people within the following guidelines:

Persons of different generations, unrelated adults and persons of the opposite sex (other than adults who have a spousal-type relationship, and children under two years of age) may be allocated a separate bedroom depending on circumstances.

Applicants/participants may be determined to be active foster care parents and eligible for one additional bedroom over and above HA policy guidelines if they have a valid foster care license and if it is determined and verified that current or proposed placement will be of at least a six month duration.

Space may be provided for a child who is temporarily absent by being away at school but who resides with the family during school recesses.

Live-in attendants will generally be provided a separate bedroom. No additional bedrooms are provided for the attendant's family.

Space will not be provided for a family member who will be absent most of the time, such as a member who is away in the military.

Single person families shall be allocated one bedroom.

Unborn children of a single pregnant woman with no other children will be included in the size of the household.

GUIDELINES FOR DETERMINING VOUCHER SIZE

Voucher Size	Persons in Household Minimum #	Persons in Household Maximum #
0 Bedrooms	1	1
1 Bedrooms	1	2
2 Bedrooms	2	4
3 Bedrooms	4	6
4 Bedrooms	6	8
5 Bedrooms	8	10
6 Bedrooms	10	12

The bedroom standards were changed effective may 31, 2004. This change will affect all new participants and will affect existing participants when they move from their current unit.

B. CHANGES IN VOUCHER SIZE

Changes for Applicants

The voucher size is determined prior to the briefing by comparing the family composition to the HA subsidy standards. If an applicant requires a change in the voucher size, the following guidelines will apply:

Requests for Exception to Subsidy Standards for Applicants

The family may request a larger sized voucher than indicated by the HA's subsidy standards. Such request must be made in writing within 10 calendar days of the HA's determination of bedroom size. The request must explain the need or justification for a larger bedroom size.

The HA will not issue a larger voucher due to additions of family members other than by birth, adoption, marriage, or court-awarded custody.

HA shall grant exceptions from the standards if the family requests and the HA determines the exceptions are justified by the health or disability of family members, or other individual circumstances.

Circumstances may dictate a larger size than the Subsidy Standards permit when persons cannot share a bedroom because of an accommodation which has been requested, such as:

Persons who cannot occupy a bedroom because of a verified medical or health reason.

Elderly persons or persons with disabilities who may require a live-in attendant.

Requests based on health-related reasons must be verified by a medical professional.

If the HA errs in the bedroom size designation, the family will be issued a Voucher of the appropriate size.

Changes for Participants

The members of the family residing in the unit must be approved by the HA. The family must obtain approval of any additional family member before the person occupies the unit except for additions by birth, adoption, or court-awarded custody, in which case the family must inform the HA within 5 business days.

Requests for Exception to Subsidy Standards for Participants

The HA may grant an exception upon request as an accommodation for persons with disabilities.

When a change in family composition requires the issuance of another size Voucher, and funds are not available for the program in which the family is assisted, the family may be issued the other form of assistance if funds are available.

The HA will not issue a larger size Voucher due to additions to the family other than by birth, adoption, marriage, or court-awarded custody.

Under housed and Over housed Families

If a unit does not meet HQS space standards due to an increase in family size, the HA will issue a new voucher and assist the family in locating a suitable unit.

C. UNIT SIZE SELECTED

The family may select a different size dwelling than that listed on the Voucher. There are three criteria to consider:

1. Rent Limitation: The HA uses the Payment Standard for the Voucher size or the unit size selected by the family, whichever is less.

2. Utility Allowance: The utility allowance used to calculate the gross rent is based on the actual size of the unit the family selects, when a family selects a unit that has fewer bedrooms than authorized on the voucher.

3. Housing Quality Standards: The standards allow two persons per living/sleeping room and permit maximum occupancy levels (assuming a living room is used as a living/sleeping area) as shown in the table below. The levels may be exceeded if a room in addition to bedrooms and living room is used for sleeping.

HQS GUIDELINES FOR UNIT SIZE SELECTED

Bedroom Size	Maximum # of Persons in Household
0 Bedrooms	1
1 Bedroom	4
2 Bedrooms	6
3 Bedrooms	8
4 Bedrooms	10
5 Bedrooms	12
6 Bedrooms	14

Chapter 6

FACTORS RELATED TO TOTAL TENANT PAYMENT DETERMINATION

INTRODUCTION

The accurate calculation of Annual Income and Adjusted Income will ensure that families are not paying more or less money for rent than their obligation under the Regulations. This Chapter defines the allowable deductions from Annual Income and how the presence or absence of household members may affect the Total Tenant Payment (TTP). Income and TTP are calculated in accordance with 24 CFR Part 813 and further instructions set forth in HUD Notices, Memoranda and Addenda. The formula for the calculation of TTP is specific and not subject to interpretation. The HA's policies in this Chapter address those areas which allow the HA discretion to define terms and to develop standards in order to assure consistent application of the various factors that relate to the determination of TTP.

A. INCOME AND ALLOWANCES

Income: The types of money which are to be used as income for purposes of calculating the TTP are defined by HUD in federal regulations. In accordance with this definition, income from all sources of each member of the household is counted.

Annual Income is defined as the gross amount of income anticipated to be received by the family during the 12 months after certification or recertification. Gross income is the amount of income prior to any HUD allowable expenses or deductions, and does not include income which has been excluded by HUD. Annual income is used to determine whether or not applicants are within the applicable income limits.
Adjusted Income is defined as the Annual income minus any HUD allowable deductions. HUD has five allowable deductions from Annual Income:

1. Dependent allowance: $480 each for family members (other than the head or spouse), who are minors, and for family members who are 18 and older who are full-time students or who are disabled.

2. "Elderly" allowance: $400 for families whose head or spouse is 62 or over or disabled.

3. Allowable medical expenses for all family members are deducted for "elderly" families.

4. Child care expenses for children under 13 are deducted when child care is necessary to allow an adult member to work or attend school.

5. Expenses for attendant care or auxiliary apparatus for persons with disabilities if needed to enable the individual or an adult family member to work.

"Minimum Rent" and Minimum Family Contribution.

"Minimum rent" in the voucher program is $50. Minimum rent includes the combined amount (TTP) a family pays towards rent and/or utilities.

Minimum family contribution in the voucher program is $50.

The Fall River Housing Authority has set the minimum rent at $50.00. However if the family requests a hardship exemption, the Fall River Housing Authority will immediately suspend the minimum rent for the

family until the Housing Authority can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature.

A. A hardship exists in the following circumstances:

1. When the family has lost eligibility for or is waiting an eligibility determination for a Federal, State, or local assistance program;

2. When the family would be evicted as a result of the imposition of the minimum rent requirement;

3. When the income of the family has decreased because of changed circumstances, including loss of employment;

4. When the family has an increase in expenses because of changed circumstances, for medical costs, childcare, transportation, education, or similar items;

5. When a death has occurred in the family.

B. No hardship. If the Housing Authority determines there is no qualifying hardship, the minimum rent will be reinstated, including requiring back payment of minimum rent for the time of suspension.

C. Temporary hardship. If the Housing Authority reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will be not be imposed for a period of 90 days from the date of the family's request. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. The Housing Authority will offer a repayment agreement in accordance with the Section 19 of this policy for any rent not paid during the period of suspension. During the suspension period the Housing Authority will not evict the family for nonpayment of the amount of tenant rent owed for the suspension period.

D. Long-term hardship. If the Housing Authority determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists.

E. Appeals. The family may use the grievance procedure to appeal the Housing Authority's determination regarding the hardship. No escrow deposit will be required in order to access the grievance procedure.

B. DEFINITION OF TEMPORARILY/PERMANENTLY ABSENT

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

Income of persons permanently absent will not be counted. If the spouse is temporarily absent and in the military, all military pay and allowances (except hazardous duty pay when exposed to hostile fire and any other exceptions to military pay HUD may define) is counted as income.

It is the responsibility of the household to report changes in family composition. The HA will evaluate absences from the unit using this policy.

Absence of Entire Family

These policy guidelines address situations when the family is absent from the unit, but has not moved out of the unit. In cases where the family has moved out of the unit, the HA will terminate assistance in accordance with appropriate termination procedures contained in this Plan.

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

Families must notify the HA if they are going to be absent from the unit for more than 14 consecutive days.

If the family is fails to notify the HA of an absence of longer than 14 consecutive days, or if the entire family is absent from the unit for more than 90 consecutive days, the unit will be considered to be vacated and the assistance will be terminated. The HA at all times shall reserve the right to exercise its judgment regarding extensions on family absence from the unit on a case-by-case basis. However, HUD regulations require the HA to terminate assistance if the entire family is absent from the unit for a period of more than 180 consecutive calendar days.

"Absence" means that no family member is residing in the unit, and the unit has not been vacated.
In order to determine if the family is absent from the unit, the HA may:

Write letters to the family at the unit
Telephone the family at the unit
Interview the landlord
Interview neighbors
Verify if utilities are in service

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

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

Absence of Any Member

Any member of the household will be considered permanently absent if he/she is away from the unit for 6 consecutive months except as otherwise provided in this Chapter.

Absence due to Medical Reasons

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, the HA will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent. If the verification indicates that the family member will return in less than 180 consecutive days, the family member will not be considered permanently absent.

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

Absence due to Incarceration

If the sole member is incarcerated for more than 60 consecutive days, he/she will be considered permanently absent. Any member of the household, other than the sole member, will be considered permanently absent if he/she is incarcerated for 6 consecutive months. These are maximum time limits and shall not be considered as routinely acceptable time periods. Absences of members as addressed in previous pages applies.

The HA will determine if the reason for any family member's incarceration is for drug-related or violent criminal activity and will pursue termination of assistance for the family if deemed appropriate.

Foster Care and Absences of Children

If the family includes a child or children temporarily absent from the home due to placement in foster care, the HA will determine from the appropriate agency when the child/children will be returned to the home.

If the time period is to be greater than 6 months from the date of removal of the children, the Voucher size will be reduced. If children are removed from the home permanently, the voucher size will be reduced in accordance with the HA's subsidy standards.

Absence of Adult

If neither parent remains in the household and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, the HA will treat that adult as a visitor for up to the first 180 days.

If during or by the end of that period, court-awarded custody or legal guardianship has been awarded to the caretaker, the Voucher will then be transferred to the caretaker.

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

If the appropriate agency cannot confirm the guardianship status of the caretaker, the HA will review the status at 90 day intervals.

The caretaker will be allowed to remain in the unit, as a visitor, until a determination of custody is made or up to 9 months total.

The HA will transfer the voucher to the caretaker, in the absence of a court order, if the caretaker has been in the unit for more than 9 months and it is reasonable to expect that custody will be granted.

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

If a member of the household is subject to a court order that restricts him/her from the home for more than 6 months, the person will be considered permanently absent.

If an adult family member leaves the household for any reason, the family must report the change in family composition to the HA within 30 days.

The family will be required to notify the HA in writing within 30 days when family member leaves the household for any reason or moves out. The notice must contain a certification by the family as to whether the member is temporarily or permanently absent.
The family member will be determined permanently absent if verification is provided.

Time extension may be granted as an accommodation upon request by a person with a disability.

If an adult child goes into the military and leaves the household, they will be considered permanently absent.

Students

Full time students who attend school away from the home and live with the family during school recess will be considered temporarily absent from the household.

Visitors

The Authority may consider the following factors in determining whether a person is a visitor or resident in the apartment.

Any person not included on the HUD 50058 who is determined to be living in the unit will be considered an unauthorized household member. A family has the right to have temporary guests, subject to the family's responsible behavior while on the leased premises. A person who occupies the premises for more than three consecutive weeks will be presumed to be an unauthorized household member and the burden of proof that that person is a visitor will rest with the family. A short break in the persons occupancy will not be reason to restart the 3 week period. e.g. a person may not move out for 1 night and restart the 3 week period.

If it comes to the HA's attention that a person claims a family, through a newspaper article or otherwise, that a person claims a family's address as his(her) own, the HA may make further inquiries as to whether the person is an unauthorized resident, but there will be no presumption that the person is an unauthorized resident, and the fact that the non-household member used the address shall not, in and of itself, constitute a basis for concluding that the person is an unauthorized resident.

In determining whether a person is a visitor or an unauthorized resident, the HA shall consider pertinent facts including but not limited to the following:

Any credible evidence that the person has another address, such as rent receipts, statements from landlords, delivered mail, and utility bills. Voter registration and motor vehicle registration may be considered but are not as reliable as those items in the previous sentence.

Any credible evidence that the family's address is used for mailing purposes only.

Any credible statements by the family, the person whose status is at issue, the family's landlord, and/or the family's neighbors concerning the frequency, duration, and circumstances of the person's presence at the leased premises.

In a joint custody arrangement, a minor child who spends less than half of the tear (183 calendar days) in the family's household will not be considered a family member for purposes of rent calculation, but will be considered an eligible visitor.

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

Reporting Additions to Owner and HA

Reporting changes in household composition to the HA is both a HUD and an HA requirement.

The family obligations require the family to receive advance HA approval to add any other family member as an occupant of the unit. The HA will conduct an application appointment which the head of household and any adult family members who are seeking to be added must attend. The HA shall notify the family of its determination in writing. No persons should move in until approval from the HA has been received. If the family does not obtain prior written approval from the HA, any person the family has permitted to move in will be considered an unauthorized household member.

Families are required to report any additions to the household resulting from the birth, adoption or court-awarded custody of a child in writing to the HA within 30 days of the move-in date.

An interim reexamination will be conducted for any additions to the household.

In addition, the lease may require the family to obtain prior written approval from the owner when there are changes in family composition.

Reporting Absences to the HA

Reporting changes in household composition is both a HUD and an HA requirement.

If a family member leaves the household, the family must report this change to the HA, in writing, within 30 days of the change and certify as to whether the member is temporarily absent or permanently absent. When available to do so, an adult family member who is leaving the household should remove him/herself in writing from the lease and Section 8 participating family.

The HA will conduct an interim evaluation for changes which affect the TTP in accordance with the interim policy.

C. AVERAGING INCOME

When Annual Income cannot be anticipated for a full twelve months, the HA may annualize current income and conduct an interim reexamination if income changes.

If there are bonuses or overtime which the employer cannot anticipate for the next twelve months, bonuses and overtime received the previous year may be used.

Income from the previous year may be analyzed to determine the amount to anticipate when third- party or check-stub verification is not available.

If by averaging, an estimate can be made for those families whose income fluctuates from month to month, this estimate will be used so that the housing payment will not change from month to month.

The method used depends on the regularity, source and type of income.

D. MINIMUM INCOME

There is no minimum income requirement. Families who report zero income may be required to attend an interim reexamination periodically, up to once per month, at HA discretion.

E. INCOME OF PERSON PERMANENTLY CONFINED TO NURSING HOME

If a family member is permanently confined to a hospital or nursing home and there is a family member left in the household, the HA will calculate the Total Tenant Payment.

Exclude the income and deductions of the member if his/her income goes directly to the facility.
OR
Include the income and deductions of the member if his/her income goes directly to a family member.

F. REGULAR CONTRIBUTIONS AND GIFTS

Regular contributions and gifts received from persons outside the household are counted as income for calculation of the Total Tenant Payment.

Any contribution or gift received every 3 months or more frequently will be considered a "regular" contribution or gift. This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis. It does not include casual contributions or sporadic gifts. (See Chapter 7, "Verification Procedures," for further definition.)

If the family's expenses exceed its known income, the HA will question the family about contributions and gifts.

G. ALIMONY AND CHILD SUPPORT

Regular alimony and child support payments are counted as income for calculation of Total Tenant Payment.

If the amount of child support or alimony received is less than the amount awarded by the court, the HA must use the amount awarded by the court unless the family can verify that they are not receiving the full amount.

The HA will accept as verification that the family is receiving an amount less that the award if:

The HA receives verification from the agency responsible for enforcement or collection.

The family furnishes documentation of child support or alimony collection action filed through a child support enforcement/collection agency, or has filed an enforcement or collection action through an attorney.

It is the family's responsibility to supply a certified copy of the divorce decree.

H. LUMP-SUM RECEIPTS

Lump-sum additions to Family assets, such as inheritances, insurance payments (including lump- sum payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses, are not included in income but may be included in assets.

Lump-sum payments caused by delays in processing periodic payments (unemployment or welfare assistance) are counted as income. Lump sum payments from Social Security or SSI are excluded from income, but any amount remaining will be considered an asset. Deferred periodic payments which have accumulated due to a dispute will be treated the same as periodic payments which are deferred due to delays in processing.

In order to determine amount of retroactive tenant rent that the family owes as a result of the lump sum receipt the HA uses a calculation method which calculates retroactively or prospectively depending on the circumstances.

Retroactive Calculation Methodology

1. The HA will go back to the date the lump-sum payment was received, or to the date of admission, whichever is closer.

2. The HA will determine the amount of income for each certification period, including the lump sum, and recalculate the tenant rent for each certification period to determine the amount due the HA.

The family has the choice of paying this "retroactive" amount to the HA in a lump sum.

At the HA's option, the HA may enter into a Payment Agreement with the family.

The amount owed by the family is a collectible debt even if the family becomes unassisted.

Attorney Fees

The family's attorney fees may be deducted from lump-sum payments when computing annual income if the attorney's efforts have recovered a lump-sum compensation, and the recovery paid to the family does not include an additional amount in full satisfaction of the attorney fees.

I. CONTRIBUTIONS TO RETIREMENT FUNDS - ASSETS

Contributions to company retirement/pension funds are handled as follows:

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

2. After retirement or termination of employment, count any amount the employee elects to receive as a lump sum.

J. ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE

The HA must count assets disposed of for less than fair market value during the two years preceding certification or reexamination. The HA will count the difference between the market value and the actual payment received in calculating total assets.

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

The HA's minimum threshold for counting assets disposed of for less than Fair Market value is $5000. If the total value of assets disposed of within a one-year period is less than $5000, they will not be considered an asset.

K. CHILD CARE EXPENSES

Child care expenses for children under 13 may be deducted from annual income if they enable an adult to work or attend school full time.

In the case of a child attending school, only care during non-school hours can be counted as child care expenses.

Child care expenses cannot be allowed as a deduction if there is an adult household member capable of caring for the child who can provide the child care. Examples of those adult members who would be considered unable to care for the child include:

The abuser in a documented child abuse situation, or

A person with disabilities or older person unable to take care of a small child, as verified by a reliable knowledgeable source.

Allowability of deductions for child care expenses is based on the following guidelines:

Child care to work: The maximum child care expense allowed must be less than the amount earned by the person enabled to work. The "person enabled to work" will be the adult member of the household who earns the least amount of income from working.

Child care for school: The number of hours claimed for child care may not exceed the number of hours the family member is attending school (including one hour travel time to and from school).

Amount of Expense: The HA will determine local average costs as a guideline. If the hourly rate materially exceeds the guideline, the HA may calculate the allowance using the guideline.

L. MEDICAL EXPENSES

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

The HA will allow as medical expense the actual out-of-pocket amounts which are owed and anticipated to be paid by the family during the reexamination period. Expenses from the previous year may be analyzed to determine the amount to anticipate when other verification is not available.

Nonprescription medicines will be counted toward medical expenses for families who qualify if the family furnishes legible receipts.

Acupressure, acupuncture and related herbal medicines, and chiropractic services will be considered allowable medical expenses.

M. PRORATION OF ASSISTANCE FOR "MIXED" FAMILIES

Applicability

Proration of assistance must be offered to any "mixed" applicant or participant family. A "mixed" family is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible members.

"Mixed" families that were participants on June 19, 1995, and that do not qualify for continued assistance must be offered prorated assistance. (See Chapter 12, "Recertifications.") Applicant mixed families are entitled to prorated assistance. Families that become mixed after June 19, 1995 by addition of an ineligible member are entitled to prorated assistance.

Prorated Assistance Calculation

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

N. REDUCTION IN BENEFITS

If the family's benefits, such as social security, SSI or AFDC, are reduced through no fault of the family, the HA will use the net amount of the benefit.

If the family's benefits were reduced due to family error, omission, or misrepresentations, the HA will use the gross amount of the benefit.

O. UTILITY ALLOWANCE AND UTILITY REIMBURSEMENT PAYMENTS

The Utility allowance is intended to help defray the cost of utilities not included in the rent and is subtracted from Total Tenant Payment to establish the family's rent to the landlord. The allowances are based on actual rates and average consumption studies, not on a family's actual consumption. The HA will review the Utility Allowance Schedule on an annual basis and revise it if needed.

The approved utility allowance schedule is given to families along with their Voucher. The utility allowance is based on the actual unit size selected.

Where families provide their own range and refrigerator, the HA will establish an allowance adequate for the family to purchase or rent a range or refrigerator, even if the family already owns either appliance. Allowances for ranges and refrigerators will be based on the lesser of the cost of leasing or purchasing the appropriate appliance over a 12 month period. Where a landlord provides the range and refrigerator the tenant will not be entitled to an allowance if they select to use their own.

Where the Utility Allowance exceeds the family's Total Tenant Payment, the HA will provide a Utility Reimbursement Payment for the family each month. ***The check will be made out directly to the tenant unless the HA determines that the utilities are in danger of being turned off. In such cases the HA may make the payments directly to the utility on behalf of the tenant.***

P. DISALLOWANCE (24CFR5.617)

Exclusion from annual income.

Previously unemployed includes a person with disabilities who has earned, in the twelve months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

Qualified family. A family residing in housing assisted under one of the programs listed in paragraph (a) of this section or receiving tenant-based rental assistance under one of the programs listed in paragraph (a) of this section.
(1) Whose annual income increases as a result of employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment;
(2) Whose annual income increases as a result of increased earnings by a family member who is a person with disabilities during participation in any economic self-sufficiency or other job training program; or

(3) Whose annual income increases, as a result of new employment or increased earnings of a family member who is a person with disabilities, during or within six months after receiving assistance, benefits or services under any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by the responsible entity in consultation with the local agencies administering temporary assistance for needy families (TANF) and Welfare-to-Work (WTW) programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance--provided that the total amount over a six-month period is at least $500.

Chapter 7

VERIFICATION PROCEDURES

INTRODUCTION

HUD regulations require that the factors of eligibility and Total Tenant Payment be verified by the HA. Applicants and program participants must furnish proof of their statements whenever required by the HA, and the information they provide must be true and complete. The HA's verification requirements are designed to maintain program integrity. This Chapter explains the HA's procedures and standards for verification of preferences, income, assets, allowable deductions, family status, and when there are changes in family members. The HA will ensure that proper authorization from the family is always obtained before making verification inquiries.

A. METHODS OF VERIFICATION AND TIME ALLOWED

The HA will verify information through **the six methods** of verification acceptable to HUD in the following order:

1. HUD's Enterprise Income Verification System.
2. The Work Number (a private verification service).
3 Third-Party Written
4. Third Party Oral
5. Review of Documents
6. Certification/Self Declaration

The HA will allow two weeks for return of third-party verifications and two weeks to obtain other types of verifications before going to the next method.

For applicants, verifications may not be more than 60 days old at the time of Voucher issuance. For participants, they are valid for 120 days from date of receipt.

Third-Party Written Verification

Third-party verification is used to verify information directly with the source. Third-party written verification forms will be sent and returned via first class mail. The family will be required to sign an authorization for the information source to release the specified information.

Verifications received electronically directly from the source are considered third party written verifications.

The HA will not accept verifications delivered by the family except computerized printouts from the following agencies:

* Social Security Administration
* Veterans Administration
* Welfare Assistance
* Unemployment Compensation Board
* City or County Courts
* Child Support Enforcement Agencies

Third-Party Oral Verification

Oral third-party verification will be used when written third-party verification is delayed or not possible. When third-party oral verification is used, staff will be required to document the oral verification in the family's file. If oral third party verification is not available, the HA will compare the information to any documents provided by the Family. If provided by telephone, the HA must originate the call.

Review of Documents

In the event that third-party written or oral verification is unavailable, or the information has not been verified by the third party within two weeks, the HA will annotate the file accordingly and utilize documents provided by the family as the primary source if the documents provide complete information.

All such documents, excluding government checks, will be photocopied and retained in the applicant file. In cases where documents are viewed which cannot be photocopied, staff viewing the document(s) will complete a Certification of Document Viewed or Person Contacted form.

* The HA will accept the following documents from the family provided that the document is such that tampering would be easily noted:

* Printed wage stubs
If Weekly 8 pay stubs
If Monthly 2 pay stubs
If Bi-Monthly 4 pays stubs
If Bi-Weekly 6 Pay stubs
* Computer print-outs from the employer
* Signed letters (provided that the information is confirmed by phone)
* Other documents noted in this Chapter as acceptable verification

The HA will accept faxed documents.

The HA will not accept photo copies.

If third-party verification is received after documents have been accepted as provisional verification, and there is a discrepancy, the HA will utilize the third party verification.

Self-Certification/Self-Declaration

When verification cannot be made by third-party verification or review of documents, families will be required to submit a self-certification.

Self-certification means a notarized statement/affidavit/certification/statement under penalty of perjury and must be witnessed.

B. RELEASE OF INFORMATION

The family will be required to sign specific authorization forms when information is needed that is not covered by the form HUD-9886, Authorization for Release of Information.

Each member requested to consent to the release of information will be provided with a copy of the appropriate forms for their review and signature.

Family refusal to cooperate with the HUD prescribed verification system will result in denial of admission or termination of assistance because it is a family obligation to supply any information requested by the HA or HUD.

C. COMPUTER MATCHING

Where allowed by HUD and/or other State or local agencies, computer matching will be done.

D. ITEMS TO BE VERIFIED

All income not specifically excluded by the regulations.

Zero-income status of household.

Full-time student status including High School students who are age 18 or over.

Current assets including assets disposed of for less than fair market value in preceding two years.

Child care expense where it allows an adult family member to be employed or to further his/her education.

Total medical expenses of all family member in households whose head or spouse is elderly or disabled.

Disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus which allow an adult family member to be employed.

Identity

U.S. citizenship/eligible immigrant status.

Social Security Numbers for all family members 6 years of age or older.

"Preference" status, based upon Local preferences.
"Displacement" status of single applicants who are involuntarily displaced through no fault of their own.

Familial/Marital status when needed for head or spouse definition.

Disability for determination of preferences, allowances or deductions.

E. VERIFICATION OF INCOME

This section defines the methods the HA will use to verify various types of income.

The Housing Authority will use electronic means of verification where applicable. This includes but is not limited to the use of HUD's Upfront Income Verification (UIV) and Tenant Assessment Sub System (TASS). Other electronic verification systems will be used when available.

Employment Income

Verification forms request the employer to specify the:

Dates of employment

Amount and frequency of pay

Date of the last pay increase

Likelihood of change of employment status and effective date of any known salary increase during the next 12 months

Year-to-date earnings

Estimated income from overtime, tips, bonus pay expected during next 12 months

Acceptable methods of verification include, in this order:

1. Employment verification form completed by the employer.

2. Check stubs or earning statements which indicate the employee's gross pay, frequency of pay or year-to-date earnings.

3. W-2 forms plus income tax return forms.

4. Income tax returns signed by the family may be used for verifying self-employment income, or income from tips and other gratuities.

In cases where there are questions about the validity of information provided by the family, the HA will require the most recent federal income tax statements.

Social Security, Pensions, Supplementary Security Income (SSI), Disability Income

Acceptable methods of verification include, in this order:

1. Benefit verification form completed by agency providing the benefits.

2. Award or benefit notification letters prepared and signed by the providing agency.

3. Computer report electronically obtained or in hard copy.

4. Bank statements for direct deposits.

Third party verification of SS/SSI benefits of applicants and household members is not available. PHAs should request a current (dated within the last 60 days) SSA benefit verification letter for each household member that receives social security benefits. If the applicant and/or household member are unable to provide the requested document, ask the applicant/household member to call SSA at 1-800-772-1213 to request a benefit verification letter. The request for a benefit verification letter can also be made at the SSA Internet Website at www.ssa.gov. From the front page of the website (Social Security Online), click on *Already receiving* benefits, which is located in the center column of the page. From the right side of the page under *Things You Can Do Online*, click on *Get a "Proof of Income Letter*." Follow the instructions on the page to complete the request for a benefit verification letter. The applicant/household member should provide the POA with the original benefit verification letter. The POA should make a photocopy of the original benefit verification letter, return the original benefit verification letter to the applicant/household member, and maintain the photocopy of the benefit verification letter in the tenant file.

Unemployment Compensation

Acceptable methods of verification include, in this order:

1. Verification form completed by the unemployment compensation agency.

2. Computer printouts from unemployment office stating payment dates and amounts.

3. Payment stubs.

Welfare Payments or General Assistance

Acceptable methods of verification include, in this order:

1. HA verification form completed by payment provider.

2 Written statement from payment provider indicating the amount of grant/payment, start date of payments, and anticipated changes in payment in the next 12 months.

3. Computer-generated Notice of Action.

Alimony or Child Support Payments

Acceptable methods of verification include, in this order:

1. Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.

2. Computerized official printout of payments made if through a state agency.

3. A (notarized) letter from the person paying the support.

4. Copy of latest check and/or payment stubs from Court Trustee. HA must record the date, amount, and number of the check.

5. Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.

6. If payments are irregular, the family must provide:

A copy of the separation or settlement agreement, or a divorce decree stating the amount and type of support and payment schedules.

A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.

A welfare notice of action showing amounts received by the welfare agency for child support.

A written statement from an attorney certifying that a collection or enforcement action has been filed.

Net Income from a Business

In order to verify the net income from a business, the HA will view IRS and financial documents from prior years and use this information to anticipate the income and expenses for the next 12 months.

Acceptable methods of verification include:

1. IRS Form 1040, including:
   Schedule C (Small Business)
   Schedule E (Rental Property Income)
   Schedule F (Farm Income)

2. If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.

3. Audited or unaudited financial statement(s) of the business.

4. Third party verification forms for each customer/contract indicating the amounts of income received in a specified time period.

Expenses for rent and utilities will not be allowed for operations or businesses based in the subsidized unit, as these expenses are a required family contribution in the Section 8 program and are calculated based upon the family's income.

Child Care Business

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

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

If child care services were terminated, a third-party verification will be sent to the parent whose child was cared for.

Recurring Gifts

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

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

Zero Income Status

Families claiming to have no income will be required to execute verification forms to determine that forms of income such as unemployment benefits, AFDC, SSI, etc. are not being received by the household.

The HA will request information from the State Employment Development Department.

The HA may check records of other departments in the jurisdiction that have information about income sources of customers.

Full-Time Student Status

Only the first $480 of the earned income of full time students (including those who are temporarily absent), other than head or spouse, will be counted towards family income.

Financial aid, scholarships and grants received by full time students is not counted towards family income. Verification of full time student status includes:

1. Written verification from the registrar's office or other school official.

2. School records indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution.

The FRHA reserves the right to investigate all discrepancies between the amount of income reported and amounts provided by third party verifications and other sources. Any discrepancies found may be subject to the sections of this plan regarding Fraud and/or

F. INCOME FROM ASSETS

Acceptable methods of verification include, in this order:

Savings Account Interest Income and Dividends

Will be verified by:

1. Account statements, passbooks, certificates of deposit, or HA verification forms completed by the financial institution. For checking/savings accounts as well as CD's and bonds under $2,000 the value and interest may be estimated using the hand carried statements without third party verification.

2. Broker's statements showing value of stocks or bonds and the earnings credited the family. Earnings can be obtained from current newspaper quotations or oral broker's verification. Dividends under $200 as well as values under $2,000 may be estimated using the hand carried verifications.

3. IRS Form 1099 from the financial institution, provided that the HA must adjust the information to project earnings expected for the next 12 months.

Cash value of life insurance policies

1. Letter from insurance company. Current Statement. For cash values under $2,000 the hand carried documentation is sufficient. (1)

Interest Income from Mortgages or Similar Arrangements

1. A letter from an accountant, attorney, real estate broker, the buyer, or a financial institution stating interest due for next 12 months. (A copy of the check paid by the buyer to the family is not sufficient unless a breakdown of interest and principal is shown.)

2. Amortization schedule showing interest for the 12 months following the effective date of the certification or recertification.

Net Rental Income from Property Owned by Family

1. IRS Form 1040 with Schedule E (Rental Income).

2. Copies of latest rent receipts, leases, or other documentation of rent amounts.

3. Documentation of allowable operating expenses of the property: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.

G. VERIFICATION OF ASSETS

Family Assets

The HA will require the necessary information to determine the current cash value, (the net amount the family would receive if the asset were converted to cash).

1. Verification forms, letters, or documents from a financial institution or broker.

2. Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.

3. Quotes from a stock broker or realty agent as to net amount family would receive if they liquidated securities or real estate.

4. Real estate tax statements if the approximate current market value can be deduced from assessment.

5. Financial statements for business assets.

6. Copies of closing documents showing the selling price and the distribution of the sales proceeds.

7. Appraisals of personal property held as an investment.

Assets Disposed of for Less than Fair Market Value (FMV) during two years preceding effective date of certification or recertification:

1. For all Certifications and Recertifications, the HA will obtain the Family's certification as to whether any member has disposed of assets for less than fair market value during the two years preceding the effective date of the certification or recertification.

2. If the family certifies that they have disposed of assets for less than fair market value, verification [or certification] is required that shows: (a) all assets disposed of for less than FMV, (b) the date they were disposed of, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third party verification will be obtained wherever possible.

H. VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME

Child Care Expenses

1. Written verification from the person who receives the payments is required. If the child care provider is an individual, he/she must provide a statement of the amount they are charging the family for their services and whether any of the amounts owed have been or will be paid by sources outside the family.

2. Verifications must specify the child care provider's name, address, telephone number, the names of the children cared for, the number of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods.

3. Family's certification as to whether any of those payments have been or will be paid or reimbursed by outside sources.

Medical Expenses

Families who claim medical expenses or expenses to assist a person(s) with disability will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. All expense claims will be verified by one or more of the methods listed below:

1. Written verification by a doctor, hospital or clinic personnel, dentist, pharmacist, of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

2. Written confirmation by the insurance company or employer of health insurance premiums to be paid by the family.

3. Written confirmation from the Social Security Administration's written of Medicare premiums to be paid by the family over the next 12 months. A computer printout will be accepted.

4. For attendant care:

a. A reliable, knowledgeable professional's certification that the assistance of an attendant is necessary as a medical expense and a projection of the number of hours the care is needed for calculation purposes.

b. Attendant's written confirmation of hours of care provided and amount and frequency of payments received from the family or agency (or copies of canceled checks the family used to make those payments) or stubs from the agency providing the services.

5. Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 months.

6. Copies of payment agreements or most recent invoice that verify payments made on outstanding medical bills that will continue over all or part of the next 12 months.

7. Receipts or other record of medical expenses incurred during the past 12 months that can be used to anticipate future medical expenses. HA may use this approach for "general medical expenses" such as non-prescription drugs and regular visits to doctors or dentists, but not for one-time, nonrecurring expenses from the previous year.

8. The HA will use mileage at the IRS rate, or cab, bus fare, or other public transportation cost for verification of the cost of transportation directly related to medical treatment.

Assistance to Persons with Disabilities

1. In All Cases:

(a) Written certification from a reliable, knowledgeable professional that the person with disabilities requires the services of an attendant and/or the use of auxiliary apparatus to permit him/her to be employed or to function sufficiently independently to enable another family member to be employed.

(b) Family's certification as to whether they receive reimbursement for any of the expenses of disability assistance and the amount of any reimbursement received.

2. Attendant Care:

(a) Attendant's written certification of amount received from the family, frequency of receipt, and hours of care provided.

(b) Certification of family and attendant and/or copies of canceled checks family used to make payments.

3. Auxiliary Apparatus:

(a) Receipts for purchases or proof of monthly payments and maintenance expenses for auxiliary apparatus.

(b) In the case where the person with disabilities is employed, a statement from the employer that the auxiliary apparatus is necessary for employment.

I. VERIFYING NON-FINANCIAL FACTORS

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

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

Certificate of Birth, naturalization papers
Church issued baptismal certificate
Current, valid Driver's license
U.S. military discharge (DD 214)
U.S. passport
Company/agency Identification Card
Department of Motor Vehicles Identification Card
Hospital records

All adult family members will be required to submit a valid photo identification where it is available. If no photo is available the adult member must sign an affidavit attesting to the fact that they do not have a valid photographic identification.

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

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

Verification of Marital Status

Verification of divorce status will be a certified copy of the divorce decree, signed by a Court Officer.

Verification of a separation may be a copy of court-ordered maintenance or other records.

Verification of marriage status is a marriage certificate.

Familial Relationships

The following verifications may be required if applicable:

* Verification of relationship:
    * Official identification showing names
    * Birth Certificates
    * Baptismal certificates

* Verification of guardianship:
    * Court-ordered assignment
    * Verification from social services agency
    * School records
    * Affidavit of parent

* Evidence of a stable family relationship:
    * Joint bank accounts or other shared financial transactions
    * Leases or other evidence of prior cohabitation
    * Credit reports showing relationship

Verification of Permanent Absence of Adult Member

If an adult member who was formerly a member of the household is reported permanently absent by the family, the HA may require one or more of the following as verification:

1. Husband or wife institutes divorce action.

2. Husband or wife institutes legal separation.

3. Order of protection/restraining order obtained by one family member against another.

4. Proof of another home address, such as utility bills, canceled checks for rent, drivers license, or lease or rental agreement, if available.

5. Statements from other agencies such as social services or a written statement from the landlord or manager that the adult family member is no longer living at that location.

6. If the adult family member is incarcerated, a document from the Court or prison should be obtained stating how long they will be incarcerated.

7. A notarized statement by the adult member of the household removing him/herself from the lease and Section 8 household and providing a forwarding address and effective date of the move.

Verification of Change in Family Composition

The HA may verify changes in family composition (either reported or unreported) through letters, telephone calls, utility records, inspections, landlords, neighbors, credit data, school or DMV records, and other sources.

Verification of Disability

Verification of disability must be receipt of SSI or SSA disability payments under Section 223 of the Social Security Act or 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7) or verified by appropriate diagnostician such as physician, psychiatrist, psychologist, therapist, rehabilitation specialist, or licensed social worker, using the HUD language as the verification format.

Verification of Citizenship/Eligible Immigrant Status

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants. Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS). Each family member must declare their status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while the HA hearing is pending.

(a) Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury.

(b) Eligible Immigrants who were Participants and 62 or over on June 19, 1995, are required to sign a declaration of eligible immigration status and provide proof of age.

(c) Noncitizens with eligible immigration status must sign a declaration of status and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. The HA verifies the status through the INS SAVE system. If this primary verification fails to verify status, the HA must request within ten days that the INS conduct a manual search.

(d) Ineligible family members who do not claim to be citizens or eligible immigrants must be listed on a statement of ineligible family members signed by the head of household or spouse.

(e) Noncitizen students on student visas are ineligible members even though they are in the country lawfully. They must provide their student visa but their status will not be verified and they do not sign a declaration but are listed on the statement of ineligible members.

Failure to Provide. If an applicant or participant family member fails to sign required declarations and consent forms or provide documents, as required, they must be listed as an ineligible member. If the entire family fails to provide and sign as required, the family may be denied or terminated for failure to provide required information.

Time of Verification. For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same time as verification of other factors of eligibility for final eligibility determination. For participants, it is done at the first regular recertification after June 19, 1995. For family members added after other members have been verified, the verification occurs at the first recertification after the new member moves in. Once verification has been completed for any covered program, it need not be repeated except that, in the case of port-in families, if the initial HA does not supply the documents, the HA must conduct the determination.

Extensions of Time to Provide Documents. Extensions must be given for persons who declare their eligible immigration status but need time to obtain the required documents. The length of the extension shall be based on individual circumstances. The HA will generally allow up to 30 days to provide the document or a receipt issued by the INS for issuance of replacement documents.

Acceptable Documents of Eligible Immigration. The regulations stipulate that only the following documents are acceptable unless changes are published in the Federal Register.

Resident Alien Card (I-551)
Alien Registration Receipt Card **(I-551)**
Arrival-Departure Record (I-94)
Temporary Resident Card (I-688)
Employment Authorization Card (I-688B)
Receipt issued by the INS for issuance of replacement of any of the above documents that shows individual's entitlement has been verified

A birth certificate is not acceptable verification of status. All documents in connection with U.S. citizenship/eligible immigrant status must be kept five years.

Chapter 8

VOUCHER ISSUANCE AND BRIEFINGS

INTRODUCTION

The HA's objectives are to assure that families selected to participate are successful in obtaining an acceptable housing unit, and that they have sufficient knowledge to derive maximum benefit from the program and to comply with program requirements. When families have been determined to be eligible, the HA will conduct a mandatory briefing to ensure that families know how the program works. The briefing will provide a broad description of owner and family responsibilities, HA procedures, and how to lease a unit. The family will also receive a briefing packet which provides more detailed information about the program. This Chapter describes how briefings will be conducted, the information that will be provided to families, and the policies for how changes in the family composition will be handled.

A. ISSUANCE OF VOUCHERS [24 CFR 982.204 (d), 982.54 (d)(3)]

When funding is available, the HA will issue Vouchers to applicants whose eligibility has been determined. The issuance of Vouchers must be within the dollar limitations set by the ACC budget.

The number of Vouchers issued must ensure that the HA stays as close as possible to 100% lease-up. The HA performs a calculation to determine whether applications can be processed, the number of Vouchers that can be issued, and to what extent the HA can over-issue.

The HA may over-issue Vouchers only to the extent necessary to meet leasing goals. All Vouchers which are over-issued must be honored. If the HA finds it is over-leased, it must adjust future issuance of Vouchers in order not to exceed the ACC budget limitations over the fiscal year.

B. BRIEFING TYPES AND REQUIRED ATTENDANCE [24 CFR 982.301]

Initial Applicant Briefing

A full HUD-required briefing will be conducted for applicant families who are determined to be eligible for assistance. The briefings will be conducted in groups or individual meetings. Families who attend group briefings and still have the need for individual assistance will be referred to the Section 8 Housing Specialist or Program Director.

Briefings for the Voucher Program will be conducted in English.

The purpose of the briefing is to explain the documents in the Voucher holder's packet to families so that they are fully informed about the program. This will enable them to utilize the program to their advantage, and it will prepare them to discuss it with potential owners and property managers.

The HA will not issue a Voucher to a family unless the household representative has attended a briefing and signed the Voucher. Applicants who provide prior notice of inability to attend a briefing will automatically be scheduled for the next briefing. Applicants who fail to attend scheduled briefings, without prior notification and approval of the HA, may be denied admission based on failure to supply information needed for certification. The HA will conduct individual briefings for families with disabilities at their home, upon request by the family, if required for reasonable accommodation.

Briefing Packet

The documents and information provided in the briefing packets for both the Voucher programs will comply with all HUD requirements. The HA also includes other information and/or materials which are not required by HUD.

The family is provided with the following information and materials:

1. The term of the voucher, and the HA policy for requesting extensions to the term of the voucher or suspensions of the voucher.

2. A description of the method used to calculate the assistance payment, payment standards (voucher program), and utility allowances.

3. How the maximum allowable rent is determined, including the rent reasonableness standard.

4. Guidance and materials to assist the family in selecting a unit, such as proximity to employment, public transportation, schools, shopping, and the accessibility of services. Guidance will also be provided to assist the family to evaluate the prospective unit, such as the condition, whether the rent is reasonable, average utility expense, energy efficiency, and security.

5. The boundaries of the geographical area in which the family may lease a unit including an explanation of portability.

6. HUD tenancy addendum.

7. The Request for Lease Approval form, landlord certification, and a description of the procedure for requesting approval for a unit.

8. The HA policy on providing information about families to prospective owners.

9. The Subsidy Standards, when and how exceptions are made and how the voucher size relates to the unit size selected.

10. The HUD brochure, "A Good Place to Live" on how to select a unit that complies with HQS.

11. The HUD brochure on lead-based paint and information about where blood level testing is available.

12. Information on Federal, State and local equal opportunity laws including the pamphlet "Fair Housing: It's Your Right" and the form for reporting suspected discrimination.

13. A list of landlords or other parties willing to lease to assisted families or help in the search and/or known units available for the size voucher issued.

14. If the family includes a person with disabilities, notice that the HA will provide a list of available accessible units known to the HA.

15. The Family Obligations under the program.

16. The grounds for termination of assistance because of family action or failure to act.

17. When the HA is required to offer an informal hearing, how to request the hearing, and the hearing procedures.

Other Information to be Provided at the Briefing

The person conducting the briefing will also describe how the program works and the relationship between the family and the owner, the family and the HA, and the HA and the owner.

The briefing presentation emphasizes:

Family and owner responsibilities

Where a family may lease a unit inside and outside its jurisdiction

How portability works for families eligible to exercise portability

Advantages to moving to area with low concentration of poor families if family is living in a high poverty census tract in the HA's jurisdiction

The Family Self Sufficiency program and its advantages.

If the family includes a person with disabilities, the HA will ensure compliance with CFR 8.6 to ensure effective communication.

Owner Briefing

* Briefings are held for owners as deemed necessary. All owners receive a mailed invitation. Prospective owners are also welcome. The purpose of the briefing is to assure successful owner participation in the program.

C. ENCOURAGING PARTICIPATION IN AREAS WITHOUT LOW INCOME OR MINORITY CONCENTRATION

At the briefing, families are encouraged to search for housing in non-impacted areas and the HA will provide assistance to families who wish to do so.

The assistance provided to such families includes:

Direct contact with landlords.
Counseling with the family.
Providing information about services in various non-impacted areas.
Meeting with neighborhood groups to promote understanding.
Formal or informal discussions with landlord groups
Formal or informal discussions with social service agencies
Meeting with rental referral companies or agencies
Meeting with fair housing groups or agencies

The Housing Authority will maintain lists of available housing submitted by owners in all neighborhoods within the Housing Authority's jurisdiction to ensure greater mobility and housing choice to very low income households. The lists of units will be provided at the front desk and at briefings.

D. ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION

Fair Housing Laws

In compliance with Section 147 of the National Affordable Housing Act, no owner who has entered into a contract for housing assistance payments under this section on behalf of any tenant in a multifamily building (more than four units) shall refuse to lease any available dwelling unit in any multifamily building owned by the same owner to a Voucher holder solely because of their status as a Voucher holder.

The HA provides the family with the HUD discrimination complaint form and directs the family to report suspected discrimination to HUD. If HUD Fair Housing makes a finding of discrimination against an owner, the HA may restrict the owner from future participation.

Take One - Take All: In compliance with Section 174 of the National Affordable Housing Act, if an owner who already has a unit in any multifamily building (more than four units) denies a Voucher holder admission to any multifamily building solely on the basis of their status as a Voucher holder, the owner will be reported to HUD Fair Housing Complaints Office and barred from future participation.

E. SECURITY DEPOSIT REQUIREMENTS [24 CFR 982.313]

Security deposits charged by owners may not exceed those charged to unassisted tenants (nor the maximum prescribed by State or local law.)

For lease-in-place families, responsibility for first and last month's rent is not considered a security deposit issue. In these cases, the owner should settle the issue with the tenant prior to the beginning of assistance.

F. TERM OF VOUCHER [24 CFR 982.303, 982.54(2)

During the briefing session, each household will be issued a Voucher which represents a contractual agreement between the HA and the Family specifying the rights and responsibilities of each party. It does not constitute admission to the program which occurs when the lease and contract become effective.

Expirations

For new Voucher holders (never had a voucher before) the voucher will be effective for sixty (60) calendar days from the date of issuance. For all others the Voucher is valid for a period of one hundred twenty (120) calendar days from the date of issuance. The family must submit a Request for Lease Approval and Lease within these time frames unless an extension has been granted by the HA.

If the Voucher has expired, and has not been extended by the HA or expires after an extension, the family will be denied assistance. The family will not be entitled to a review or hearing. If the family is currently assisted, they may remain as a participant in their unit if there is an assisted lease/contract in effect.

Suspensions

When a Request for Lease Approval is received, the HA will not deduct the number of days required to process the request from the 60 day term of the voucher.

Extensions

The HA may grant extensions to vouchers.

A family may request an extension of the Voucher time period. All requests for extensions must be received in writing prior to the expiration date of the Voucher.

Extensions are permissible at the discretion of the HA up to a maximum term of 180 days, primarily for these reasons:

Extenuating circumstances such as hospitalization or a family emergency for an extended period of time which has affected the family's ability to find a unit within the initial sixty- day period. Verification is required.

The HA is satisfied that the family has made a reasonable effort to locate a unit, including seeking the assistance of the HA, throughout the initial sixty-day period. A completed search record is required.

The family was prevented from finding a unit due to disability accessibility requirements or large size (four bedroom or larger) unit requirement. The Search Record is part of the required verification.

The HA policy is to extend the vouchers for 60 days where a reasonable need exists. We will consider requests approvable unless we have legitimate reasons for not granting the extension. Additional extensions may be granted by the Section 8 Program Director, if in his opinion further extensions are appropriate.

Assistance to Voucher Holders

Families who require additional assistance during their search may call the HA Office to request assistance. Voucher holders will be notified at their briefing session that the HA periodically updates the listing of available units and how the updated list may be obtained.

The HA will assist families with negotiations with owners and provide other assistance related to the families' search for housing.

G. VOUCHER ISSUANCE DETERMINATION FOR SPLIT HOUSEHOLDS [24 CFR 982.315]

In those instances when a family assisted under the Section 8 program becomes divided into two otherwise eligible families due to divorce, legal separation, or the division of the family, and the new families cannot agree as to which new family unit should continue to receive the assistance, and there is no determination by a court, the HA shall consider the following factors to determine which of the families will continue to be assisted:

1. Which of the two new family units has custody of dependent children.

2. Which family member was the head of household when the Voucher was initially issued (listed on the initial application).

3. The composition of the new family units, and which unit contains elderly or disabled members.

4. Whether domestic violence was involved in the breakup.

5. Which family members remain in the unit.

6. Recommendations of social service professionals.

Documentation of these factors will be the responsibility of the requesting parties.

If documentation is not provided, the HA will terminate assistance on the basis of failure to provide information necessary for a recertification.

Where the breakup of the family also results in a reduction of the size of the voucher, the family will be required to move to a smaller unit if the current landlord is unwilling to accept the rent level of the smaller sized voucher.

H. REMAINING MEMBER OF TENANT FAMILY - RETENTION OF VOUCHER

To be considered the remaining member of the tenant family, the person must have been previously approved by the HA to be living in the unit.

A live-in attendant, by definition, is not a member of the family and will not be considered a remaining member of the Family.

In order for a minor child to continue to receive assistance as a remaining family member:

1. The court has to have awarded emancipated minor status to the minor, or

2. The HA has to have verified that social services and/or the Juvenile Court has arranged for another adult to be brought into the assisted unit to care for the child(ren) for an indefinite period.

A reduction in family size may require a reduction in the voucher size.

It is not the intent of Section H or I to allow the transfer of subsidy to another person but to preserve the family unit and its ability to remain subsidized. The FRHA may at its discretion refuse to allow remaining member status when it determines that the intent is not in accordance with these sections.

Chapter 9

REQUEST FOR LEASE APPROVAL AND CONTRACT EXECUTION

INTRODUCTION [24 CFR 982.305 (a)]

After families are issued a voucher, they may search for a unit anywhere within the jurisdiction of the HA, or outside of the HA's jurisdiction if they qualify for portability. The family must find an eligible unit under the program rules, with an owner/landlord who is willing to enter into a Housing Assistance Payments Contract with the HA. This Chapter defines the types of eligible housing, the HA's policies which pertain to initial inspections, lease requirements, owner disapproval, and the processing of Requests For Lease Approval (RFLA).

A. REQUEST FOR LEASE APPROVAL [24 CFR 982.305 (b)]

The Request for Lease Approval (RFLA) and a copy of the proposed Lease must be submitted by the family during the term of the voucher.

The Request for Lease Approval must be signed by both the owner and Voucher holder. The lease may be executed up to 60 days prior to contract execution but cannot be executed without approval of the HA.

The HA will not permit the family to submit more than one RFLA at a time.

The HA will review the documents to determine whether or not they are approvable.

The Request will be approved if:

1 The unit is an eligible type of housing

2. The unit meets HUD's Housing Quality Standards (and any additional criteria as identified in this Administrative Plan)

3. The rent is reasonable

4. The security deposit amount is approvable.

5. The proposed lease complies with HUD and HA requirements, and State and local law

6. The owner is approvable, and there are no conflicts of interest.

Disapproval of RFLA

If the HA determines that the Request cannot be approved for any reason, the landlord and the family will be notified in writing. The HA will instruct the owner and family of the steps that are necessary to approve the Request.

The owner will be given five calendar days to submit an approvable RFLA from the date of disapproval.

When, for any reason, an RFLA is not approved, the HA will furnish another RFLA form to the family along with the notice of disapproval so that the family can continue to search for eligible housing.

The time limit on the Voucher will not be suspended while the RFLA is being processed.

B. ELIGIBLE TYPES OF HOUSING [24 CFR 982.352, 982.54(d)(16)]

The HA will approve any of the following types of housing in the Voucher programs:

All structure types can be utilized.

Manufactured homes where the tenant leases the mobile home and the pad.

Independent Group Residences

A family may lease in and have an interest in a cooperative housing development. Families may lease properties owned by relatives, as long as those owners and units meet the other program requirements.

The HA may not permit a Voucher holder to lease a unit which is receiving Project- Based Section 8 assistance or any duplicative rental subsidies.

The HA will not approve:

A unit occupied by the owner or by any person with an interest in the unit, other than manufactured homes described above.

Nursing homes or other institutions that provide care.

School dormitories and institutional housing.

A unit owned by the parent, child, grandparent, grandchild, sister, or brother of any member of the family, unless the HA has determined (and notified the owner and the family of such determination) that approving rental of the unit, notwithstanding such relationship, would provide reasonable accommodation for a family member who is a person with disabilities.

Any other types of housing prohibited by HUD.

C. LEASE REVIEW [24 CFR 982.308]

The HA will review the lease, particularly noting the approvability of optional charges and compliance with regulations and State/local law. Responsibility for utilities, appliances and optional services must correspond to those provided on the Request For Lease Approval.

Owners may either submit their own lease or permit the HA to furnish the lease. In cases where the owner's lease is used, the HUD lease addendum must be attached and executed.

The HA will encourage owners to use a sample lease provided by the HA which includes the HUD-mandated language.

Separate Agreements

Separate agreements are not necessarily illegal side agreements. Families and owners will be advised of the prohibition of illegal side payments for additional rent, or for items normally included in the rent of unassisted families, or for items not shown on the approved lease.

Owners and families may execute separate agreements for services, appliances (other than range and refrigerator) and other items that are not included in the lease if the agreement is in writing and approved by the HA.

Any appliances, services or other items which are routinely provided to unassisted families as part of the lease (such as air conditioning, dishwasher or garage) or are permanently installed in the unit, cannot be put under separate agreement and must be included in the lease. For there to be a separate agreement, the family must have the option of not utilizing the service, appliance or other item.

The HA is not liable for unpaid charges for items covered by separate agreements and nonpayment of these agreements cannot be cause for eviction.

If the family and owner have come to a written agreement on the amount of allowable charges for a specific item, so long as those charges are reasonable and not a substitute for higher rent, they will be allowed.

All agreements for special items or services must be attached to the lease approved by the HA. If agreements are entered into at a later date, they must be approved by the HA and attached to the lease.

The HA will not approve separate agreements for modifications to the unit for persons with disabilities. The modifications are usually within the dwelling and are critical to the use of the dwelling.

If the owner makes modifications to the unit, the costs should be recovered through the rent collected, not by having the tenant pay for the modifications. Exception would be considered if the modifications are such that they most likely would be removed if the tenant moved out.

D. INITIAL INSPECTIONS [24 CFR 982.305 (a) & (b)]

See Chapter 10, "Housing Quality Standards and Inspections." The unit must pass inspection by the 20th day of the month prior to lease-up in order for a contract to be executed for the next month.

E. RENT LIMITATIONS [24 CFR 882.106 (a)]

Exception Rents will be utilized to:

Expand housing opportunities for families to move from poverty-impacted areas.
Make accessible units available to persons with disabilities.
Increase the housing choices available to low-income families.

Rent reasonableness will still be used as a measure of whether the rent is approvable.

The HA will make a determination as to the reasonableness of the proposed rent in relation to comparable units available for lease on the private unassisted market, and the rent charged by the owner for a comparable assisted or unassisted unit in the building or premises.

F. DISAPPROVAL OF PROPOSED RENT

If the owner accepts the offer of a revised rent, the HA will continue processing the Request for Lease Approval and Lease. If the revised rent involves a change in the provision of utilities, a new Request for Lease Approval must be submitted by the owner.

If the owner does not agree on the Contract Rent after the HA has tried and failed to negotiate a revised rent, the HA will inform the family and owner that the lease is disapproved.

G. INFORMATION TO OWNERS [24 CFR 982.307 (b), 982.54 (d)(7)]

The HA is required to provide prospective owners with the address of the applicant and the names and addresses of the current and previous landlord if known. The HA will make an exception to this requirement if the family's whereabouts must be protected due to domestic abuse or witness protection. The HA may release information regarding tenancy history in the HA's possession upon written request by the family which indicates to whom the information may be given.

The HA will inform owners that it is the responsibility of the landlord to determine the suitability of prospective tenants. Owners will be encouraged to screen applicants for rent payment history, eviction history, damage to units, and other factors related to the family's suitability as a tenant.

The HA’s policy on providing information to owners is included in the briefing packet and will apply uniformly to all families and owners.

H. OWNER DISAPPROVAL [24 CFR 982.306]

For purposes of this section, "owner" includes a principal or other interested party.

The HA may disapprove the owner for the following reasons:

HUD has informed the HA that the owner has been disbarred, suspended, or subject to a limited denial of participation under 24 CFR part 24.

HUD has informed the HA that the federal government has instituted an administrative or judicial action against the owner for violation of the Fair Housing Act or other federal equal opportunity requirements and such action is pending.

HUD has informed the HA that a court or administrative agency has determined that the owner violated the Fair Housing Act or other federal equal opportunity requirements.

The owner has violated obligations under a housing assistance payments contract under Section 8 of the 1937 Act (42 U.S.C. 1437f).

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

The owner has engaged in drug trafficking.

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

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

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

II. CHANGE IN TOTAL TENANT PAYMENT (TTP) PRIOR TO HAP EFFECTIVE DATE

When the family reports changes in factors that will affect the Total Tenant Payment (TTP) prior to the effective date of the HAP contract, the information will be verified and the TTP will be recalculated. If the family does not report any change, the HA need not obtain new verifications before signing the HAP Contract, even if verifications are more than 60 days old.

J. CONTRACT EXECUTION PROCESS [24 CFR 982.305(c)]

Provided that the unit passes inspection the HA will prepare the Housing Assistance Contract for execution. The family and the owner will execute the Lease agreement, and the owner and the HA will execute the HAP Contract. Copies of the documents will be furnished to the parties who signed the respective documents.

For new owners, the documents may be signed at a Signature Briefing attended by the owner, family, and a representative of the HA. The briefing covers the responsibilities and roles of the three parties.

The HA provides group briefings for new owners and any other owners who wish to attend on an as needed basis.

The HA makes every effort to execute the HAP Contract before the commencement of the lease term. The HAP Contract may not be executed more than 60 days after commencement of the lease term and no payments will be made until the contract is executed.

Owners must provide the current address of their residence (not a Post Office box). If families lease properties owned by relatives, the owner's current address will be compared to the subsidized unit's address.
Owners must provide an Employer Identification Number or Social Security Number, and may also be required to provide a copy of their driver's license or other photo identification.

The owner must provide a business or home telephone number at which he/she may be reached during regular business hours.

K. CHANGE IN OWNERSHIP

A change in ownership does not require execution of a new contract.

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

The new owner will be required to complete and sign the Transfer of Contract form indicating the effective date of the transfer of payments, to whom, and the new owner's agreement to be in compliance with the terms of the Lease and Contract as written.

Chapter 10

HOUSING QUALITY STANDARDS AND INSPECTIONS

INTRODUCTION

Housing Quality Standards (HQS) are the HUD minimum quality standards for tenant-based programs. HQS standards are required both at initial occupancy and during the term of the lease. HQS standards apply to the building and exterior premises, as well as the unit.

These minimum Standards may be enhanced by the HA, provided that by doing so, the HA does not overly restrict the number of units available for lease under the program. The use of the term "HQS" in this Administrative Plan refers to the combination of both HUD and HA requirements. This Chapter describes the HA's procedures for performing HQS and other types of inspections, and standards for the timeliness of repairs. It also explains the responsibilities of the owner and family, and the consequences of non-compliance with HQS requirements for both families and owners.

A. GUIDELINES/TYPES OF INSPECTIONS [24 CFR 982.401 (a), 982.405]

The HA has adopted local requirements of acceptability in addition to those mandated by the HUD Regulations.

All units must meet the minimum standards set forth in the Section 2 of the state sanitary code when applicable. In cases of hazardous situations where inconsistency between the Code and these HQS, the stricter of the two shall prevail.

Efforts will be made at all times to encourage owners to provide housing above HQS minimum standards.

All utilities must be in service when the unit is inspected.

The stove and refrigerator must be present when the unit is inspected if the appliances are provided by the owner..

There are five types of inspections the HA will perform:

1. Initial/Move-in: Conducted upon receipt of Request For Lease Approval.

2. Annual: Must be conducted within 12 months of the anniversary date

3. Special/Complaint: At request of owner, family or an agency or third-party.

4. Quality Control: A quality control inspection will be conducted for five percent of all units which have been inspected

B. ACCEPTABILITY CRITERIA AND EXCEPTIONS TO HQS [24 CFR 982.401(a)]

The HA adheres to the acceptability criteria in the program regulations and HUD Inspection Booklet and local codes with the additions described below.

Local Codes

Ground Fault Interrupter (GFI) outlets must be installed if near the kitchen sink or bathroom wash basin. All outlets must be grounded.

Second means of egress on the 1st floor according to the City of Fall River Building Codes.

Additions to HQS:

Walls:

In areas where plaster or drywall is sagging, severely cracked or otherwise damaged, it must be repaired or replaced.

All walls in a tub or shower area must be covered with ceramic tile or other material that is impervious to water to prevent water damage and eventual deterioration.

Windows:

All window sashes must be in good condition, solid and intact, and fit properly in the window frame. Damaged or deteriorated sashes must be replaced.

Windows must be weather stripped as needed to ensure a watertight seal.

All screens on openable windows must fit properly and be in good condition.

Doors:

All exterior doors (including entrance to apartment) must be solid core and weather tight to avoid any air or water infiltration, have no holes, have all trim intact, and have a threshold.

All interior doors must have no holes, have all trim intact, and be openable without the use of a key.

Floors:

All wood floors must be sanded to a smooth surface and sealed. Any loose or warped boards must be re-secured and made level. If they cannot be leveled, they must be replaced.

All floors must be in a finished state (no plywood).

Sinks:

All sinks and commode water lines must have shut off valves, unless faucets are wall mounted.

All worn or cracked toilet seats and tank lids must be replaced and toilet tank lid must fit properly.

Security:

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

Tenants will be instructed not to tamper with smoke detectors or remove batteries. Tenants will also be responsible for maintaining working batteries in smoke detectors at all times.

Bedrooms:

Bedrooms in basements or attics are not allowed unless they meet local code requirements and must have adequate ventilation and emergency exit capability.

Modifications.

Modifications or adaptations to a unit due to a disability must meet all applicable HQS and building codes.

Extension for repair items not required by HQS will be granted for modifications/adaptations to the unit if agreed to by the tenant and landlord. HA will allow execution of the HAP contract if unit meets all requirements and the modifications do not affect the livability of the unit.

C. INSPECTIONS

The HA conducts an inspection in accordance with Housing Quality Standards at least annually, up to 120 days prior to the anniversary month of the contract. Special inspections may be scheduled between anniversary dates.

HQS deficiencies which cause a unit to fail must be corrected by the landlord unless it is a fail for which the tenant is responsible. The family is only responsible for breaches of HQS which are caused by:

Non-payment of utilities paid by the family,

Not providing, or failing to maintain, appliances not provided by the owner, and

Damages to the unit or premises caused by a household member or guest beyond normal wear and tear.

The family must allow the HA to inspect the unit at reasonable times with reasonable notice. [24 CFR 982.51 (d)]

Inspections will be conducted on business days only.

Reasonable hours to conduct an inspection are between 9:00 a.m. and 4:00 p.m.

The HA will notify the family in writing at least three days prior to the inspection.

Initial Inspection: The owner is notified of the date and time of the inspection appointment by phone. The landlord may choose to drop the keys off for the unit to be inspected thereby authorizing the HA to inspect the unit at its convenience. Keys will be returned to the landlord via the US Mail. The HA will attempt to inspect the unit within 14 days of the request. If the family is unable to be present, they must reschedule the appointment so that the inspection is completed within five days of the scheduled appointment.

If the family does not contact the HA to reschedule the inspection, or if the family misses two inspection appointments, the HA will consider the family to have violated a Family Obligation and their assistance will be terminated in accordance with the termination procedures in the Plan.

Reinspection: The family and owner are mailed a notice of the inspection appointment by mail. If the family is not at home for the Reinspection appointment, a card will be left at the unit and another appointment is automatically scheduled. The appointment letter contains a warning of abatement (in the case of owner responsibility), and a notice of the owner's responsibility to notify the family.

The family is also notified that it is a Family Obligation to allow the HA to inspect the unit. If the family was responsible for a breach of HQS identified in Chapter 15, "Denial or Termination of Assistance," they will be advised of their responsibility to correct.

Time Standards for Repairs

1. Emergency items which endanger the family's health or safety must be corrected within 24 hours of notification.

2. For non-emergency items, repairs must be made within 30 days.

3. For major repairs or weather deferred items, the Section 8 Program Director may approve an extension beyond 30 days.

D. EMERGENCY REPAIR ITEMS [24 CFR 982.401 (a)]

The following items are considered to be of an emergency nature and must be corrected by the owner or tenant (whoever is responsible) within 24 hours of notice by the Inspector. This is not meant to be an exclusive list, and other items may constitute an emergency at the discretion of the Inspector if they appear to present an immediate threat to the health or safety of the family.

Lack of security for the unit
Waterlogged ceiling in imminent danger of falling
Major plumbing leaks or flooding
Natural gas leak or fumes
Electrical problem which could result in shock or fire
No heat when outside temperature is below 40â F. and temperature inside unit is below 65â F
Utilities not in service
No running hot water
Broken glass where someone could be injured
Obstacle which prevents tenant's entrance or exit
Lack of functioning toilet

The HA may give a short extension (not more than 24 additional hours) whenever the responsible party cannot be notified or it is impossible to effect the repair within the 24-hour period.

In those cases where there is leaking gas or potential of fire or other threat to public safety, and the responsible party cannot be notified or it is impossible to effect the repair, proper authorities will be notified by the HA.

If the emergency repair item(s) are not corrected in the time period required by the HA, and the owner is responsible, the housing assistance payment will be abated and the HAP contract will be terminated.

If the emergency repair item(s) are not corrected in the time period required by the HA, and it is an HQS breach which is a family obligation, the HA will terminate the assistance to the family and the owner's payment will not be abated for the breach of HQS.

E. CONSEQUENCES IF OWNER IS RESPONSIBLE (NON-EMERGENCY ITEMS)

When it has been determined that a unit on the program fails to meet Housing Quality Standards, and the owner is responsible for completing the necessary repair(s) in the time period specified by the HA, the assistance payment to the owner will be abated.

Abatement

A Notice of Abatement will be sent to the owner, and the full amount of assistance will be abated effective on the first of the month following such a notice.

If the owner makes repairs during the abatement period, payment will resume on the first of the month following the unit passing inspection.

The family and owner will be notified of the Reinspection date.

No retroactive payments will be made to the owner for the period of time the rent was abated and the unit did not comply with HQS. The notice of abatement states that the tenant is not responsible for the HA's portion of rent that is abated.

Extensions

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

There is an unavoidable delay in completing repairs due to difficulties in obtaining parts or contracting for services.

The repairs must be delayed due to climate conditions.

The extension will be made for a period of time not to exceed 60 days. At the end of that time, the HA will begin the abatement or termination of assistance for tenant caused damage.

Termination of Contract

If the owner is responsible for repairs, and fails to correct all the deficiencies cited prior to the end of the abated rental period, the owner will be sent a HAP Contract Proposed Termination notice. Prior to the effective date of the termination, the abatement will remain in effect.

If repairs are completed before the effective termination date, the termination may be rescinded by the HA if the tenant chooses to remain in the unit. Only one Housing Quality Standards inspection will be conducted after the termination notice is issued.

F. DETERMINATION OF RESPONSIBILITY [24 CFR 982.404, 982.54(d)(14)]

Certain deficiencies are considered the responsibility of the family:

Tenant-paid utilities not in service.

Failure to provide or maintain family-supplied appliances

Damage to the unit or premises caused by a household member or guest beyond normal wear and tear

"Normal wear and tear" is defined as items which could not be charged against the tenant's security deposit under state law or court practice.

The owner is responsible for all other HQS violations.

The owner is responsible for vermin infestation even if caused by the family's living habits. However, if such infestation is serious and repeated, it may be considered a lease violation and the owner may evict for serious or repeated violation of the lease. The HA may terminate the family's assistance on that basis.

The inspector will make a determination of owner or family responsibility during the inspection. The owner or tenant may appeal this determination to a mediator within ten days of the inspection.

If the family is responsible but the owner carries out the repairs, the owner must bill the family for the cost of the repairs and the family's file will be noted.

G. CONSEQUENCES IF FAMILY IS RESPONSIBLE

If non-emergency violations of HQS are determined to be the responsibility of the family, the HA will require the family make any repair(s) or corrections within 30 days. If the repair(s) or correction(s) are not made in this time period, the HA will terminate assistance to the family. Extensions in these cases must be approved by the Section 8 Program Director. The owner's rent will not be abated for items which are the family's responsibility.

If the tenant is responsible and corrections are not made, the HAP Contract will terminate when assistance is terminated.

H. INITIAL HQS INSPECTION

The Initial Inspection will be conducted to:

Determine if the unit and property meet the HQS defined in this Plan.

Document the current condition of the unit as a basis to evaluate whether the future condition of the unit exceeds normal wear and tear.

Document the information to be used for determination of rent-reasonableness.

If the unit fails the initial Housing Quality Standards inspection, the family and owner will be advised to notify the HA once repairs are completed.

On an initial inspection, the owner will be given up to 30 days to correct the items noted as Fail, at the Inspector's discretion, depending on the amount and complexity of work to be done. The FRHA may accept the Landlords verification that the items have been corrected if the FRHA feels that the item is relatively minor.

The owner will be allowed up to two reinspections for repair work to be completed.

If the time period given by the Inspector to correct the repairs has elapsed, or the maximum number of failed reinspections has occurred, the family must select another unit.

In order for a HAP Contract to be executed for the first of a given month, the unit must pass inspection by the 27th of the preceding month. This is to allow time for preparation of lease and contract paperwork, as well as preparation of an owner HAP check for the new contract.

I. ANNUAL HQS INSPECTION

Rent Increases

The HA will conduct an inspection using the Housing Quality Standards and other standards approved in this Administrative Plan at least annually, prior to the anniversary month of the contract. Rent increase requests in the Voucher program will not be approved if the unit is in a failed condition.

J. SPECIAL/COMPLAINT INSPECTIONS

If at any time the family or owner notifies the HA that the unit does not meet Housing Quality Standards, the HA will conduct an inspection.

The HA may also conduct a special inspection based on information from third parties such as neighbors or public officials. The HA will inspect only the items which were reported, but if the Inspector notices additional deficiencies that would cause the unit to fail HQS, the responsible party will be required to make the necessary repairs.

If the anniversary date is within 120 days of a special inspection, the special inspection will be categorized as annual and all annual procedures will be followed.

K. QUALITY CONTROL INSPECTIONS

Quality Control inspections will be performed by the Section 8 Program Director on at least five percent of the units of each inspector. The purpose of Quality Control inspections is to ascertain that each inspector is conducting accurate and complete inspections, and to ensure that there is consistency among inspectors in application of the HQS.

Chapter 11

OWNER RENTS, RENT REASONABLENESS, AND PAYMENT STANDARDS

INTRODUCTION

The HA is responsible to ensure that the rents charged by owners are reasonable based upon objective comparables in the rental market. When the HA has determined that the unit meets the minimum HQS, that the lease is approvable, and that the rent is reasonable, it will make timely payments to the owner and notify the owner of the procedures for rent adjustments in the Voucher program. This Chapter explains the HA's procedures for determination of rent-reasonableness, payments to owners, adjustments to the Payment Standards, and rent adjustments.

A. OWNER PAYMENT

The maximum subsidy for each family is determined by the Payment Standard for the Voucher size issued to the family, less 30% of the family's Monthly Adjusted Income. The actual subsidy level could be less if the family is required to pay the Minimum Total Tenant Payment (10% of the family's Monthly Income).

The Voucher size issued to the family is based on the HA's Subsidy Standards. The payment standard for the family is based on the lesser of the Payment Standard for the Voucher size issued and the Payment Standard for the unit selected.

The Housing Assistance Payment to the owner is the lesser of the subsidy described above or the rent charged by the owner.

B. MAKING PAYMENTS TO OWNERS

Once the HAP Contract is executed, the HA begins processing payments to the landlord. The effective date and the amount of the HA payment is communicated in writing to both the landlord and family. A HAP Register will be used as a basis for monitoring the accuracy and timeliness of payments. Changes are made manually to the HAP Register for the following month. Checks are disbursed by the Program Director to the owner each month.

Payments to Landlords will be made through electronic transfers to a savings/checking account of the landlord. These funds will be transferred on or before the 5th working day of the month.

C. RENT REASONABLENESS DETERMINATIONS [24 CFR 982.507]

Rent reasonableness determinations are made when units are placed under HAP Contract for the first time, when owners request annual and when an owner requests a rent increase for in the Voucher Program.

For the Voucher Program, the HA will determine and document on a case-by-case basis that the approved rent:

1. Does not exceed rents currently charged on new leases by the same owner for an equivalent assisted or unassisted unit in the same building or complex, and

2. Is reasonable in relation to rents currently charged by other owners for comparable units in the unassisted market.

At least three comparable units will be used for each rent determination, one of which must be from the first category above if possible. All comparables must be based on the rent that the unit would command if leased in the current market. Leased in the current market means that the unit has been leased within the last year.

The data for other unassisted units will be gathered from newspapers, realtors, professional associations, inquiries of owners, market surveys, and other available sources.

The market areas for rent reasonableness are subdivisions or neighborhoods within the HA's jurisdiction. Subject units within a defined housing market area will be compared to similar units within the same area.

The following items will be used for rent reasonableness documentation:

Square Footage
Number of Bedrooms
Facilities
Location
Number of Bathrooms
Quality
Amenities
Date Built
Unit Type
Management and Maintenance Services

The HA maintains a notebook which includes data on unassisted units for use by staff in making rent reasonableness determinations. The data is updated on an ongoing basis and purged when it is more than twelve months old.

The HA uses an "appraisal" method and tests the subject unit against selected units in the same area with similar characteristics. Adjustments are made for favorable and unfavorable differences between the subject unit and the comparables. Amenities, services, and facilities are given dollar values.

D. PAYMENT STANDARDS FOR THE VOUCHER PROGRAM [24 CFR 982.503]

The Payment Standard is initially set by the HA at the Fair Market Rent in effect at the time the Annual Contributions Contract for the first increment of Voucher funding is approved by HUD. The Payment Standard is used to determine the maximum subsidy which can be paid by the HA on behalf of the family.

The Fall River Housing Authority will use the applicable Payment Standard for other cities in Massachusetts but outside the Fall River area when they are readily available.

E. ADJUSTMENTS TO PAYMENT STANDARDS [24 CFR 982.503]

Payment Standards may be adjusted to increase Housing Assistance Payments in order to keep families' rents affordable. The HA will not raise the Payment Standards so high that the number of families that can be assisted under available funding is substantially reduced. Nor will the HA raise Standards if the need is solely to make "high end" units available to Voucher holders.

The HA will review the Payment Standard annually to determine whether an adjustment should be made for some or all unit sizes. The Payment Standard will be reviewed according to HUD's requirements and this policy and if an increase is warranted, the payment standard will be adjusted within 90% to 110% of the current Fair Market Rent.

In a volatile market, the HA may review the Standards more frequently but will only adjust them annually.

The HA may use some or all of the measures below in making its determination whether an adjustment should be made to the Payment Standards.

Assisted Families' Rent Burdens

The HA will review reports showing the percent of income used for rent by Voucher families to determine the extent to which the rent burden is more than 45% of income.

Availability of Suitable Vacant Units Below the Payment Standard

The HA will review its rent reasonableness database and vacancy rate data to determine whether there is an ample supply of vacant units in areas without minority concentration or poverty- impacted below the Payment Standard.

Quality of Units Selected

The HA will review the quality of units selected by participant families before determining any change to the Payment Standard to ensure that Payment Standard increases are only made when needed to reach the mid-range of the market.

HA Decision Point

The HA will review the quality and size of units where the Rents to Owner are above the Payment Standard by more than 25%. If more than 50% of families have selected above-average units or have selected larger units than the Voucher size, the HA may elect not to increase the Payment Standard or continue the analysis.

If the analysis continues, the HA will divide those rents between contracts within the first year and after the first year. If the Rents to Owner are more than 25% above the average, in any bedroom size, the HA will continue the analysis. If not, the HA may elect not to increase the Payment Standard for certain bedroom sizes.

Rent to Owner Increases

The HA may review a sample of the units to determine how often owners are increasing rents after the first year of the lease and the average percent of increase by bedroom size. The sample will be divided into units with and without the highest cost utility included.

A comparison will then be made to the applicable annual adjustment factor to determine whether owner increases are excessive in relation to the published annual adjustment factor.

Time to Locate Housing

The HA may consider the average time period for families to lease up under the Voucher program as compared to the Certificate program. If the average for Voucher holders exceeds that for Certificate holders by 50%, the Payment Standard may be adjusted.

Rent Reasonableness Data Base/Average Contract Rents

The HA will compare the Payment Standards to average rents in its Rent Reasonableness Data Base and to the average Contract Rents by unit size. The Payment Standards should not exceed these amounts by more than 10%.
Lowering of the Payment Standard

Statistical analysis may reveal the Payment Standard should be lowered, in which case, the Payment Standard should not be less than 80% of the current FMR. If the FMR is lowered, the Payment Standard may not exceed the FMR except in those cases where families are held harmless until they move to a different dwelling unit or have a change in family composition which would affect their Voucher size.

Financial Feasibility

Before increasing the Payment Standard, the HA may review the budget and the project reserve, to determine the impact projected subsidy increases would have on funding available for the program and number of families served.

For this purpose, the HA will compare the number of families who could be served under a higher Payment Standard with the number assisted under current Payment Standards.

File Documentation

A file will be retained by the HA for at least three years to document the analysis and findings to justify whether or not the Payment Standard was changed.

F. RENT ADJUSTMENTS [24 CFR 982.519]

Owners may not request rent adjustments in the Voucher Program to be effective prior to the expiration of the first year of the lease. Rent adjustments are effective:

With a sixty-day notice on the HA-provided form (in triplicate), a copy should be provided to the family with the original to the HA. The HA will advise the family as to whether the rent is reasonable and shall approve or disapprove the rent increase.

Chapter 12

RECERTIFICATIONS

INTRODUCTION

HUD requires that the HA recertify the income and household composition of all families at least annually. In addition, the HA is required to inspect the assisted unit at least annually. These activities must be coordinated to ensure that they are completed in accordance with the regulation. It is a HUD requirement that families report all changes in household composition, but the HA decides what other changes must be reported, and the procedures for reporting them. This Chapter defines the HA's policy for conducting annual Recertifications and coordinating the three annual activities. It also explains the interim reporting requirements for families, and the standards for timely reporting.

A. ANNUAL ACTIVITIES [24 CFR 982.405, 982.516, 982.519]

There are three activities the HA must conduct on an annual basis. These activities will be coordinated whenever possible:

1. Recertification of Income and Family Composition
2. HQS Inspection
3. Contract Rent Adjustment when requested by Owner

The HA produces a monthly listing of units under contract to ensure that timely reviews of contract rent, housing quality, and factors related to Total Tenant Payment can be made. Requests for rent adjustments and other monetary changes will be transmitted to the Section 8 Housing Specialist.

Annual activities for contracts that did not commence on the first of the month must be conducted no later than the first of the month in which the lease was effective.

Annual inspections: See Chapter 10, "Housing Quality Standards and Inspections"

Rent Adjustments: See Chapter 11, "Owner Rents, Rent Reasonableness and Payment Standards"

B. ANNUAL RECERTIFICATION/REEXAMINATION [24 CFR 982.516]

Families are required to be recertified at least annually. At the first interim or annual certification on or after June 19, 1995, family members must report and verify their U.S. citizenship/eligible immigrant status.

When families move to another dwelling unit:

An annual recertification will be scheduled (unless a recertification has occurred in the last 120 days) and the anniversary date will be changed.

Income limits are not used as a test for continued eligibility at recertification unless the family is moving under portability and changing their form of assistance.
Reexamination Notice to the Family

The HA will maintain a reexamination tracking system and the household will be notified by mail of the date and time for their interview at least 120 days in advance of the anniversary date. If requested as an accommodation by a person with a disability, the HA will provide the notice in an accessible format. The HA will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities. These accommodations will be granted upon verification that they meet the need presented by the disability.

Procedure

The HA's procedure for conducting annual recertifications will be:

Schedule the date and time of appointments and mail a notification to the family.

Procedure for clients living within Massachusetts but not Fall River:

Person living outside Fall River but within Massachusetts will be required to attend interview unless there is a hardship. All documentations will then be submitted through the mail or other arrangements agreeable to the Fall River Housing Authority and the client.

Persons with Disabilities

Persons with disabilities, who are unable to come to the HA's office will be granted an accommodation of conducting the interview at the person's home, upon verification that the accommodation requested meets the need presented by the disability.

Collection of Information

The HA representative will interview the family and enter the information provided by the family on the recertification form.

The HA will require the family to complete a Personal Declaration Form at the recertification interviews.

Requirements to Attend

An adult household member must be present for the recertification interview:

If an adult member of the household is unable to attend the interview, the appointment will be rescheduled.

Failure to Respond to Notification to Recertify

The written notification must state which family members are required to attend the interview. The family may call to request another appointment date up to the day of the interview.

If the family does not appear for the recertification interview, and has not rescheduled or made prior arrangements with the HA, the HA will reschedule a second appointment.

If the family fails to appear for the second appointment, and has not rescheduled or made prior arrangements, the HA will

Terminate assistance to the family, and offer them an informal hearing.

Exceptions to these policies may be made by the Section 8 Program Director if the family is able to document an emergency situation that prevented them from canceling or attending the appointment.

Documents Required From the Family
In the notification letter to the family, the HA will include instructions for the family to bring the following:

Documents to support any preference claims
Documentation of income for all family members
Documentation of liquid and non-liquid assets
Documentation of any deductions/allowances
Personal Declaration Form completed and signed by adult family members

Verification of Information

The HA will follow the verification procedures and guidelines described in this Plan. Verifications for reexaminations must be less than 120 days old.

Tenant Rent Increases

If tenant rent increases, a thirty day notice is mailed to the family prior to the anniversary date.

If less than thirty days are remaining before the anniversary date, the tenant rent increase will be effective on the first of the month following the thirty day notice.

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

Tenant Rent Decreases

If tenant rent decreases, it will be effective on the anniversary date.

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

C. REPORTING INTERIM CHANGES [24 CFR 982.516(c)]

HUD requires program participants to report all changes in household composition within 30 calendar days to the HA between annual reexaminations. This includes additions due to birth, adoption and court-awarded custody. The family must obtain HA approval prior to all other additions to the household.

The U.S. citizenship/eligible immigrant status of additional family members must be declared and verified as required at the first interim or regular recertification after moving into the unit.

Increases in Income

Interim Reexamination Policy

The HA will conduct interim reexaminations when families have an increase in income.

Families will be required to report all increases in income/assets of the all household members to the HA by scheduling and attending an interim reexamination interview within five business days of the occurrence or notification to the family of the change.

The family is required to report, by scheduling and attending an interim reexamination interview within five business days of the occurrence or notification to the family, any loss or reduction in items for allowances or deductions, including when a family member becomes eighteen years of age and no longer a minor in the household.

For families with zero income, reporting is required every 90 ninety days.

Decreases in Income

Participants may report a decrease in income and other changes which would reduce the amount of tenant rent, such as an increase in allowances or deductions. The HA must calculate the change if a decrease in income is reported. ***For decreases in income the decrease must last for at least 30 consecutive days to be considered under this section.***

HA Errors

If the HA makes a calculation error at admission to the program or at an annual reexamination, an interim reexamination will be conducted to correct the error, but the family will not be charged retroactively.

Other Interim Reporting Issues

An interim reexamination does not affect the date of the annual recertification.

D. NOTIFICATION OF RESULTS OF RECERTIFICATIONS

The HUD form 50058 will be completed and transmitted as required by HUD.

The Notice of Rent Change is mailed to the owner and the tenant. Signatures are not required by the HA. If the family disagrees with the rent adjustment they may request an informal hearing.

E. TIMELY REPORTING OF CHANGES IN INCOME (AND ASSETS)

Standard for Timely Reporting of Changes

The HA requires that families report interim changes to the HA within thirty calendar days of when the family is notified or the change occurs. Any information, document or signature needed from the family which is needed to verify the change must be provided within five business days of the change.

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

Procedures when the Change is Reported in a Timely Manner

The HA will notify the family and the owner of any change in the Housing Assistance Payment to be effective according to the following guidelines:

Increases in the Tenant Rent are effective on the first of the month following at least thirty days' notice.

Decreases in the Tenant Rent are effective the first of the month following that in which the change occurred. However, no rent reductions will be processed until all the facts have been verified, even if a retroactive adjustment results.

An increase in tenant rent may be implemented based on documentation provided by the family, pending third-party written verification. However, any discrepancy between information provided by the family and that which is verified by third-party documentation will result in a retroactive calculation to the effective date of the change.
Procedures when the Change is Not Reported by the Tenant in a Timely Manner.

If the family does not report the change as described under Timely Reporting, the family will have caused an unreasonable delay in the interim reexamination processing and the following guidelines will apply:

Increase in Tenant Rent will be effective retroactive to the date it would have been effective had it been reported on a timely basis. The family will be liable for any overpaid housing assistance and may be required to sign a Repayment Agreement or make a lump sum payment.

Decrease in Tenant Rent will be effective on the first of the month following completion of processing by the HA and not retroactively.

Procedures when the Change is Not Processed by the HA in a Timely Manner

"Processed in a timely manner" means that the change goes into effect on the date it should when the family reports the change in a timely manner. If the change cannot be made effective on that date, the change is not processed by the HA in a timely manner.

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

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

F. REPORTING OF CHANGES IN FAMILY COMPOSITION [982.516(c)]

All changes in family composition must be reported within thirty calendar days of the occurrence.

Increases in Family Size

Increases other than by birth, adoption or court-awarded custody must have the prior approval of the owner and the HA.

If an addition would result in overcrowding according to Subsidy or HQS maximum occupancy standards:

The HA will issue a new Voucher of the appropriate size at the next regularly scheduled annual reexamination for additions to the family in the following cases:

* Addition by marriage.

* Addition due to birth, adoption or court-awarded custody of a minor.

* Addition of an HA-approved live-in attendant.

G. CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES [24 CFR 5.508]

Under the Noncitizens Rule, "Mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members.

"Mixed" families who were participants on June 19, 1995, shall continue receiving full assistance if they meet the following criteria:

1. The head of household or spouse is a U.S. citizen or has eligible immigrant status; AND

2. All members of the family other that the head, the spouse, parents of the head, parents of the spouse, and children of the head or spouse are citizens or eligible immigrants. The family may change the head of household to qualify under this provision.

If they do not qualify for continued assistance, the member(s) that cause the family to be ineligible for continued assistance may move, the family may choose prorated assistance (See Chapter 6, "Factors Related to Total Tenant Payment Determination"), or the HA may offer temporary deferral of termination (See Chapter 15, "Denial or Termination of Assistance").

Chapter 13

MOVES WITH CONTINUED ASSISTANCE/PORTABILITY

INTRODUCTION

HUD regulations permit families to move with continued assistance to another unit within the HA's jurisdiction, or to a unit outside of the HA's jurisdiction under Portability procedures. The regulations also allow the HA the discretion to develop policies which define any limitations or restrictions on moves. This Chapter defines the procedures for moves, both within and outside of, the HA's jurisdiction, and the policies for restriction and limitations on moves.

A. ALLOWABLE MOVES

A family may move to a new unit if:

1. The assisted lease for the old unit has terminated because the HA has terminated the HAP contract for owner breach, or the lease was terminated by mutual agreement of the owner and the family.

2. The owner has given the family a notice to vacate, or has commenced an action to evict the tenant, or has obtained a court judgment or other process allowing the owner to evict the family (unless assistance to the family will be terminated).

3. The family has given proper notice of lease termination (if the family has a right to terminate the lease on notice to owner).

B. RESTRICTIONS ON MOVES [24 CFR 982.314, 982.552]

Families will not be permitted to move within the HA's jurisdiction during the initial year of assisted occupancy.

Families will not be permitted to move outside the HA's jurisdiction under portability procedures during the initial year of assisted occupancy.

Families will not be permitted to move more than once in a 12-month period.

The HA will deny permission to move if there is insufficient funding for continued assistance. The HA may deny permission to move to if:

The family has violated a Family Obligation.
The family owes the HA money.
The family has moved or been issued a Voucher to move within the last twelve months.

The Section 8 Program Director may make exceptions to these restrictions if there is an emergency reason for the move over which the participant has no control.

C. PROCEDURE FOR MOVES

Issuance of Voucher

If the family has not been recertified within the last 120 days, the HA will issue the voucher to move after conducting the recertification.

If the family does not locate a new unit, they may remain in the current unit so long as the owner permits.

The annual recertification date will be changed to coincide with the new lease-up date.

Notice Requirements

Briefing sessions emphasize the family's responsibility to give the owner and the HA proper written notice of any intent to move.

The family must give the owner a rental period (one full month) plus one day's written notice of intent to vacate or as otherwise specified in the lease and must give a copy to the HA simultaneously. The family may not give mid-month notices to terminate tenancy for other than the end date of the following rental period.

Time of Contract Change

A move within the same building or project, or between buildings owned by the same owner, will be processed like any other move, except that there will be no overlapping assistance.

In a move, assistance stops at the old unit at the end of the month in which the tenant ceased to occupy. Assistance will start on the new unit on the effective date of the lease and contract. Assistance payments may overlap for the month in which the family moves, only if approved by the Section 8 Program Director.

D. PORTABILITY [24 CFR 982.353]

Portability applies to families moving out of or into the HA's jurisdiction within the United States and its territories. Under portability, families are eligible to receive assistance to lease a unit outside of the initial HA's jurisdiction. The unit may be located:

1. In the same state as the initial HA;

2. In the same metropolitan statistical area (MSA) as the initial HA, but in a different state;

3. In an MSA adjacent to the MSA of the initial HA, but in a different state.

4. In the jurisdiction of an HA anywhere within the United States that administers a tenant based program.

E. OUTGOING PORTABILITY [24 CFR 982.353, 982.355]

When a family requests to move to outside of the HA's jurisdiction, the request must specify the area to which the family wants to move.

If the family is moving to a unit located in the same state as the initial HA, in the same MSA, but in a different state, or in an adjacent MSA in a different state, and there is not an HA in the area where the unit is located, the initial HA will be responsible for the administration of the family's assistance.

The HA may choose a management company, another HA or a private contractor to administer the assistance.

If there is more than one HA in the area in which the family has selected a unit, the HA will choose the receiving HA.

Restrictions on Portability

1. Families will not be permitted to exercise portability during the initial 12 month period after admission to the program, if neither the head or spouse had a domicile (legal residence) in the HA's jurisdiction at the date of their initial application for assistance. For purposes of this section the Authority's jurisdiction shall be considered to be the Commonwealth of Massachusetts.

2. If the family is in violation of a family obligation.

3. If the family owes money to the HA.

4. Families will not be permitted to exercise portability during the initial twelve month period after admission to the program.

Outgoing Portability Procedures

The HA will provide pre-portability counseling for those families who express an interest in portability. If the receiving HA will absorb and the family will be changing its form of assistance, the HA will determine if the family is within the low income limit of the receiving HA, and advise the family accordingly.

The HA will notify the Receiving HA that the family wishes to relocate into its jurisdiction.

The HA will advise the family how to contact and request assistance from the receiving HA.

The HA will notify the receiving HA that the family will be moving into its jurisdiction.

The HA will provide the following documents and information to the Receiving HA:

1. A copy of the family's Voucher, with issue and expiration dates, formally acknowledging the family's ability to move under portability.

2. The most recent HUD 50058 form and verifications.

3. The Family Portability Form.

The Receiving HA must notify the HA within 10 days of the following:

The Receiving HA decides to absorb the family into their own program.

The family leases up or fails to submit a Request for Lease Approval by the required date.

Assistance to a portable family is terminated by the Receiving HA.

The family requests to move to an area outside the Receiving HA's jurisdiction.

Payment to the Receiving HA

The HA will requisition funds from HUD based on the anticipated lease-ups of portable Vouchers in other HA's jurisdictions. Payments for families in other jurisdictions will be made to other HAs when billed or in accordance with other HUD approved procedures for payment.

When billed, the HA will reimburse the Receiving HA for 100% of the Housing Assistance Payment, 100% of the Special Claims paid on HAP contract effective prior to 10/2/95, and 80% of the Administrative Fee (at the initial HA's rate), and any other HUD-approved fees.

Claims

The HA will be responsible for collecting amounts owed by the family for claims paid and for monitoring the repayment. The HA will notify the Receiving HA if the family is in arrears or if the family has refused to sign a Repayment Agreement, and the Receiving HA will be asked to terminate assistance to the family as allowed by this Administrative Plan.

Receiving HA's will be required to submit hearing determinations to the HA within 10 days.

F. INCOMING PORTABILITY [24 CFR 982.354, 982.355]

Absorption or Administration

The HA will accept a family with a valid Voucher from another jurisdiction and administer or absorb the Voucher. If administering, the family will be issued a "Portability" Voucher by the HA with the same start date. The HA may grant extensions in accordance with this Administrative Plan.

Incoming portable families who have not yet been absorbed will be absorbed before the HA selects new applicants from the Waiting List.

The HA may absorb incoming Vouchers in cases where the Initial HA absorbs an equal number of the HA's outgoing Vouchers.

The HA will absorb all incoming portable families provided that there is funding available.

When the receiving HA does not absorb the incoming Voucher it will administer the Initial HA's Voucher and the receiving HA's policies will prevail.

For initial lease-up, the family must be within the HA's Very-Low Income limits. For participants, the HA may issue either a Voucher but if the form of assistance changes, the family must be within the HA's Low Income limits. If the family is ineligible under the receiving HA's low income limit because the form of assistance offered causes the family to change programs, the receiving HA must absorb the family without a change in the form of assistance, or administer the family's current form of assistance.

The HA will issue a "Portability Voucher" according to its own Subsidy Standards. If the Family has a change in family composition which would change the Voucher size, the HA will change to the proper size based on its own Subsidy Standards.

The HA will decide whether to extend the "Portability Voucher" and for what period of time. The HA's policy on suspensions will apply. However, if the Family decides not to lease- up in the HA's jurisdiction, the Family must request an extension from the Initial HA.

Income and TTP of Incoming Portables

As Receiving HA, the HA will conduct a recertification interview but only verify the information provided if the documents are missing or are over 120 days old, whichever is applicable, or there has been a change in the family's circumstances.

If the family's income exceeds the income limit of the HA, the family will not be denied assistance unless the family is an applicant (and over the Very-Low Income Limit).

If the family's income is such that a $0 subsidy amount is determined prior to lease-up in the HA's jurisdiction, the HA will refuse to enter into a contract on behalf of the family at $0 assistance.

Requests for Lease Approval

When the Family submits a Request for Lease Approval, it will be processed using the HA's policies. If the Family does not submit a Request for Lease Approval or does not execute a lease, the Initial HA will be notified within 10 days by the HA.

If the Family leases up successfully, the HA will notify the Initial HA within 10 days, and the billing process will commence.

If the HA denies assistance to the family, the HA will notify the Initial HA within 10 days and the family will be offered a review or hearing.

The HA will notify the Family of its responsibility to contact the Initial HA if the Family wishes to move outside the HA's jurisdiction under continued portability.

Terminations

The HA will notify the Initial HA in writing of any termination of assistance within 10 days of the termination. If an Informal Hearing is required and requested by the Family, the hearing will be conducted by the HA, using the regular hearing procedures included in this Plan. A copy of the hearing decision will be furnished to the Initial HA.

The Initial HA will be responsible for collecting amounts owed by the Family for claims paid and for monitoring repayment. If the Initial HA notifies the HA that the Family is in arrears or the Family has refused to sign a Repayment Agreement, the HA will terminate assistance to the family.

Required Documents

As Receiving HA, the HA will require the following documents from the Initial HA:

1. A copy of the family's Voucher, with issue and expiration dates, formally acknowledging the family's ability to move under portability.

2. The most recent HUD 50058 form and verifications.

3. Persons designated for inquiries on eligibility and billing (as indicated on the Family Portability Form).

4. The Administrative Fee Schedule for billing purposes.

5. ***<u>The HA will perform a CORI on all adult family members</u>***

Billing Procedures

As Receiving HA, the HA will bill the Initial HA monthly for Housing Assistance Payments. The billing cycle for other amounts, including Administrative Fees and Special Claims will be monthly unless requested otherwise by the Initial HA.

The HA will bill 100% of the Housing Assistance Payment and 80% of the Administrative Fee (at the Initial HA's rate) and any other HUD-approved fees, for each "Portability" Voucher leased as of the first day of the month.

The HA will notify the Initial HA of changes in subsidy amounts and will expect the Initial HA to notify the HA of changes in the Administrative Fee amount to be billed.

Chapter 14

CONTRACT TERMINATIONS

INTRODUCTION

The Housing Assistance Payments (HAP) Contract is the contract between the owner and the HA which defines the responsibilities of both parties. This Chapter describes the circumstances under which the contract can be terminated by the HA and the owner, and the policies and procedures for such terminations.

A. CONTRACT TERMINATION

The term of the HAP Contract is the same as the term of the lease. The Contract between the owner and the HA may be terminated by the HA, or as a result of the owner or tenant terminating the lease.

No future subsidy payments on behalf of the family will be made by the HA to the owner after the month in which the Contract is terminated. The owner must reimburse the HA for any subsidies paid by the HA for any period after the contract termination date.

If the family continues to occupy the unit after the Section 8 contract is terminated, the family is responsible for the total amount of rent due to the owner. The owner will have no right to claim compensation from the HA for vacancy loss under the provisions of Certificate contracts effective on or after October 2, 1995.

After a contract termination, if the family meets the criteria for a move with continued assistance, the family may lease-up in another unit. The contract for the new unit may begin during the month in which the family moved from the old unit.

If the voucher holder dies and there are no surviving household members the HAP payment will be made for the month in which the voucher dies and payments will cease at that point.

B. TERMINATION BY THE FAMILY: MOVES [24 CFR 982.314 (c)(2)]

The lease stipulates that the family cannot move from the unit until after the first year of the lease. The notice period to the landlord is determined by the lease, but may not exceed 60 days.

C. TERMINATION BY THE OWNER: EVICTIONS [24 CFR 982.310]

The owner may terminate tenancy without cause at the end of the initial lease term or at the end of any successive definite term. If the owner wishes to terminate the lease during any term, the owner is required to evict, using the notice procedures in the HUD regulations and State/local law. The owner must provide the HA with a copy of the eviction notice.

The owner must provide the tenant a written notice specifying the grounds for termination of tenancy, at or before the commencement of the eviction action. The notice may be included in, or may be combined with, any owner eviction notice to the tenant.

The owner eviction notice means a notice to vacate, or a complaint, or other initial pleading used under State or local law to commence an eviction action.

The contract and lease require that the owner may only evict for the following reasons:

1. Serious or repeated violation of the terms and conditions of the lease,

2. Violation of Federal, State or local law that imposes obligations on the tenant in connection with the occupancy or use of the premises,

3. Other good cause, including:

Criminal activity by the tenant, any member of the household, a guest or another person under the tenant's control that threatens the health, safety or right to peaceful enjoyment of the premises by the other residents, or persons residing in the immediate vicinity of the premises.

Any drug-related criminal activity on or near the premises,

Tenant history of disturbance of neighbors, destruction of property, or behavior resulting in damage to the premises.

4. Other good cause, after the first year of the lease, includes:

Business or economic reason for regaining possession of the unit;

Owner's desire to repossess the unit for personal use;

Tenant's refusal to accept offer of a new lease.

The eviction notice must specify the cause for the eviction.

The HA requires that the owner specify the section of the lease that has been violated and cite some or all of the ways in which the tenant has violated that section as documentation for the HA termination of assistance.

Housing assistance payments are paid to the owner under the terms of the HAP Contract. If the owner has begun eviction and the family continues to reside in the unit, the HA must continue to make housing assistance payments to the owner until the owner has obtained a court judgment or other process allowing the owner to evict the tenant unless the family or owner are otherwise no longer eligible for payments to be made.
If the action is finalized in court, the owner must provide the HA with the documentation, including notice of the lock-out date.

The HA must continue making housing assistance payments to the owner in accordance with the Contract as long as the tenant is eligible, continues to occupy the unit and the Contract is not violated. By endorsing the monthly check from the HA, the owner certifies that the tenant is still in the unit and he/she is in compliance with the contract.

If the eviction is not due to a serious or repeated violation of the lease, and if the HA has no other grounds for termination of assistance, the HA will issue a new voucher so that the family can move with continued assistance.

D. TERMINATION OF THE CONTRACT BY HA [24 CFR 982.404 (a), 982.453, 982.455, 982.454, 982.552 (a)(3)]

The term of the HAP contract terminates when the lease terminates, when the HA terminates program assistance for the family, and when the owner has breached the HAP contract.

Any of the following actions will be considered a breach of contract by the owner:

1. The owner has violated any obligation under the HAP contract for the dwelling unit, including the owner's obligation to maintain the unit to HQS standards, including any standards the HA has adopted in this policy. **The HAP contract will terminate 60 days after the last payment is made to the landlord for failure to maintain the unit to HQS standards.**

2. The owner has violated any obligation under any other housing assistance payments contract under Section 8 of the 1937 Act (42 U.S.C. 1437f).

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

4. The owner has failed to comply with regulations, the mortgage or note, or the regulatory agreement for projects with mortgages insured by HUD or loans made by HUD.

5. The owner has engaged in drug trafficking.

6. If the owner has committed any violent criminal activity

The HA may also terminate the contract if:

The HA terminates assistance to the family.

The family is required to move from a unit which is overcrowded.

Funding is no longer available under the ACC.

The contract will terminate automatically in the case of $0 assistance families if 180 days have passed since the last housing assistance payment to the owner for post-10/2/95 contracts, and twelve months in the case of pre-10/2/95 contracts; this is provided that the contract terms are still being met during this period and that the contract is not otherwise subject to termination due to other causes.

Notice of Termination

The HA will provide the owner and family with at least thirty days written notice of termination of the contract.

E. TERMINATIONS DUE TO INELIGIBLE IMMIGRATION STATUS [24 CFR 5.514]

For families who were participants on June 19, 1995, terminations due to the ineligible immigration status of all members of the family, or because a "mixed" family chooses not to accept proration of assistance, may be temporarily deferred for intervals not to exceed six months (up to a maximum of three years) if necessary to permit the family additional time for transition to affordable housing.

The family will be notified in writing at least 60 days in advance of the expiration of the deferral period that termination of assistance will not be deferred because:

a) Granting another deferral will result in an aggregate deferral period of longer than three years, or

b) A determination has been made that other affordable housing is available.

F. TERMINATION DUE TO OWNER DISAPPROVAL [24 CFR 982.453]

If the HA terminates the contract due to owner disapproval (See Chapter 9, "Request for Lease Approval and Contract Execution"), the HA will provide the owner and family with at least thirty days written notice of termination of the contract.

Chapter 15

DENIAL OR TERMINATION OF ASSISTANCE

INTRODUCTION

The HA may deny or terminate assistance for a family because of the family's action or failure to act. The HA will provide families with a written description of the Family Obligations under the program, the grounds under which the HA can deny or terminate assistance, and the HA's informal hearing procedures. This Chapter describes when the HA is required to deny or terminate assistance, and the HA's policies for the denial of a new commitment of assistance and the grounds for termination of assistance under an outstanding HAP contract. Any termination of assistance may be grieved by the family and a hearing before the Fall River Housing Authority Grievance will be held. The decision of the Grievance Panel may be appealed to Fall River Housing Authority Board of Commissioners by either party. This will be considered the final administrative remedy.

The FRHA Board of Commissioners appoints a Committee to review all requests for an appeal of any grievance panel decision to the Board.

Said committee will make a recommendation to the Board as to whether the Tenant is entitled to a hearing pursuant to Part A Section 10 of the Grievance Procedure. In cases where the decision concerns whether good cause exists for termination of assistance there shall be no review by the FRHA's Board.

This Committee shall also review all requests for appeal to the Board of Commissioners to determine if the specific grievance may be resolved without a formal board hearing.

The makeup of the Committee will be as follows;

1) FRHA Board Member representing Tenants
2) Executive Director
3) Deputy Executive Director

In cases where the decision concerns whether good cause exists for termination of assistance there shall be no review by the FRHA's Board.

A. GROUNDS FOR DENIAL/TERMINATION [24 CFR 982.552, 982.553]

If denial or termination is based upon behavior resulting from a disability, the HA will delay the denial or termination in order to determine if there is an accommodation which would negate the behavior resulting from the disability.

Form of Denial/Termination

Denial of assistance for an applicant may include any or all of the following:

1. Denial for placement on the HA waiting list

2. Denying or withdrawing a voucher

3. Refusing to enter into a HAP contract or approve a lease

4. Refusing to process or provide assistance under portability procedures

Termination of assistance for a participant may include any or all of the following:

1. Refusing to enter into a HAP contract or approve a lease

2. Terminating housing assistance payments under an outstanding HAP contract

3. Refusing to process or provide assistance under portability procedures

Mandatory Denial and Termination [24CFR 982.552 (10)(d)]

The HA must deny assistance to applicants, and terminate assistance for participants:

1. If any member of the family fails to sign and submit HUD or HA required consent forms for obtaining information.

2. If no member of the family is a U.S. citizen or eligible immigrant.

3. If the family is under a post-10/2/95 contract and 180 days have elapsed, or under a pre-10/2/95 contract and twelve months have elapsed since the HA's last housing assistance payment was made.

Grounds for Denial or Termination of Assistance [24CFR 982.552 (b)]

The HA may at any time deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following reasons:

1. The family violates any family obligation under the program as listed in 24 CFR 982.551. The family may be denied for a period not to exceed five years from the date of such activity or action resulting from such activity (such as termination of tenancy or assistance), whichever date is later, provided that no other cause for denial exists.

2. Any member of the family has ever engaged in serious or repeated lease violations while a resident of public housing or ever been evicted from public housing. The family may be denied for a period not to exceed five years from the date of such activity or action resulting from such activity (such as termination of tenancy or assistance), whichever date is later, provided that no other cause for denial exists.

3. The family currently owes rent or other amounts to the HA or to another HA in connection with Section 8 or public housing assistance under the 1937 Act.

4. The family has not reimbursed any HA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.

5. The family breaches an agreement with an HA to pay amounts owed to an HA, or amounts paid to an owner by an HA.

6. The family has engaged in or threatened abusive or violent behavior toward HA personnel.

"Abusive or violent behavior towards HA personnel" includes verbal as well as physical abuse or violence. Use of expletives that are generally considered insulting, racial epithets, or other language, written or oral, that is customarily used to insult or intimidate, may be cause for termination or denial.

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

Actual physical abuse or violence will always be cause for denial or termination.

7. The family supplies false, inaccurate or incomplete information on any application for federal housing programs, including public housing and Section 8. The family may be denied for a period not to exceed two years from the date of such a determination by the HA that information which was provided was false, inaccurate or incomplete, provided that no further cause for denial exists.

8. Any family member engages in drug-related or violent criminal activity.

Family Self Sufficiency (FSS)

Failure to fulfill the obligations and conditions of the FSS contract is grounds for denial or termination of assistance.

The HA will terminate the assistance for FSS families who fail to comply with the FSS Contract of Participation without good cause.

B. FAMILY OBLIGATIONS [24 CFR 982.551]

1. The family must supply any information that the HA or HUD determines is necessary in the administration of the program, including submission of required evidence of citizenship or eligible immigration status (as provided by 24 CFR part 812). "Information" includes any requested certification, release or other documentation.

2. The family must supply any information requested by the HA or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition in accordance with HUD requirements.

3. The family must disclose and verify Social Security Numbers (as provided by 24 CFR part 750) and must sign and submit consent forms for obtaining information in accordance with 24 CFR part 760 and 24 CFR part 813.

4. All information supplied by the family must be true and complete.

5. The family is responsible for an HQS breach caused by the family as described in 982.404(b).

6. The family must allow the HA to inspect the unit at reasonable times and after reasonable notice.

7. The family may not commit any serious or repeated violation of the lease.

8. The family must notify the owner and, at the same time, notify the HA before the family moves out of the unit or terminates the lease on notice to the owner.

9. The family must promptly give the HA a copy of any owner eviction notice.

10. The family must use the assisted unit for residence by the family. The unit must be the family's only residence.

11. The composition of the assisted family residing in the unit must be approved by the HA. The family must promptly inform the HA of the birth, adoption or court-awarded custody of a child. The family must request HA approval to add any other family member as an occupant of the unit.

12. The family must promptly notify the HA if any family member no longer resides in the unit.

13. If the HA has given approval, a foster child or a live-in aide may reside in the unit. If the family does not request approval or HA approval is denied, the family may not allow a foster child or live-in aide to reside with the assisted family.

14. Members of the household may engage in legal profit-making activities in the unit, but only if such activities are incidental to primary use of the unit as a residence by members of the family.

15. The family must not sublease or let the unit.

16. The family must not assign the lease or transfer the unit.

17. The family must supply any information or certification requested by the HA to verify that the family is living in the unit, or relating to family absence from the unit, including any HA-requested information or certification on the purposes of family absences. The family must cooperate with the HA for this purpose. The family must promptly notify the HA of absence from the unit.

18. The family must not own or have any interest in the unit.

19. The members of the family must not commit fraud, bribery or any other corrupt or criminal act in connection with the programs. Fraud is defined as the intentional misrepresentation of a material fact with the intention that the object of the misrepresentation rely on the representation, resulting in detriment to the party misled.

20. Alcohol abuse by household members. The members of the household must not abuse alcohol in a way that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. The members of the family may not engage in drug-related criminal activity or violent criminal activity.

21. Crime by household members. The members of the household may not engage in drug-related criminal activity or violent criminal activity or other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises (see Sec. 982.553).

22. An assisted family, or members of the family, may not receive Section 8 tenant-based assistance while receiving another housing subsidy, for the same unit or for a different unit, under any duplicative (as determined by HUD or in accordance with HUD requirements) federal, State or local housing assistance program.

Housing Authority Discretion

In deciding whether to deny or terminate assistance because of action or failure to act by members of the family, the HA has discretion to consider all of the circumstances in each case, including the seriousness of the case, the extent of participation or culpability of individual family members, the length of time since the violation occurred and more recent record of compliance, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure to act.

The HA may impose, as a condition of continued assistance for other family members, a requirement that family members who participated in or were culpable for the action or failure will not reside in the unit. The HA may permit the other members of a family to continue in the program.

Enforcing Family Obligations

Explanations and Terms

The term "Promptly" when used with the Family Obligations always means "within five working days." Denial or termination of assistance is always optional except where this Plan or the regulations state otherwise.

HQS Breach: The inspector will determine if an HQS breach as identified in 24 CFR 982.404 (b) is the responsibility of the family. Families may be given extensions to cure HQS breaches by the Section 8 Program Director.

Lease Violations: The following criteria will be used to decide if a serious or repeated violation of the lease will cause a termination of assistance:

If the owner terminates tenancy through court action for serious or repeated violation of the lease.

If the owner notifies the family of intention to terminate tenancy for serious or repeated lease violations, and the family moves from the unit prior to the completion of court action, and the HA determines that the cause is a serious or repeated violation of the lease based on available evidence.

If there are police reports, neighborhood complaints or other third party information, and the HA has verified the information. Lack of receipts or other proof of rent payments by the family may also considered verification of lease violations.

Notification of Eviction: If the family requests assistance to move and they did not notify the HA of an eviction within five working days of receiving the Notice of Lease Termination, the move will be denied.

Proposed additions to the family (including live-in aides) may be denied based upon the same criteria applied to applicants and participants as described elsewhere in this Chapter. Additionally, proposed additions may be denied to persons who do not meet the HA's definition of family.

Family Member moves out: Adult family members are required to notify the HA within five working days if he/she leaves the assisted household. Failure to report this will constitute a violation on the part of the person removing him/herself. The remaining family contact the HA within five working days as well, to furnish the following information:

The date the family member moved out.

The new address, if known, of the family member.

A statement as to whether the family member is temporarily or permanently absent.

Related income, asset or deduction changes resulting from the member moving.

Limitation on Profit-making Activity in Unit:

If the business activity area results in the inability of the family to use any of the critical living areas, such as a bedroom utilized for a business which is not available for sleeping, it will be considered a violation.

If the HA determines that the use of the unit as a business is not incidental to its use as a dwelling unit, it will be considered a violation.

Fraud: In each case, the HA will consider which family members were involved, the circumstances, and any hardship that might be caused to innocent members.

The FRHA will terminate assistance if any household member is currently engaged in any illegal use of a drug; or (B) A pattern of illegal use of a drug by any household member interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents. The FRHA will immediately terminate assistance for a family under the program if the FRHA determines that any member of the household has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.

The FRHA will terminate assistance if any household engages in Violent criminal activity or Other criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; or Other criminal activity which may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the FRHA (including a FRHA employee or a FRHA contractor, subcontractor or agent).

Mandatory termination of assistance if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program. In this screening of applicants, the PHA must perform criminal history background checks necessary to determine whether any household member is subject to a lifetime sex offender registration requirement in the State where the housing is located and in other States where the household members are known to have resided.

Drug-related criminal activity is the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use a controlled substance.

Drug and violent crime and other related criminal activity means on or near the premises.

Violent criminal activity includes any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against a person or property, and the activity is being engaged in by any Family member. Violent criminal activity also includes activity which occurs within the family, such as during domestic disputes.

Activity may include arrests, convictions, no contest pleas, fines, city ordinance violations or other credible preponderance of evidence that such activity has occurred.

Ineligibility if Evicted for Drug-Related Activity

Persons evicted from public housing, Indian housing, Section 23, or any Section 8 program because of drug-related criminal activity are ineligible for any waiting list preference status for a three-year period beginning on the date of such eviction.

The HA may waive this requirement if:

The person demonstrates successful completion of a rehabilitation program approved by the HA, or

The circumstances leading to the eviction no longer exist. For example, the individual involved in drugs is no longer in the household because the person is incarcerated.

Applicants will be denied assistance if they have been:

Convicted of drug-related or violent criminal activity until a period of three years have passed following the end of conviction/incarceration/parole/probation (whichever is later) with no further arrests or convictions (other than minor traffic violations).

Participants may be terminated who have been:

Arrested, convicted or whose tenancy is being terminated due to drug-related or violent criminal activity or whose activities have created a disturbance in the building or neighborhood.

If the family violates the lease for drug-related or violent criminal activity, the HA will terminate assistance.

In appropriate cases, the HA may permit the family to continue receiving assistance provided that family members determined to have engaged in the proscribed activities will not reside in the unit. If the violating member is a minor, the HA may consider individual circumstances with the advice of Juvenile Court officials.

Screening Out Illegal Drug Users and Alcohol Abusers

The HA will prohibit admission to any person in cases where the HA determines that there is reasonable cause to believe that the person is illegally using a controlled substance, or abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. This includes cases where the HA determines that there is a pattern of illegal use of a controlled substance, or pattern of alcohol abuse.

The HA will consider the use of a controlled substance or alcohol to be a pattern if there is more than one incident during the previous twelve months.

The HA will waive this policy if the person demonstrates to the HA's satisfaction that the person is no longer engaging in the illegal use of a controlled substance or abuse of alcohol, and:

Has successfully completed a supervised drug or alcohol rehabilitation program;

Has otherwise been rehabilitated successfully; or

Is participating in a supervised drug or alcohol rehabilitation program.

Confidentiality of Criminal Records

The HA will ensure that any criminal record received is maintained confidentially, not misused or improperly disseminated.

Disclosure of Criminal Records to Family

The applicant or tenant will be provided with a copy of the criminal record upon request and an opportunity to dispute the record. Applicants will be provided an opportunity to dispute the record at an informal review. Participants may contest such records at an informal hearing.

Required Evidence

Preponderance of 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. The intent is not to prove criminal liability, but to establish that the act(s) occurred.

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

Credible evidence may be obtained from police and/or court records. Testimony from neighbors, when combined with other factual evidence, can be considered credible evidence. Other credible evidence includes documentation of drug raids or arrest warrants.

The HA may will pursue fact-finding efforts as needed to obtain credible evidence.

Notice of Termination of Assistance

In any case where the HA decides to terminate assistance to the family, the HA must give the family written notice which states:

The reason(s) for the proposed termination,

The effective date of the proposed termination,

The family's right, if they disagree, to request an Informal Hearing to be held before termination of assistance.

The date by which a request for an informal hearing must be received by the HA.

The HA will simultaneously provide written notice of the contract termination to the owner so that it will coincide with the Termination of Assistance. The Notice to the owner will not include any details regarding the reason for termination of assistance.

C. PROCEDURES FOR NON-CITIZENS [24 CFR 5.514, 982.552(b)(4)]

Termination due to Ineligible Immigrant Status

Assistance may not be terminated while verification of the participant family's eligible immigration status is pending.

Participant families in which all members are neither U.S. citizens nor eligible immigrants must have their assistance terminated. They must be given an opportunity for a hearing.

Temporary Deferral of Termination of Assistance

Ineligible families who were participants as of June 19, 1995, may request a temporary deferral of termination of assistance in order to allow time to locate affordable housing and thereby preserve the family.

Temporary deferral of termination of assistance is also available to mixed families who were participants on June 19, 1995, who elect not to accept prorated assistance, and are not eligible for Continued Assistance. (See Chapter 14, "Contract Terminations.") The HA must allow the mixed family time to find housing for ineligible members or for the entire family by deferring the termination.

Mixed families who choose temporary deferral of termination of assistance may change to prorated assistance at the end of any deferral period, if they have made a good-faith effort to locate housing.

Criteria for Approving Temporary Deferral of Termination of Assistance

The HA will grant temporary deferral so long as the family makes reasonable efforts to find affordable housing.

Affordable housing is defined as housing that is standard, of appropriate size, and for which the rent plus utilities is no more than 25% greater than the HA calculated Total Tenant Payment.

To determine whether a family is eligible for temporary deferral of termination of assistance, or for a renewal of temporary deferral of termination of assistance, the HA will:

Calculate Total Tenant Payment plus 25% for the family, and compare this amount to the data in its rent reasonableness survey for the unit size. If the HA's data indicates that units are not available at the affordable rent, the deferral will be renewed.

Require a search record to document the family's efforts to locate housing before granting or extending temporary deferral of termination of assistance.

Length of Deferral

The initial temporary deferral is granted for an interval not to exceed six months. Additional deferrals can be made up to a maximum of three years. A notice is sent to the family at the beginning of each deferral period reminding them of their ineligibility for full assistance and their responsibility to seek other housing.

The family will be notified in writing sixty days before the end of the three year maximum deferral period that there cannot be another deferral, and will be offered the option of prorated assistance if they are a mixed family and have made a good-faith effort to locate affordable housing.

False or Incomplete Information

When the HA has clear, concrete, or substantial documentation (such as a permanent resident card or information from another agency) that contradicts the declaration of citizenship made by an applicant or participant, an investigation will be conducted and the individual given an opportunity to present relevant information.

If the individual is unable to verify their citizenship, the HA may give him/her an opportunity to provide a new declaration as an eligible immigrant or to elect not to contend their status. The HA will then verify eligible status, deny, terminate, or prorate as applicable.

The HA will deny or terminate assistance based on the submission of false information or misrepresentations.

Procedure for Denial or Termination

If the family (or any member) claimed eligible immigrant status and the INS primary and secondary verifications failed to document the status, the family may make an appeal to the INS and request a hearing with the HA either after the INS appeal or in lieu of the INS appeal.

After the HA has made a determination of ineligibility, the family will be notified of the determination and the reasons and informed of the option for prorated assistance (if applicable) or, for participants who qualify, for Temporary Deferral of Termination of Assistance.

D. ASSISTANCE TENANTS [24 CFR 982.455 (a)]

Old Contracts

For contracts which were effective prior to 10/2/95, the HA is liable for unpaid rent and damages if the family vacates while the contract is still in effect, for up to twelve months following the last HAP payment. The HA must perform all of the functions normally required, such as reexaminations and inspections. The participant will be notified of the

right to remain on the program at $0 assistance for 12 months. If the family is still in the unit after 12 months, the assistance will be terminated.

New Contracts

For contracts effective after 10/2/95, the HA has no liability for unpaid rent or damages, and the family may remain in the unit at $0 assistance for up to 180 days after the last HAP payment. If the family is still in the unit after 180 days, the assistance will be terminated. If within the 180 day time frame an owner rent increase or a decrease in the Total Tenant Payment cause the family to be eligible for a housing assistance payment, the HA will resume assistance payments for the family.

In order for a family to move to another unit during the 180 days, the rent for the new unit would have to be high enough to necessitate a housing assistance payment.

E. OPTION NOT TO TERMINATE FOR MISREPRESENTATION [24 CFR 982.551, 982.552 (c)]

If the family has misrepresented any facts that caused the HA to overpay assistance, the HA may choose not to terminate and may offer to continue assistance provided that the family executes a Repayment Agreement and makes payments in accordance with the agreement, or reimburses the HA in full.

F. MISREPRESENTATION IN COLLUSION WITH OWNER [24 CFR 982.551, 982.552 (c)]

If the family willingly and knowingly commits fraud or is involved in any other illegal scheme with the owner, the HA will deny or terminate assistance.

G. MISSED APPOINTMENTS AND DEADLINES [24 CFR 982.551, 982.552 (c)]

It is a Family Obligation to supply information, documentation, and certification as needed for the HA to fulfill its responsibilities. The HA schedules appointments and sets deadlines in order to obtain the required information. Failure to supply requested information will result in denial or termination of assistance. Examples of failing to supply requested information can include: failing to sign necessary documents, failing to sign by one's legal name, failing to complete all information requested on documents, etc. The Obligations also require that the family allow the HA to inspect the unit and appointments are made for this purpose.

An applicant or participant who fails to keep an appointment, or to supply information required by a deadline without notifying the HA may be sent a Notice of Denial or Termination of Assistance for failure to provide required information, or for failure to allow the HA to inspect the unit.

The family will be given information about the requirement to keep appointments, and the number of times appointments will be rescheduled as specified in this Plan.

Appointments will be scheduled and time requirements will be imposed for the following events and circumstances:

1. Eligibility for Admissions
2. Verification Procedures
3. Voucher Issuance and Briefings
4. Housing Quality Standards and Inspections
5. Recertifications
6. Appeals

Acceptable reasons for missing appointments or failing to provide information by deadlines are medical or family emergencies.

Procedure when Appointments are Missed or Information not Provided

For most purposes in this Plan, the family will be given two opportunities before being issued a notice of denial or termination for breach of a family obligation.

After issuance of the denial or termination notice, if the family offers to correct the breach within the time allowed to request a review or hearing - The notice may be rescinded after the family cures the breach, if the family does not have a history of non-compliance.

Chapter 16

OWNER DISAPPROVAL AND RESTRICTION

INTRODUCTION

It is the policy of the HA to and recruit owners to participate in the program, and to provide owners with prompt and professional service in order to maintain an adequate supply of available housing throughout the jurisdiction of the HA. The regulations define when the HA must disallow an owner participation in the program, and they provide the HA discretion to disapprove or otherwise restrict the participation of owners in certain categories. This Chapter describes the criteria for owner disapproval, and the various penalties for owner violations.

A. DISAPPROVAL OF OWNER [24 CFR 982.306, 982.54 (d)(8)]

The owner does not have a right to participate in the program. For purposes of this section, "owner" includes a principal or other interested party.

The HA will disapprove the owner for the following reasons:

HUD or other agency directly related has informed the HA that the owner has been disbarred, suspended, or subject to a limited denial of participation under 24 CFR part 24.

HUD has informed the HA that the federal government has instituted an administrative or judicial action against the owner for violation of the Fair Housing Act or other federal equal opportunity requirements and such action is pending.

HUD has informed the HA that a court or administrative agency has determined that the owner has violated the Fair Housing Act or other federal equal opportunity requirements.

The owner has violated obligations under a housing assistance payments contract under Section 8 of the 1937 Act (42 U.S.C. 1437f).

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

The owner has engaged in drug trafficking.

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

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

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

B. OWNER RESTRICTIONS AND PENALTIES [24 CFR 982.453]

If an owner commits fraud or abuse or is guilty of frequent or serious contract violations, the HA will restrict the owner from future participation in the program for a period of time commensurate with the seriousness of the offense. The HA may also terminate some or all contracts with the owner.

Before imposing any penalty against an owner the HA will review all relevant factors pertaining to the case, and will consider such factors as the owner's record of compliance and the number of violations.

The HA guidelines for restrictions are contained in the table below:

DISAPPROVAL OF OWNERS/PARTICIPATION RESTRICTIONS

BREACH	PENALTY
HUD notification of owner debarment/suspension	Termination
HUD notification of violation of fair housing/federal equal opportunity	Termination
Violation of contract obligations	Abate/Term.
Owner fraud, bribery or other corrupt act in federal housing program	Termination
Owner engaged in drug trafficking	Termination
History of noncompliance with HQS	Abate/Term.
History of renting units below code	Abate/Term.
State/local real estate taxes, fines or assessments	Abate/Term.

C. OTHER REMEDIES FOR OWNER VIOLATIONS

Overpayments

If the landlord has been overpaid as a result of fraud, misrepresentation or violation of the Contract, the HA may terminate the Contract and arrange for restitution to the HA and/or family as appropriate.

The HA will make every effort to recover any overpayments made as a result of landlord fraud or abuse. Payments otherwise due to the owner may be debited in order to repay the HA or the tenant, as applicable.

Chapter 17

OWNER OR FAMILY DEBTS TO THE HA

INTRODUCTION

This Chapter describes the HA's policies for the recovery of monies which have been overpaid for families, and to owners. It describes the methods that will be utilized for collection of monies and the guidelines for different types of debts. It is the HA's policy to meet the informational needs of owners and families, and to communicate the program rules in order to avoid owner and family debts. Before a debt is assessed against a family or owner, the file must contain documentation to support the HA's claim that the debt is owed. The file must further contain written documentation of the method of calculation, in a clear format for review by the owner, the family or other interested parties.

When families or owners owe money to the HA, the HA will make every effort to collect it. The HA will use a variety of collection tools to recover debts including, but not limited to:

Requests for lump sum payments
Civil suits
Repayment agreements
Abatements
Reductions
Collection agencies
Credit bureaus
Income tax set-off programs

A. REPAYMENT AGREEMENT FOR FAMILIES [24 CFR 792, 982.552 (c)(vii)]

A Repayment Agreement as used in this Plan is a document entered into between the HA and a person who owes a debt to the HA. It is similar to a promissory note, but contains more details regarding the nature of the debt, the terms of repayment, any special provisions of the agreement, and the remedies available to the HA upon default of the agreement.

The minimum monthly amount of monthly payment for any repayment agreement is five dollars.

Late Payments

A payment will be considered to be in arrears if:

The payment has not been received by the close of the business day on which the payment was due. If the due date is on a weekend or holiday, the due date will be at the close of the next business day.

If the family's repayment agreement is in arrears, the HA will:

Require the family to pay the balance in full,
Pursue civil collection of the balance due,
Terminate the housing assistance, or
Require the family to pay the entire arrearage plus current month's payment in order avoid loss of assistance.

If the family requests a move to another unit and has a repayment agreement in place for the payment of an owner claim, and the repayment agreement is not in arrears:

The family will be required to pay the balance in full prior to the issuance of a voucher.

If the family requests a move to another unit and is in arrears on a repayment agreement for the payment of an owner claim:

The family will be required to pay the balance in full, or be terminated from the program.

There are some circumstances in which the HA will not enter into a repayment agreement. They are:

If the family already has a Repayment Agreement in place.

If the family has breached previous Repayment Agreements.

Guidelines for Repayment Agreements

If the amount of money owed is less than $500.00 client will be given 6 months to pay.
If the amount of money owed is $501.00 to $1000.00 client will be given 1 year to pay.
If the amount of money owed is over $1000.00 the client will be given 18 months to 2 years to pay depending on the situation. A hardship must be documented by client then reviewed by the Coordinator of Housing Assistance
Any amount owed above $3,000.00 must be paid within 30 days - client could then enter into agreement for remaining $3,000.00.
Client will be terminated for any amount owed over $10,000.00.

Repayment Agreements will be executed between the HA and the head of household or other adult family member.

Monthly payments may be decreased in cases of hardship with the prior notice of the family, verification of the hardship, and the approval of the Section 8 Program Director.

No move will be approved until the debt is paid in full unless the move is the result of the following causes, and the Repayment Agreement is current:

Family size exceeds the HQS maximum occupancy standards

The HAP contract is terminated due to owner non-compliance

A natural disaster

Additional Monies Owed: If the family has a Repayment Agreement in place and incurs an additional debt to the HA:

If a Repayment Agreement is in arrears more than 60 days, any new debts must be paid in full.

B. DEBTS OWED FOR CLAIMS [24 CFR 792.103, 982.552 (b)(6-8)]

If a family owes money to the HA for claims paid to an owner:

The HA may require the family to repay the amount in full.

The HA may enter into a Repayment Agreement.

C. DEBTS DUE TO FRAUD/NON-REPORTING OF INFORMATION
[24 CFR 982.163]

HUD's definition of program fraud and abuse is a single act or pattern of actions that:

Constitutes false statement, omission, or concealment of a substantive fact, made with intent to deceive or mislead, and that results in payment of Section 8 program funds in violation of Section 8 program requirements.

Family Error/Late Reporting

Families who owe money to the HA due to the family's failure to report increases in income or loss of items for allowances or deductions will be required to repay in accordance with the guidelines in the Repayment Section of this Chapter.

Program Fraud

Families who owe money to the HA due to program fraud will be required to repay in accordance with the guidelines in the Repayment Section of this Chapter.

If a family owes an amount which equals or exceeds $3000 as a result of program fraud, the case may be referred to the Inspector General. Where appropriate, the HA will refer the case for criminal prosecution.

Repayment Procedures for Program Fraud/Untimely Reporting

Families who commit program fraud or untimely reporting of increases in income will be subject to the following procedures:

The minimum monthly payment will be five dollars. In no event shall the repayment schedule be for more than 12 months.

The HA will use a sliding scale system based upon the family's income to determine the monthly payment.

D. OWNER DEBTS TO THE HA

If the HA determines that the owner has retained Housing Assistance or Claim Payments the owner is not entitled to, the HA may reclaim the amounts from future Housing Assistance or Claim Payments owed the owner for any units under contract.

If future Housing Assistance or Claim Payments are insufficient to reclaim the amounts owed, the HA will:

Require the owner to pay the amount in full within thirty days

Enter into a repayment agreement with the owner for the amount owed

Pursue collections through the local court system

Restrict the owner from future participation

E. WRITING OFF DEBTS

Debts will be written off if:

The debtor's whereabouts are unknown and the debt is more than seven years old.

A determination is made that the debtor is judgment proof.

The debtor is deceased.

The debtor is confined to an institution indefinitely or for more than seven years.

The amount is less than $20 and the debtor cannot be located.

Chapter 18

COMPLAINTS AND APPEALS

INTRODUCTION

The informal hearing requirements defined in HUD regulation are applicable to participating families who disagree with an action, decision, or inaction of the HA. This Chapter describes the policies, procedures and standards to be used when families disagree with an HA decision. The procedures and requirements are explained for preference denial meetings, informal reviews and hearings. It is the policy of the HA to ensure that all families have the benefit of all protections due to them under the law.

A. COMPLAINTS TO THE HA

The HA will respond promptly to complaints from families, owners, employees, and members of the public. All complaints will be documented. The HA may require that complaints other than HQS violations be put in writing. HQS complaints may be reported by telephone.

Categories of Complaints

1. Complaints from families: If a family disagrees with an action or inaction of the HA or owner.

   Complaints from families will be referred to the Section 8 Program Director

2. Complaints from Owners: If an owner disagrees with an action or inaction of the HA or a family.

   Complaints from owners will be referred to the Section 8 Program Director

3. Complaints from staff: If a staff person reports an owner or family either violating or not complying with program rules.

   Complaints from staff will be referred to the Section 8 Program Director

4. Complaints from the general public: Complaints or referrals from persons in the community in regard to the HA, a family or an owner.

   Complaints from the general public will be referred to the Section 8 Program Director

B. PREFERENCE DENIALS

If the HA denies a preference to an applicant, and the applicant disagrees with the decision, the applicant is entitled to a meeting. This is different from an Informal Review or Hearing. The person who made the decision to deny the preference, or any other HA representative, may conduct the meeting. The meeting is limited only to the circumstances pertaining to the preference denial.

When the HA denies a preference to an applicant, the family will be notified in writing of the specific reason for the denial and offered the opportunity for a meeting with HA staff to discuss the reasons for the denial and to dispute the HA's decision.

The person who conducts the meeting must be:

Any officer or employee of the HA's Tenant Selection Department including the person who made the decision.

If the applicant is denied a preference they are entitled to an informal hearing before a hearings officer at the HA.

C. INFORMAL REVIEW PROCEDURES FOR APPLICANTS [24 CFR 982.54 (d) (12), 982.554]

Reviews are provided for applicants who are denied assistance before the effective date of the HAP Contract. The exception is that when an applicant is denied assistance for citizen or eligible immigrant status, the applicant is entitled to an informal hearing.

When the HA determines that an applicant is ineligible for the program, the family must be notified of their ineligibility in writing. The notice must contain:

The reason(s) they are ineligible,

The procedure for requesting a review if the applicant does not agree with the decision and

The time limit for requesting a review.

The HA must provide applicants with the opportunity for an Informal Review of decisions denying:

Listing on the HA's waiting list
Issuance of a Voucher
Participation in the program

Informal Reviews are not required for established policies and procedures and HA determinations such as:

1. Discretionary administrative determinations by the HA

2. General policy issues or class grievances

3. A determination of the family unit size under the HA subsidy standards

4. Refusal to extend or suspend a Voucher

5. Disapproval of lease

6. Determination that unit is not in compliance with HQS

7. Determination that unit is not in accordance with HQS due to family size or composition

Procedure for Review

A request for an Informal Review must be received in writing by the close of the business day, no later than ten days from the date of the HA's notification of denial of assistance. The informal review will be scheduled within 30 days from the date the request is received.

The Informal Review may not be conducted by the person who made or approved the decision under review, nor a subordinate of such person.

The Review may be conducted by:

A staff person who is not the person who made the decision or his/her subordinate

If the applicant fails to appear for the Informal Review and has not contacted the HA in advance to reschedule, the HA's proposed disposition of the grievance will become final. The HA will reschedule the review only if the family can show good cause for the failure to appear.

The applicant will be given the option of presenting oral or written objections to the decision. Both the HA and the family may present evidence and witnesses. The family may use an attorney or other representative to assist them at their own expense.

A Notice of the Review findings will be provided in writing to the applicant within thirty days after the review. It shall include the decision of the review officer, and an explanation of the reasons for the decision.

All requests for a review, supporting documentation, and a copy of the final decision will be retained in the family's file.

D. INFORMAL HEARING PROCEDURES [24 CFR 982.555, 5.514]

The HA will provide a copy of the hearing procedures in the family briefing packet.

When the HA makes a decision regarding the eligibility and/or the amount of assistance, applicants and participants must be notified in writing. The HA will give the family prompt notice of such determinations which will include:

The proposed action or decision of the HA;
The date the proposed action or decision will take place;
The family's right to an explanation of the basis for the HA's decision.
The procedures for requesting a hearing if the family disputes the action or decision;
The time limit for requesting the hearing.

The HA must provide participants with the opportunity for an Informal Hearing for decisions related to any of the following HA determinations:

1. Determination of the family's annual or adjusted income and the computation of the housing assistance payment

2. Appropriate utility allowance used from schedule

3. Family unit size determination under HA subsidy standards

4. Determination to terminate assistance for any reason.

5. Determination to terminate a family's FSS Contract, withhold supportive services, or propose forfeiture of the family's escrow account.

6. Determination to pay an owner claim for damages, unpaid rent or vacancy loss.

The HA must always provide the opportunity for an informal hearing before termination of assistance.

Informal Hearings are not required for established policies and procedures and HA determinations such as:

1. Discretionary administrative determinations by the HA

2. General policy issues or class grievances

3. Establishment of the HA schedule of utility allowances for families in the program

4. An HA determination not to approve an extension or suspension of a voucher term

5. An HA determination not to approve a unit or lease

6. An HA determination that an assisted unit is not in compliance with HQS (HA must provide hearing for family breach of HQS because that is a family obligation determination)

7. An HA determination that the unit is not in accordance with HQS because of the family size

8. An HA determination to exercise or not exercise any right or remedy against the owner under a HAP contract

Notification of Hearing

It is the HA's objective to resolve disputes at the lowest level possible, and to make every effort to avoid the most severe remedies. However, if this is not possible, the HA will ensure that applicants and participants will receive all of the protections and rights afforded by the law and the regulations.

When the HA receives a request for an informal hearing, a hearing shall be scheduled within thirty days. The notification of hearing will contain:

1. The date and time of the hearing

2. The location where the hearing will be held

3. The family's right to bring evidence, witnesses, legal or other representation at the family's expense

4. The right to view any documents or evidence in the possession of the HA upon which the HA based the proposed action and, at the family's expense, to obtain a copy of such documents prior to the hearing

The HA's Hearing Procedures

After a hearing date is set, the family may request in advance to reschedule only upon showing "good cause," which is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family.

If a family does not appear at a scheduled hearing and has not contacted the HA in advance to reschedule, the HA's proposed disposition of the grievance will become final. The HA will reschedule the hearing only if the family can show good cause for the failure to appear.

Families have the right to:

Present written or oral objections to the HA's determination.

Examine the documents in the file which are the basis for the HA's action, and all documents submitted to the Hearing Officer;

Copy any relevant documents at their expense;

Present any information or witnesses pertinent to the issue of the hearing;

Request that HA staff be available or present at the hearing to answer questions pertinent to the case; and

Be represented by legal counsel, advocate, or other designated representative at their own expense.

If the family requests copies of documents relevant to the hearing, the HA will make the copies for the family and assess a charge of $0.10 per copy. In no case will the family be allowed to remove the file from the HA's office.

In addition to other rights contained in this Chapter, the HA has a right to:

Present evidence and any information pertinent to the issue of the hearing;

Be notified if the family intends to be represented by legal counsel, advocate, or another party;

Examine and copy any documents to be used by the family prior to the hearing;

Have its attorney present; and

Have staff persons and other witnesses familiar with the case present.

The Informal Hearing shall be conducted by the Hearing Officer appointed by the HA who is neither the person who made or approved the decision, nor a subordinate of that person. The HA appoints hearing officers who:

Are managers from other departments in the government of the jurisdiction

Are managers from other HA's

Are professional mediators or arbitrators employed by the county Bar Association/a mediation, dispute resolution, or arbitration service/other

Are members of the community who do not otherwise have a conflict of interest with the HA or the family

The hearing shall concern only the issues for which the family has received the opportunity for hearing. Evidence presented at the hearing may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

No documents may be presented which have not been provided to the other party before the hearing if requested by the other party. "Documents" includes records and regulations.

The Hearing Officer may ask the family for additional information and/or might adjourn the Hearing in order to reconvene at a later date, before reaching a decision.

If the family misses an appointment or deadline ordered by the Hearing Officer, the action of the HA shall take effect and another hearing will not be granted.

The Hearing Officer will determine whether the action, inaction or decision of the HA is legal in accordance with HUD regulations and this Administrative Plan based upon the evidence and testimony provided at the hearing. Factual determinations relating to the individual circumstances of the family will be based on a preponderance of the evidence presented at the hearing.

A notice of the Hearing Findings shall be provided in writing to the HA and the family within fifteen days and shall include:

A clear summary of the decision and reasons for the decision;

If the decision involves money owed, the amount owed; and

The date the decision goes into effect.

The HA is not bound by hearing decisions:

Which concern matters in which the HA is not required to provide an opportunity for a hearing

Which conflict with or contradict to HUD regulations or requirements;

Which conflict with or contradict Federal, State or local laws; or

Which exceed the authority of the person conducting the hearing.

The HA shall send a letter to the participant if it determines the HA is not bound by the Hearing Officer's determination within fifteen days. The letter shall include the HA's reasons for the decision.

All requests for a hearing, supporting documentation, and a copy of the final decision will be retained in the family's file.

E. HEARING AND APPEAL PROVISIONS FOR "RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS" [24 CFR 812.9]

Assistance to the family may not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decision on the INS appeal.

Assistance to a family may not be terminated or denied while the HA hearing is pending but assistance to an applicant may be delayed pending the HA hearing.

INS Determination of Ineligibility

If a family member claims to be an eligible immigrant and the INS SAVE system and manual search do not verify the claim, the HA notifies the applicant or participant within ten days of their right to appeal to the INS within thirty days or to request an informal hearing with the HA either in lieu of or subsequent to the INS appeal.

If the family appeals to the INS, they must give the HA a copy of the appeal and proof of mailing or the HA may proceed to deny or terminate. The time period to request an appeal may be extended by the HA for good cause.

The request for an HA hearing must be made within fourteen days of receipt of the notice offering the hearing or, if an appeal was made to the INS, within fourteen days of receipt of that notice.

After receipt of a request for an informal hearing, the hearing is conducted as described in section D of this chapter for both applicants and participants. If the hearing officer decides that the individual is not eligible, and there are no other eligible family members the HA will:

Deny the applicant family

Defer termination if the family is a participant and qualifies for deferral

Terminate the participant if the family does not qualify for deferral

If there are eligible members in the family, the HA will offer to prorate assistance or give the family the option to remove the ineligible members.

All other complaints related to eligible citizen/immigrant status:

If any family member fails to provide documentation or certification as required by the regulation, that member is treated as ineligible. If all family members fail to provide, the family will be denied or terminated for failure to provide.

Participants whose termination is carried out after temporary deferral may not request a hearing since they had an opportunity for a hearing prior to the termination.

Participants whose assistance is pro-rated (either based on their statement that some members are ineligible or due to failure to verify eligible immigration status for some members after exercising their appeal and hearing rights described above) are entitled to a hearing based on the right to a hearing regarding determinations of Tenant Rent and Total Tenant Payment.

Families denied or terminated for fraud in connection with the non-citizens rule are entitled to a review or hearing in the same way as terminations for any other type of fraud.

F. MITIGATING CIRCUMSTANCES FOR APPLICANTS/PARTICIPANTS WITH DISABILITIES

When applicants are denied placement on the waiting list, or the HA is terminating assistance, the family will be informed that presence of a disability may be considered as a mitigating circumstance during the informal review process.

APPENDIX 1
Payment Standards
Section 8 Program

BR SIZE	***Payment Standard***	***FMR***
0 BR	$720	$746
1 BR	$800	$830
2 BR	$935	$956
3 BR	$1,110	$1,142
4 BR	$1,410	$1,409

The City of Fall River is included in the Providence and Warwick, Rhode Island statistical area for determination of Income Limits and FMR's.

The market for Fall River is distinct from the Providence and Warwick markets. Fall River has a significant vacancy problem. The vacancy rate in the core city has decreased and there is continuing pressure to pay increased rents..

Our knowledge of the local market in summarized in the rent chart as shown above.

The rent reasonableness is factored into all decisions on what rent applies to any given unit but apartments in the City can be reasonable categorized in the rates reflected in the Payment Standards as shown above.

These payment standards were adopted by the FRHA Board on November 10, 2008 and are effective on January 1, 2009

APPENDIX 2

CENTRALIZED LIST

The Fall River Housing Authority has elected to utilize the MassNAHRO's Centralized Application and Waiting List process. Over the past few years, the Department of Housing and Urban Development has encouraged the use of a Centralized Waiting List by Public Housing Authorities.

It is anticipated that a Centralized Section 8 Waiting List will afford the Fall River Housing Authority and its clients the following benefits:

1. Ease of application process for participants who may apply at the office of any Housing Authority participating in the centralized waiting list option.

2. Eliminate the procedural hardship on families and administrative burden to the Housing Authority of closing and opening of the Section 8 Waiting List. The Centralized Section 8 Waiting List will be maintained as an open waiting list.

3. Increase housing opportunities for families who now have the potential option of placement at a number of locations throughout the Commonwealth through the submission of a single application.

II ACCEPTANCE OF APPLICATIONS

A single, standardized Preliminary Application is available at each participating Housing Authority. A master list of all participating Housing Authorities will be maintained at the office of the Massachusetts Chapter of the National Association of Housing and Redevelopment Officials (hereinafter MassNAHRO) and at each participating Housing Authority. Only one application will be accepted for each Head of Household.

The Preliminary Application will request information as required to administer the Section 8 Housing Choice Voucher Program such as: name and city or town (where Head of Household and spouse live and work), telephone number, total number of family members, Head of Household's social security number, if client is 62 years of age or older or disabled, total gross family income, race, and ethnicity. Information regarding preferences adopted by participating Housing Authorities will also be elicited on this application.

The Housing Authorities collectively reserve the right to modify the application to include other information required or useful to administer the Section 8 Housing Choice Voucher Program. All participating Housing Authorities must agree to adopt said modification to the application in advance to such modification. Applications will be available for completion at the Fall River Housing Authority in person between the hours of_____ and __on the following days of the week _____and maybe mailed or faxed.

Upon completion of the application it shall be marked by the Housing Authority staff with date and the time of submission and the family shall be provided with a standard receipt evidencing submission of the application.

The Fall River Housing Authority will then enter the information from the Preliminary Application into the Centralized Waiting List.

III UPDATING THE APPLICATIONS

A family may update its application (i.e. change of address) for Section 8 Assistance at the office of any Housing Authority participating in the Centralized application process regardless of where the original application was submitted. To update the application a written request must be submitted by the family. A receipt will be provided to the family as evidence of said update. The Housing Authority who receives the updated information will give the family a receipt indicating that the family had submitted the update.

IV SELECTION FROM THE WAITING LIST

The selection process set forth in the Fall River Housing Authority's Administrative Plan shall govern the manner in which individuals and families are selected by the Housing Authority from the Centralized Section 8 Waiting List.

V ELIGIBILITY DETERMINATION

Once a family has been selected from the Centralized Section 8 Waiting List in the manner set forth in the Fall River Housing Authority's Administrative Plan from the Section 8 Housing Choice Voucher Program, eligibility determination shall be made according to federal law, regulations governing State law and any applicable procedures set forth in the Housing Authority's Administrative Plan for the Section 8 Housing Choice Voucher Program.

VI REMOVAL OF NAMES FROM THE WAITING LIST

A Ineligibility for Assistance

If a family is denied assistance by the Fall River Housing Authority, they will have the right to the grievance procedures set forth in the Fall River Housing Authority's Administrative Plan. After such time expires to request an informal hearing or a hearing is held and the decision is upheld, the family will be denied participation in the Section 8 Program by the Housing Authority making the determination. The family's name will not be removed by the Fall River Housing Authority from the Centralized Section 8 Waiting List because the family may be eligible under another participating Housing Authority's policies. However, the family will not be again selected by the Fall River Housing Authority unless the family has been withdrawn from the Centralized Section 8 Waiting List and a new application has been submitted.

B Determination that Family is Over Income Limits

If the family was denied participation in the Section 8 Housing Choice Voucher Program because it was over income for the program, the name will be removed from the Centralized Section 8 Waiting List if the Housing Authority making the determination is in the jurisdiction with the highest income limits of those Housing Authorities participating in the Centralized Section 8 Waiting List process. Otherwise, the family's

name will not be removed by the Housing Authority from the Centralized Section 8 Waiting List because the family may be income eligible under another participating Housing Authority's policies. However, the family will not be again selected by the Fall River Housing Authority unless the family has been withdrawn from the Centralized Section 8 Waiting List and a new application has been submitted.

C No Response

Further, if the family does not respond to a letter sent by a participating Housing Authority to attend an eligibility determination appointment or to otherwise respond to the Housing Authority, the Housing Authority who requested said response may remove the family's name from the Centralized Section 8 Waiting List. The manner and grounds for said removal shall be governed by the Administrative Plan for the Housing Authority making said removal.

D Purge of Waiting List

If determined necessary by MassNAHRO, on an annual basis, MassNAHRO may send a letter to each applicant on the Centralized Section 8 Waiting List. This letter will be sent to the address on the Section 8 preliminary Application or on any written change of status request that was completed and sent to a participating Housing Authority. Applicants will be requested to respond to the mailing within a time parameter set forth in the letter and the letter shall indicate that failure to respond will result in the removal of his/her name from the Centralized Section 8 Waiting List. In the event that the applicant does not respond within the applicable time parameter, his/her name shall be removed from the Centralized Section 8 Waiting List.

VII GRIEVANCES OR COMPLAINTS; JURISDICTION

When a family expresses a problem with a decision made by a Housing Authority involved in the Centralized Section 8 Waiting List option, that family shall be referred to the Housing Authority who made the determination in question.

Adopted by the Board of Commissioners this October 2002

This Addendum incorporates the necessary provisions for participation in MassNAHRO's Centralized Waiting List for Section 8. Most provisions have been incorporated into the Plan itself. This addendum is attached to clearly delineate the provisions of the Plan that are changed to implement this Centralized List.

Appendix 3

Section 8 Administrative Plan

Section 8 Project-Based Assistance

The Addendum to the Fall River Housing Authority's Section 8 administrative plan is a statement of its interest to operate a Project-Based Assistance Program (PBA) and to provide information on how it intends to operate the PBA under the requirements of the new law. This Addendum also provides information to eligible families, owners, and other interested members of the public.

PROVISIONS OF THE FRHA's PBA PROGRAM.
Except where this section specifies otherwise, the present project-based regulations at 24 CFR P 983 continue to apply to newly constructed and substantially rehabilitated housing and now also apply to existing housing. Upon determination of good cause and subject to statutory limitations, the FRHA may seek a waiver from HUD for any provisions of the applicable project-based regulations in accordance with 5 CFR 5.110. Nothing is this addendum affects the rights of owners and participants under existing contracts in HUD's Section 8 project-based certificate program.

Furthermore, nothing in this FRHA Project-Based Assistance Program Addendum to its Section 8 Administrative Plan shall override any specific provisions or requirements of 24 CFR Part 983, Project-Based Voucher Program, Final Rule, as published October 13, 2005. This Addendum is NOT intended to repeat every provision of 24 CFR Part 983.

OVERALL GOALS AND OBJECTIVES OF THE FRHA'S PBA PROGRAM
While maintaining consistency with the overall goals, objectives, and requirements of 24 CFR Part 983, the FRHA wishes to place its emphasis on the following goals and objectives of its PBA Programs:

(1) To utilize the PBA Program to foster the new development of affordable housing in conjunction with any City of Fall River initiatives and those required by law.
(2) To utilize the PBA Program to promote more secure and more affordable rental housing for rent-burdened families.
(3) To utilize the PBA Program to preserve existing affordable housing, which might be at-risk.
(4) To utilize the PBA Program to benefit affordable housing rental opportunities for families at, or under, 50% of the Area Median Income (AMI)

A. Authorization to Provide Project-Based Vouchers for Existing Housing
Consistent with HUD regulation, the FRHA from time to time may enter into HAP contracts that attach project-based voucher assistance to existing housing units that fully meet the Housing Choice Voucher Program Housing Quality Standards (see 24 CFR 982.401) but that would not have qualified for project-basing as newly constructed or rehabilitated units.

A housing unit will be considered an "existing unit" for purposes of the project-based voucher program if, at the time of the FRHA's written notice of selection of the project for project-based assistance, the units required a maximum expenditure of less that $1,000 per assisted unit (including the unit's prorated share of any work to be accomplished on common areas or systems) to comply with the HQS.

B. Unit Selection Policy, Advertising, and Owner Application Requirements for Existing Housing with Assistance Attached to 25 Percent or Fewer of the Units in a Building

For existing housing developments in the project-based voucher program, which have assistance attached to no more than 25 percent of the development's units, the **FRHA** shall advertise the availability of the project-based assistance. Such advertisements must meet standards comparable to those in 24 CFR 983.51(b); otherwise, section 983.51 does not apply to these projects. Specifically, the **FRHA** will advertise in a newspaper of general circulation that the FRHA will accept applications for assistance for existing housing projects. The advertisement will be published once a week for three consecutive weeks; specify an application deadline of at least 30 days after the date the advertisement is last published; specify the number of units the **FRHA** estimates that it will be able to assist under the funding the **FRHA** is making available for this purpose; and state that only applications submitted in response to the advertisement will be considered. The **FRHA** advertisement will also state the **FRHA's** selection policies. In all cases, the **FRHA** will maintain documentation of responses to advertisements or competitive proposals received in response to the **FRHA** notice.

C. For Existing Housing Developments with More Than 25 Percent Project-Based Units (i.e., At This Time, For the Elderly and Special Populations and Families receiving Supportive Services (as defined in 24 CFR 983.56) and for Newly Constructed or Rehabilitated Units

The **FRHA** will establish policies for public advertisement and competitive selection of units to be assisted with project-based voucher assistance. 24 CFR 983.51 is applicable.

D. 20 Percent Limit

The total cumulative number of project-based units, including units previously placed under HAP in the **FRHA's** project-based certificate program, will not exceed 20 percent of the amount of budget authority allocated to the FRHA by HUD in the FRHA HCV Program.

E. Consistency With the Goals of Deconcentrating Poverty **and Expanding Housing and Economic Opportunities.**

The FRHA's PBA Program will be consistent with the goals of deconcentrating poverty and expanding housing opportunities.

(A) A site for existing or rehabilitated housing must meet the following site and neighborhood standards.

The site must:

(1) Be adequate in size, exposure, and contour to accommodate the number and type of units proposed, and adequate utilities and streets must be available to service the site. (The existence of a private disposal system and private sanitary water supply for the site, approved in accordance with law, may be considered adequate utilities.)

(2) Promote greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons.

(3) Be accessible to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services that are at least equivalent to those typically found in neighborhoods consisting largely of unassisted, standard housing of similar market rents.

(4) Be so located that travel time and cost via public transportation or private automobile from the neighborhood to places of employment providing a range of jobs for lower-income workers is not excessive. While it is important that housing for the elderly not be totally isolated from employment opportunities, this requirement need not be adhered to rigidly for such projects.

(B) A New construction site and neighborhood standards. A site for newly constructed housing must meet the following site and neighborhood standards:

(1) The site must be adequate in size, exposure, and contour to accommodate the number and type of units proposed, and adequate utilities (water, sewer, gas, and electricity) and streets must be available to service the site.

(2) The site must not be located in an area of minority concentration, and must not be located in a racially mixed area if the project will cause a significant increase in the proportion of minority to non-minority residents in the area.

(3) A project may be located in an area of minority concentration only if:

(i) Sufficient, comparable opportunities exist for housing for minority families in the income range to be served by the proposed project outside areas of minority concentration; or

(ii) The project is necessary to meet overriding housing needs that cannot be met in that housing market area.

(iii) ``sufficient" does not require that in every locality there be an equal number of assisted units within and outside of areas of minority concentration. Rather, application of this standard should produce a reasonable distribution of assisted units each year, which, over a period of several years, will approach an appropriate balance of housing choices within and outside areas of minority concentration. An appropriate balance in any jurisdiction must be determined in light of local conditions affecting the range of housing choices available for low-income minority families and in relation to the racial mix of the locality's population.

(iv) Units may be considered comparable opportunities, if they have the same household type (elderly, disabled, family, large family) and tenure type (owner/renter); require approximately the same tenant contribution towards rent; serve the same income group; are located in the same housing market; and are in standard condition.

(v) Application of this sufficient, comparable opportunities standard involves assessing the overall impact of HUD-assisted housing on the availability of housing choices for low-income minority families in and outside areas of minority concentration, and must take into account the extent to which the following factors are present, along with other factors relevant to housing choice:

(A) A significant number of assisted housing units are available outside areas of minority concentration.

(B) There is significant integration of assisted housing projects constructed or rehabilitated in the past 10 years, relative to the racial mix of the eligible population.

(C) There are racially integrated neighborhoods in the locality.

(D) Programs are operated by the locality to assist minority families that wish to find housing outside areas of minority concentration.

(E) Minority families have benefited from local activities (e.g., acquisition and write-down of sites, tax relief programs for homeowners, acquisitions of units for use as assisted housing units) undertaken to expand choice for minority families outside of areas of minority concentration.

(F) A significant proportion of minority households have been successful in finding units in non-minority areas under the tenant-based assistance programs.

(G) Comparable housing opportunities have been made available outside areas of minority concentration through other programs.

(vi) Application of the “overriding housing needs" criterion, for example, permits approval of sites that are an integral **part** of an overall local strategy for the preservation or restoration of the immediate neighborhood and of sites in a neighborhood experiencing significant private investment that is demonstrably improving the

economic character of the area (a ``revitalizing area"). An ``overriding housing need," however, may not serve as the basis for determining that a site is acceptable, if the only reason the need cannot otherwise be feasibly met is that discrimination on the basis of race, color, religion, sex, national origin, age, familial status, or disability renders sites outside areas of minority concentration unavailable or if the use of this standard in recent years has had the effect of circumventing the obligation to provide housing choice.

(4) The site must promote greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons.

(5) The neighborhood must not be one that is seriously detrimental to family life or in which substandard dwellings or other undesirable conditions predominate, unless there is actively in progress a concerted program to remedy the undesirable conditions.

(6) The housing must be accessible to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services that are at least equivalent to those typically found in neighborhoods consisting largely of unassisted, standard housing of similar market rents.

(7) Except for new construction, housing designed for elderly persons, travel time, and cost via public transportation or private automobile from the neighborhood to places of employment providing a range of jobs for lower-income workers, must not be excessive.

F. Partially Assisted Building Requirement

The **FRHA will not** enter into an agreement or HAP contract or other binding commitment to provide project-based voucher assistance for more than 25 percent of the units in any one building, except for single-family dwellings and projects for elderly families, disabled families, and other qualifying families as defined in 24 CFR 983.56. In accordance with existing program usage, single family dwellings refer to 1-4 family dwellings.

G. Family Choice to Move With Continued Assistance

The new law provides that assisted families may move from the assisted building, and retain federal housing assistance. For the continued assistance option under new HAP contracts, pursuant to 24 CFR 983.260,, and for families who have occupied a project-based unit for one year, the FRHA will offer tenant-based assistance to the family in the form of either assistance under the voucher program or other comparable tenant-based rental assistance.

Consistent with the law, the **FRHA** will provide the family with housing choice voucher assistance or such other tenant-based rental assistance that is subject to comparable income, assistance, rent contribution, affordability and other requirements. HUD will set the standards as to what may qualify as comparable assistance by regulation, but, for new HAP contracts incorporating this requirement, the **FRHA** will use voucher assistance available under the ACC to provide tenant-based Assistance for the family. If no such assistance is available at the time the family moves, the **FRHA** will give the family priority to receive the next available tenant-based voucher.

Vouchers under funding allocations targeted by HUD for special purposes (e.g. family unification, mainstream disabled) are not available for this purpose, since they are required to be used only for the targeted purpose.

H. HAP Contract Term

Consistent with the law, a HAP contract between the **FRHA** and an owner of housing under this program may have a duration of up to 10 years (as determined by the **FRHA),** subject to the future availability of sufficient appropriated funds under the **FRHA's** consolidated ACC with HUD. Upon expiration of the HAP contract term and consistent with the law, the **FRHA** may agree with the project-based housing owner to

extend the HAP contract for such period as the **FRHA** determines appropriate to expand housing opportunities (as well as an extension to assure long-term affordability of the housing, as provided under prior law). All HAP contract extensions must be contingent upon the future availability of appropriated funds.

Consistent with the above requirements and within one year of the HAP contract termination, the FRHA may extend the term of the HAP contract for an additional term of five years if the FRHA determines an extension is appropriate to continue to provide affordable housing for low-income families. Subsequent extensions are subject to the same limitations.

In evaluating HAP contract extensions, the FRHA will place emphasis on the following factors:

(1) The extent to which the extension protects previous affordable housing developed under any City of Fall River initiative and those required by law.
(2) The extent to which the extension promotes the provision of secure and affordable rental housing for rent-burdened families.
(3) The extent to which at-risk housing continues to be preserved as affordable housing.
(4) The extent to which the extension benefits affordable housing rental opportunities for families at, or under, 50% of the Area Median Income (AMI)

I. Rent Limits

The new law provides that the HAP contract shall establish gross rents (rent to owner plus the allowance for tenant-paid utilities) that do not exceed 110 percent of the established Fair Market Rent ("FMR") or any HUD-approved "exception payment standard" (i.e., a payment standard amount that exceeds 110 percent of the published FMR) for the area where the housing is located.

If a unit has been allocated a low-income housing tax credit under the Internal Revenue Code of 1986 at 26 U.S.C. 42, but is not located in a "qualified census tract" as defined in the law, the rent to owner may be established at any level that does not exceed the rent charged for comparable units in the same building that receive the tax credit but do not have additional rental assistance.

Within the limitations mentioned above, the initial rent to the owner may differ from payment standard amounts in the payment standard schedule adopted for the **FRHA'S** tenant-based voucher program. However, just as in the regular tenant-based program and the project-based program under prior law, the initial and adjusted rent to owner must be reasonable in relation to rents charged in the private market for comparable unassisted units (see 42 U.S.C. 1437((f) (o)(19)(A).

J. Rent Adjustments During the Term of the HAP Contract

HAP contracts for project-based voucher assistance shall provide for rent adjustments and that the adjusted rent for any assisted unit shall be reasonable in comparison with rents charged for comparable dwelling units in the private, unassisted local market and may not exceed the maximum rent limits permitted under the statutory limitations summarized above. Determination of whether rent is reasonable in relation to comparable units shall be governed by 24 CFR 983.303.

Both the annual and special rent adjustment provisions of 24 CFR 983.301 and at 983.302 are the governing regulations and describe under what conditions (five-percent increase or decrease in the FMR, at the annual anniversary of the HAP contract, etc.) rent adjustments will be made.

K. Family Share of Rent and Housing Assistance Payment

The housing assistance payment and family share of rent are governed under 24 CFR 983.301, 983.302, and 983.353. The basic calculation is the gross rent minus the total tenant payment. The family share is calculated by subtracting the amount of the HAP from the gross rent.

M. Tenant Selection

The FRHA selection system for project-based units will comply with the requirements specified below, which in most respects (except for the income targeting provision) are a codification of present regulatory and contractual requirements.

Income Targeting: The requirements of 42 U.S.C. 1437n(b) and CFR 982.201(b) (2) govern the selection of eligible families for this program, and generally provide that not less than 75 percent of families admitted annually to the FRHA's combined tenant-based and project-based voucher program shall be families whose incomes do not exceed 30 percent of the area median, as determined by HUD.

Applicants may be selected from the **FRHA** waiting list. The **FRHA** will only maintain a separate project-based waiting list if all **FRHA** tenant-based assistance applicants who seek project-based housing can be placed on this list upon request and without penalty to any other application for assisted housing they may have pending. In the case of project-basing into existing housing with eligible families in-place, these families shall receive a super preference for these units. Subject to its waiting list policies and selection preferences specified in the **FRHA** administrative plan, the **FRHA** may place a family referred by an owner of project-based voucher units on its waiting list.

In all cases, the FRHA will administer the project-based waiting list. In the cases of specialized programs (e.g., DMR, DMH) receiving project-based subsidies, the **FRHA** may require that the owner/sponsor/service provider certify applicants as to their programmatic eligibility. In no case will the FRHA allow an owner to maintain the waiting list.

As in the current project-based program, the **FRHA** will refer families to housing units from the waiting list according to its regular applicant selection policies. If an applicant does not rent a unit with project-based assistance, or the owner turns an application down for admission to a project-based unit, the applicant will not be removed from the **FRHA's** tenant-based assistance waiting list for that reason. In this case, the applicant will maintain its position on the list as though no offer of housing had been made.

Vacant units: The HAP contract will be in a form prescribed by HUD. The **FRHA** may enter into such a contract that agrees to provide vacancy payments, pursuant to 24 CFR 983.352, for up to 60 days after a unit becomes vacant, in an amount not to exceed the rent to the owner as provided by the HAP contract on the day the family vacated.

<u>The PHA may only make such payments for a vacant unit if</u>:

1. The owner gives the PHA prompt, written notice certifying that the family has vacated the unit and containing the dates and other details of the move-out;
2. The owner certifies that vacancy was not the owner's fault and that the unit was actually vacant during the period for which payment is claimed;
3. The owner certifies that it has taken every reasonable action to minimize the likelihood and length of any vacancy; and
4. The owner provides any additional information required and requested by the FRHA.

Reduction of Contract Units After Vacancy: Except for units for which a HAP was executed before the effective date of this notice. The new law supersedes 24 CFR 983.152(B) and (C). Instead, the following provisions apply:

If no eligible family rents a vacant unit within 120 days (commencing on the first day on the month when the vacancy occurs, the **FRHA** may terminate its commitment to make any additional housing assistance payments for the unit for the balance of the HAP contract term. The **FRHA** may use the amounts so saved to provide other forms of voucher assistance.

N. Future Modifications to this Addendum

The **FRHA's** PBA Addendum will remain in effect until any new project-based voucher rules have been fully implemented through new regulation.

In the event of changes required to this addendum because of future rulemaking concerning the project-based voucher program, the **PHA** will take all reasonable steps to comply with new rules without jeopardizing actions previously taken that are consistent 24 CFR Part 983.

O. Consistency with 24 CFR Part 983

The FRHA intends that this addendum be consistent with 24 CFR Part 983, Project-Based Voucher Program, Final Rule, as published October 13, 2005.

P. Extremely Low Income Admissions

The FRHA, may at its discretion, require that all admissions to a building or group of buildings accepted into the Project Based Component of our HCVP program be occupants meeting the Extremely Low Income Limits in effect at the time of the occupants admission to the Project Based Component of the program.

Appendix 4

Section 8 Administrative Plan

Homeownership Program

The Fall River Housing Authority (FRHA) has determined that Homeownership opportunities for low income residents are lacking in the City of Fall River. The FRHA) has stated within this Section 8 Administrative Plan the procedures and guidelines that will be followed in creating the Housing Choice Voucher (HCV) homeownership plan. This described plan is in complete compliance with the HCV homeownership regulations 24 CFR 982.625 *et seq.* This Appendix 4 forms the initial basis for going forward with the FRHA HCV homeownership program.

Now, the FRHA wishes to redirect its efforts toward establishing a new Family Self-Sufficiency (FSS) and Section 8 homeownership program as vehicles to facilitate reaching its homeownership goals.

With this in mind the FRHA is adopting the voluntary Homeownership Provisions of the HCV (Section 8) regulations. This homeownership plan will follow the provision of 24 CFR 982. et seq. (as amended November 18, 2002) and be subject to the provisions of this Appendix and the FRHA Section 8 Administrative Plan.

The strategy for a FRHA homeownership program is to create the mechanism to work with HCV (TENANT based) and PH residents to achieve homeownership. The approach calls upon the FRHA to encourage qualified PH residents to feed into the HCV program or other similar HUD supported homeownership effort wherein.

1) FRHA sets specific participation criteria
2) HCV holders are counseled initially by FRHA staff on the program concept: how the HCV program facilitates homeownership
3) PH residents are counseled initially by FRHA staff on the program concept

There are no direct grant funds to make this happen, only grant funds to provide various levels of program support. Such as:

- HUD grant funds that provide staff for the “coordination” of a HCV FSS program.
- HUD grant funds that provide staff for the “coordination” of a public housing FSS program.
- HUD grant funds to provide assistance/support to public housing residents that desire to follow a homeownership path via the FSS approach.

The homeownership strategy will require the FRHA to create a HCV homeownership program following the regulations noted below. FRHA will prepare and submit to HUD, for their approval, a FSS Action Plan (see outline below). This action plan also forms the basis of the FRHA HCV homeownership plan.

SUMMARY OF HCV PROGRAM DEVELOPMENT GUIDE

- The Section 8 homeownership effort is a FRHA option
- There is no separate nor additional funding available from HUD

- The Section 8 homeownership program can be implemented with the inclusion of reference of such within the Annual Plan and Administrative plan (as noted above)
- FRHA must demonstrate capacity (institutional and financial) to administer the effort
    - Concerns about lending abuse
    - Establishes minimum down payment requirement
    - Demonstrates by statement within Annual Plan that it has the capacity. Or will acquire capacity, to successfully operate a homeownership program
- FHRA shall adopt HUD down payment and home financing guidelines
- Payment standard determines maximum subsidy in voucher program
- FRHA uses SAME payment standard for both renters and homeowners

HOUSING CHOICE VOUCHER HOMEOWNERSHIP PLAN OUTLINE
FRHA responsibilities (checklist)

- Screening new and existing section 8 holders for interest in participation
- Screening only first time homeowners
- Screening incomes levels
- Screening for continuity of employment
- Certifying participation in Homeownership counseling program
- Certifying that participant has in the Section 8 program for a minimum of one year
- Certifying participant is in good standing with FRHA and landlord
- Designing and implementing a FSS program
- Identify and hire Homeownership Coordinator
- Identify community partners and establish partnerships (counseling, lenders, mentors)
- Review and approve homeownership counseling program
- Design and facilitate community outreach to: a) interested section 8 voucher holders, and b) realtors/developers/landlords, lenders and social service agencies
- Facilitate community outreach meetings with: a) potential participants, and b)) realtors/developers/landlords, lenders and social service agencies

FRHA financial responsibilities (checklist)

- Housing Assistance Payment (HAP) is calculated as: a) the lesser of: payment standard minus total tenant payment (TTP), b) monthly homeownership expenses minus TTP
- Voucher may not be used for down payment of closing costs (to be verified)
- Lenders must be a qualified lending agency as determined by FRHA
- FRHA cannot specify the use of certain lenders
- FRHA may restrict certain types of financing instruments (balloon or seller financing)
- FRHA can develop financing PARTNERS
- FRHA can disapprove financing based upon determination that applicant family cannot afford option
- Except for elderly/disabled households, welfare assistance may not be considered in determining if family meets requirements
- FRHA may establish minimum income that is higher than HUD limits
- FRHA may establish additional requirements in addition to those set by HUD
- FRHA may set time limits for family to locate and close on the residence
- FRHA may consider existing of new construction units for purchase
- FRHA may disapprove of unit sale

- FRHA may deny approval of unit for purchase for
- FRHA requires two home inspections-Housing Quality Standards and one conducted by a Independent Professional Home Inspector (hired by participant)

Participant responsibilities (checklist)

- Family is responsible for all homeownership expenses not covered by the HAP payment
- Family pays the difference out of pocket in addition to TTP
- Family has no present ownership[interest in another residence
- Full time employment of not less than 30 hours per week
- Continuously employed for at least one year
- Family must participate and satisfactorily complete homeownership counseling program required by FRHA
- FRHA or partners may conduct homeownership counseling course
- Family must provide copy of contract to FRHA prior to sale
- Family complies with terms of mortgage
- Family does not acquire additional residence
- Family reports changes in composition/income
- Family does not sublet/lease
- Family complies with additional FRHA requirements
    - Post purchase counseling
- Family complies with Program regulations with regard to time limits on initial mortgage

Eligibility (982.627)

To eligible for the HOP the participants must meet the following criteria;

(1) The family has been admitted to the Section 8 Housing Choice Voucher program, in accordance with this Administrative Plan.
(2) The family satisfies any first-time homeowner requirements.
(3) The family satisfies the minimum income requirement
(4) The family satisfies the employment requirements
(5) The family has not defaulted on a mortgage securing debt to purchase a home under the homeownership option.
(6) Except for cooperative members who have acquired cooperative membership shares prior to commencement of homeownership assistance, no family member has a present ownership interest in a residence at the commencement of homeownership assistance for the purchase of any home.
(7) Except for cooperative members who have acquired cooperative membership shares prior to the commencement of homeownership assistance, the family has entered a contract of sale in accordance with Sec. 982.631(c).
(8) The family also satisfies any other initial requirements established by the FRHA.

The FRHA shall not commence homeownership assistance for a family that includes an individual who was an adult member of a family at the time when such family received homeownership assistance and defaulted on a mortgage securing debt incurred to purchase the home.

First-time homeowner requirements (982.627)

The Homeownership program is available to participants who at the commencement of homeownership assistance for the family are:

(1) A first-time homeowner (defined at Sec. 982.4);

(2) A cooperative member (defined at Sec. 982.4); or

(3) A family of which a family member is a person with disabilities, and use of the homeownership option is needed as a reasonable accommodation so that the program is readily accessible to and usable by such person, in accordance with part 8 of this title.

Minimum income requirements (982.627)

At commencement of monthly homeownership assistance payments for the family, or at the time of a downpayment assistance grant for the family, the family must demonstrate that the annual income is not less than;

(i) In the case of a disabled family the monthly Federal Supplemental Security Income (SSI) benefit for an individual living alone (or paying his or her share of food and housing costs) multiplied by twelve; or

(ii) In the case of other families, the Federal minimum wage multiplied by 2,000 hours.

Employment requirements (982.627)

The family must demonstrate that one or more adult members of the family who will own the home at commencement of homeownership assistance:

(1) Is currently employed on a full-time basis (the term ``full-time employment'' means not less than an average of 30 hours per week); and

(2) Has been continuously so employed during the year before commencement of homeownership assistance for the family.

The employment requirement does not apply to an elderly family or a disabled family. Furthermore, if a family, other than an elderly family or a disabled family, includes a person with disabilities, the FRHA shall grant an exemption from the employment requirement if the FRHA determines that an exemption is needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

Eligible units (982.628)

(1) The unit is eligible.

(2) The unit is either under construction or already existing at the time the family enters into the contract of sale.

(3) The unit is either a one-unit property (including a manufactured home) or a single dwelling unit in a cooperative or condominium.

(4) The unit has been inspected by a FRHA inspector in the case of units located within the FRHA and by an independent inspector designated by the family jurisdiction or by a independent inspector located in other jurisdictions and approved by FRHA in addition to an independent inspector designated by the family

(5) The unit satisfies the Housing Quality standards (HQS).

Homeownership assistance may be provided for the purchase of a home where the family will not own fee title to the real property on which the home is located, but only if:

(1) The home is located on a permanent foundation; and

(2) The family has the right to occupy the home site for at least forty years.

Homeownership counseling (982.630)

Before commencement of homeownership assistance for a family, the family must attend and satisfactorily complete the pre-assistance homeownership and housing counseling program required by the FRHA. City, regional and state community counseling organizations such as the Fall River Community Development Agency that operates a Homeownership program which meets the requirements of this section and other Counseling Programs must be approved by the FRHA and include the following in its curriculum.

(1) Home maintenance (including care of the grounds);
(2) Budgeting and money management;
(3) Credit counseling;
(4) How to negotiate the purchase price of a home;
(5) How to obtain homeownership financing and loan pre-approvals, including a description of types of financing that may be available, and the pros and cons of different types of financing;
(6) How to find a home, including information about homeownership opportunities, schools, and transportation in the FRHA jurisdiction;
(7) Advantages of purchasing a home in an area that does not have a high concentration of low-income families and how to locate homes in such areas;
(8) Information on fair housing, including fair housing lending and local fair housing enforcement agencies; and
(9) Information about the Real Estate Settlement Procedures Act (12 U.S.C. 2601 et seq.) (RESPA), state and Federal truth-in-lending laws, and how to identify and avoid loans with oppressive terms and conditions.

Home inspections, contract of sale, and FRHA disapproval of seller (982.631).

The FRHA may not commence monthly homeownership assistance payments or provide a downpayment assistance grant for the family until the FRHA has inspected the unit and has determined that the unit passes HQS.

Independent inspection.

(1) The unit must also be inspected by an independent professional inspector selected by and paid by the family.

(2) The independent inspection must cover major building systems and components, including foundation and structure, housing interior and exterior, and the roofing, plumbing, electrical, and heating systems. The independent inspector must be qualified to report on property conditions, including major building systems and components.

(3) The independent inspector must provide a copy of the inspection report both to the family and to the FRHA. The FRHA may not commence monthly homeownership assistance payments, or provide a downpayment assistance grant for the family, until the FRHA has reviewed the inspection report of the independent inspector. Even if the unit otherwise complies with the HQS (and may qualify for assistance under the FRHA's tenant-based rental voucher program), the FRHA shall have discretion to disapprove the unit for assistance under the homeownership option because of information in the inspection report.

Contract of sale

(1) Before commencement of monthly homeownership assistance payments or receipt of a downpayment assistance grant, a member or members of the family must enter into a contract of sale with the seller of the unit to be acquired by the family. The family must give the FRHA a copy of the contract of sale

(2) The contract of sale must:

(i) Specify the price and other terms of sale by the seller to the purchaser.

(ii) Provide that the purchaser will arrange for a pre-purchase inspection of the dwelling unit by an independent inspector selected by the purchaser.

(iii) Provide that the purchaser is not obligated to purchase the unit unless the inspection is satisfactory to the purchaser.

(iv) Provide that the purchaser is not obligated to pay for any necessary repairs.

(v) Contain a certification from the seller that the seller has not been debarred, suspended, or subject to a limited denial of participation under part 24 of this title.

FRHA disapproval of seller

In its administrative discretion, the FRHA may deny approval of a seller for any reason provided for disapproval of an owner in Sec. 982.306(c).

Maximum term of homeownership assistance (982.634)

Except in the case of a family that qualifies as an elderly or disabled family shall not receive homeownership assistance for more than:

(1) Fifteen years, if the initial mortgage incurred to finance purchase of the home has a term of 20 years or longer; or

(2) Ten years, in all other cases.

The maximum term of assistance does not apply to elderly and disabled families.

In the case of an elderly family, the exception only applies if the family qualifies as an elderly family at the start of homeownership assistance. In the case of a disabled family, the exception applies if at any time during receipt of homeownership assistance the family qualifies as a disabled family. If, during the course of homeownership assistance, the family ceases to qualify as a disabled or elderly family, the maximum term becomes applicable from the date homeownership assistance commenced.

Amount and distribution of monthly homeownership assistance payment (982.635)

While the family is residing in the home, the PHA shall pay a monthly homeownership assistance payment on behalf of the family that is equal to the lower of:

(1) The payment standard minus the total tenant payment; or

(2) The family's monthly homeownership expenses minus the total tenant payment.

Payment standard for family.

(1) The payment standard for a family is the lower of:

(i) The payment standard for the family unit size; or

(ii) The payment standard for the size of the home.

(2) If the home is located in an exception payment standard area, the FRHA must use the appropriate payment standard for the exception payment standard area.

(3) The payment standard for a family is the greater of:

(i) The payment standard (as determined in accordance with paragraphs (b)(1) and (b)(2) of this section) at the commencement of homeownership assistance for occupancy of the home; or

(ii) The payment standard (as determined in accordance with paragraphs (b)(1) and (b)(2) of this section) at the most recent regular reexamination of family income and composition since the commencement of homeownership assistance for occupancy of the home.

(4) The FRHA must use the same payment standard schedule, payment standard amounts, and subsidy standards pursuant to Sec. Sec. 982.402 and 982.503 for the homeownership option as for the rental voucher program.

Homeownership expenses for a homeowner (other than a cooperative member) may only include amounts allowed by the PHA to cover:

(i) Principal and interest on initial mortgage debt, any refinancing of such debt, and any mortgage insurance premium incurred to finance purchase of the home;

(ii) Real estate taxes and public assessments on the home;

(iii) Home insurance;

(iv) The FRHA allowance for maintenance expenses;

(v) The PHA allowance for costs of major repairs and replacements;

(vi) The PHA utility allowance for the home;

(vii) Principal and interest on mortgage debt incurred to finance costs for major repairs, replacements or improvements for the home. If a member of the family is a person with disabilities, such debt may include debt incurred by the family to finance costs needed to make the home accessible for such person, if the PHA determines that allowance of such costs as homeownership expenses is needed as a reasonable accommodation so that the homeownership option is readily accessible to and usable by such person, in accordance with part 8 of this title; and

(viii) Land lease payments (where a family does not own fee title to the real property on which the home is located; see Sec. 982.628(b)).

Homeownership expenses for a cooperative member may only include amounts allowed by the PHA to cover:

(i) The cooperative charge under the cooperative occupancy agreement including payment for real estate taxes and public assessments on the home;

(ii) Principal and interest on initial debt incurred to finance purchase of cooperative membership shares and any refinancing of such debt;

(iii) Home insurance;

(iv) The PHA allowance for maintenance expenses;

(v) The PHA allowance for costs of major repairs and replacements;

(vi) The PHA utility allowance for the home; and

(vii) Principal and interest on debt incurred to finance major repairs, replacements or improvements for the home. If a member of the family is a person with disabilities, such debt may include debt incurred by the family to finance costs needed to make the home accessible for such person, if the PHA determines that allowance of such costs as homeownership expenses is needed as a reasonable accommodation so that the homeownership option is readily accessible to and usable by such person, in accordance with part 8 of this title.

Homeownership assistance for a family terminates automatically 180 calendar days after the last homeownership assistance payment on behalf of the family. However, the FRHA has the discretion to grant

relief from this requirement in those cases where automatic termination would result in extreme hardship for the family.

Denial or termination of assistance for family(982.638)

The FRHA shall terminate homeownership assistance for the family, and shall deny voucher rental assistance for the family, in accordance with this section.

At any time, the PHA may deny or terminate homeownership assistance in accordance with Sec. 982.552 (Grounds for denial or termination of assistance) or Sec. 982.553 (Crime by family members).

The FRHA may deny or terminate assistance for violation of participant obligations described in Sec. 982.551 or Sec. 982.633.

The PHA must terminate voucher homeownership assistance for any member of family receiving homeownership assistance that is dispossessed from the home pursuant to a judgment or order of foreclosure on any mortgage (whether FHA-insured or non-FHA) securing debt incurred to purchase the home, or any refinancing of such debt. The PHA, in its discretion, may permit the family to move to a new unit with continued voucher rental assistance. However, the PHA must deny such permission, if:

(1) The family defaulted on an FHA-insured mortgage; and

(2) The family fails to demonstrate that:

(i) The family has conveyed, or will convey, title to the home, as required by HUD, to HUD or HUD's designee; and

(ii) The family has moved, or will move, from the home within the period established or approved by HUD.

Homeownership Option: Portability (982.636)

A family may qualify to move outside the initial FRHA jurisdiction with continued homeownership assistance under the voucher program in accordance with this section.

Portability of homeownership assistance

Subject to 982.353(b) and (c), 982.552, and 982.553, a family determined eligible for homeownership assistance by the initial public housing authority may purchase a unit outside of the initial jurisdiction of the housing authority, if the receiving housing authority is administering a voucher homeownership program and is accepting new homeownership families.

Homeownership Option: Administrative Fees (982.639)

The ongoing administrative fee described in 982.153(b) is paid to the housing authority for each month that homeownership assistance is paid by the housing authority on behalf of the family.

RESOLUTION NO. 201

BE IT RESOLVED BY THE MEMBERS OF THE FALL RIVER HOUSING AUTHORITY:

27

That the Board of Commissioners of the Fall River Housing Authority hereby adopts the following policies in connection with the Public Housing Management Assessment Program (PHMAP), in accordance with Indicator Number 6 in the PHMAP process relative to Security as all individuals have the right to live in peace and be free from fear, intimidation and abuse; and because of the extraordinary demand for affordable rental housing, public and assisted housing should be assigned to responsible individuals.

Prevention through Screening. The Board of Commissioners hereby adopts the policy of requiring the screening of all applicants for Fall River Housing Authority Federally Aided Housing Programs. Admission will be denied to all applicants who fail the following:

a. A CORI (Criminal Offender Record Information) check will be performed on all applicants and household members who are eighteen (18) years of age or older.

b. Where necessary and appropriate, the Fall River Housing Authority will perform criminal background checks utilizing NCIC (National Criminal Information Center) information available to Public Housing Authorities.

c. Any criminal activity reported that includes crimes to persons or property and other criminal acts, which, if committed while a resident of public housing, would adversely affect the life, health, safety, security, welfare, or peaceful enjoyment of other tenants or adversely affect the physical environment of the resident, community or Fall River Housing Authority personnel. Any drug-related activity which serves the Fall River Housing Authority to reasonably believe that the applicant or household member is illegally using, selling or possessing, shall be automatic grounds for rejection of the applicant.

d. All applicants and any household members eighteen (18) years of age or older that have been evicted from public housing or assisted housing under the United States Housing Act of 1937 within the last three (3) years for drug-related criminal activity will be rejected for occupancy.

e. Evidence of the completion of a rehabilitation program may be considered by the Fall River Housing Authority in determining eligibility.

f. Landlord references will be obtained to determine if the applicant exhibits activity which is conducive to the of a public housing residency. Factors to be considered are:

1. Applicants that caused disturbances in a prior residence.
2. Applicant has caused damage or destruction of property in a prior residence.
3. Applicant has had poor housekeeping at a prior residence.
4. Applicant has a history of non payment of rent.
5. Applicant has a history of failing to meet lease terms.

g. If after performing new background checks of applicants, the Fall River Housing Authority reasonably believes that the applicant or household member has a history of alcohol abuse which would interfere with the health, safety or right of peaceful enjoyment of the premises by other residents, the Fall River Housing Authority will reject said applicant for public housing.

h. The Fall River Housing Authority may perform any such credit or tenant history checks that it believes will yield it information on the proposed tenancy of the applicant.

Enforcement of Lease – The Board of Commissioners hereby adopts the policy that the following is to be considered as grounds for the termination of a tenant

a. The Fall River Housing Authority has reasonable cause to believe that the resident engages in drug related criminal activity (42 USC 1437d(l) on or off the premises not just near or on the premises

b. The Fall River Housing Authority has reasonable cause to believe that the resident engages in criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises by other residents or Fall River Housing Authority personnel; and

c. The Fall River Housing Authority has reasonable cause to believe that the resident abuses alcohol in such a way that may interfere with the safety, health or right to peaceful enjoyment of the premises by other residents or Fall River Housing Authority personnel.

Tracking of Crime – The Board of Commissioners hereby adopts the policy requiring the Fall River Housing Authority to track crime and crime-related problems in its developments and will track and report incidents of crime to the local police authorities to improve law enforcement and crime prevention. (The Fall River Police Department is currently tracking all crime in our developments and management meets monthly with the Fall River Police Department to report any incidents of crime to the Fall River Police Department.)

FALL RIVER HOUSING RENT POLICIES

The Fall River Housing Authority has analyzed the QWHRA and is implementing the following rent structures for its Federally Aided Developments.

1) Percentage of Income
2) Flat Rents

FAMILY CHOICE

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

A. Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they would otherwise undergo.
B. Families who opt for the flat rent may request to have a reexamination and return to the formula based method at any time for any of the following reasons:
1. The family's income has decreased.
2. The family's circumstances have changed increasing their expenses for child care, medical care, etc.
3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.

THE FORMULA METHOD

The total tenant payment is equal to the highest of:
A. 10% of monthly income;
B. 30% of adjusted monthly income; or
C. The welfare rent which does not currently exist in Massachusetts

The family will pay the greater of the total tenant payment or the minimum rent of $50, but never more than the Flat Rent.

In the case of a family who has qualified for the income exclusion at Section 11.2(H)(11), upon the expiration of the 12-month period described in that section, an additional rent benefit accrues to the family. If the family member's employment continues, then for the 12-month period following the 12-month period of disallowance, the resulting rent increase will be capped at 50 percent of the rent increase the family would have otherwise received.

MINIMUM RENT

The Fall River Housing Authority has set the minimum rent at $50. However if the family requests a hardship exemption, the Fall River Housing Authority will immediately suspend the minimum rent for the family until the Housing Authority can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature.

A. A hardship exists in the following circumstances:

1. When the family has lost eligibility for or is waiting an eligibility determination for a Federal, State, or local assistance program;
2. When the family would be evicted as a result of the imposition of the minimum rent requirement;
3. When the income of the family has decreased because of changed circumstances, including loss of employment;
4. When the family has an increase in expenses because of changed circumstances, for medical costs, childcare, transportation, education, or similar items;
5. When a death has occurred in the family.

B. No hardship. If the Housing Authority determines there is no qualifying hardship, the minimum rent will be reinstated, including requiring back payment of minimum rent for the time of suspension.

C. Temporary hardship. If the Housing Authority reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will be not be imposed for a period of 90 days from the date of the family's request. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. The Housing Authority will offer a repayment agreement in accordance with the Section 19 of this policy for any rent not paid during the period of suspension. During the suspension period the Housing Authority will not evict the family for nonpayment of the amount of tenant rent owed for the suspension period.

D. Long-term hardship. If the Housing Authority determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists.

E. Appeals. The family may use the grievance procedure to appeal the Housing Authority's determination regarding the hardship. No escrow deposit will be required in order to access the grievance procedure.

THE FLAT RENT

The Fall River Housing Authority has set a flat rent for each public housing unit. In doing so, it considered the size and type of the unit, as well as its condition, amenities, services, and neighborhood. The Fall River Housing Authority determined the market value of the unit and set the rent at the market value. The amount of the flat rent will be reevaluated annually and adjustments applied. Affected families will be given a 30-day notice of any rent change. Adjustments are applied on the anniversary date for each affected family

The Fall River Housing Authority will post the flat rents at each of the developments and at the central office and are incorporated in this policy upon approval by the Board of Commissioners. Current Flat Rents are attached as Appendix 1.

RENT FOR FAMILIES UNDER THE NONCITIZEN RULE

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

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

If a mixed family qualifies for prorated assistance but decides not to accept it, or if the family has no eligible members, the family may be eligible for temporary deferral of termination of assistance to permit the family additional time for the orderly transition of some or all of its members to locate other affordable housing. Under this provision, the family receives full assistance. If assistance is granted under this provision prior to November 29, 1996, it may last no longer than three (3) years. If granted after that date, the maximum period of time for assistance under the provision is eighteen (18) months. The Fall River Housing Authority will grant each family a period of six (6) months to find suitable affordable housing. If the family cannot find suitable affordable housing, the Fall River Housing Authority will provide additional search periods up to the maximum time allowable.

Suitable housing means housing that is not substandard and is of appropriate size for the family. Affordable housing means that it can be rented for an amount not exceeding the amount the family pays for rent, plus utilities, plus 25%.

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

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

FLAT RENTS

FAMILY DEVELOPMENTS

BEDROOMS	Sunset Hill New	Heritage Heights New	Diafario New	Turnkeys New
1BR	$365	$380	$450	$450
2BR	$415	$450	$515	$515
3BR	$450	$485	$545	$545
4BR	$485	$515	$585	$585
5BR	$610	$640	$720	$720

ELDERLY DEVELOPMENTS

BEDROOM CATEGORY	RENT New
0BR	$380
1BR	$485
2BR	$550

FALL RIVER HOUSING AUTHORITY
GRIEVANCE PROCEDURE

Part A

1. General Overview

A. Department of Housing and Community and Development (DHCD) regulations (760 CMR 6.08) require each local housing authority (LHA) to have a grievance procedure of which the purpose shall be the prompt and reliable determination of grievances. The procedure must be available to state-aided public housing tenants, participants in the Massachusetts Rental Voucher Program (MRVP) and the Alternative Housing Voucher Program (AHVP), and to individuals who file appeals pursuant to 760 CMR 8.00 (Privacy and Confidentiality). This policy is applicable to our Federally Assisted Sites and as such where applicable HUD regulations apply to the Grievance being considered.

B. A grievance is defined as: (1) an allegation that an LHA or an LHA employee has acted or failed to act in accordance with the tenant's lease or any statute, regulation, or rule regarding the conditions of tenancy and the alleged action or failure to act has adversely affected the status, rights, duties or welfare of the grievant and/or a household member; (2) an allegation that an LHA or an LHA employee has acted or failed to act in accordance with any statute, regulation, or rule regarding the program and that the alleged action or failure to act has adversely affected the status, rights, duties, or welfare of the grievant or a household member; or (3) an appeal by a data subject pursuant to 760 CMR 8.00.

C. The meaning of a statute, regulation or rule shall not be the subject of a grievance. A dispute between a tenant and another tenant or household member, in which the LHA is not involved, shall not be the subject of a grievance. A grievance shall not be filed by a tenant on behalf of another tenant or any household member of another tenant.

2. Initiation of a Grievance

A. A grievance regarding whether good cause exists for terminating a lease shall be initiated by a tenant, in writing, and shall be mailed (postmarked) or delivered to the Fall River Housing Authority (FRHA) at its main office within seven (7) days after a notice of lease termination has been given to the tenant by the FRHA.

B. A grievance regarding whether cause exists for terminating participation in the MRVP or AHVP shall be initiated by a program participant, in writing, and shall be mailed (postmarked) or delivered to the FRHA at its main office within seven (7) days after a notice of program termination has been given to the tenant by the FRHA.

C. A grievance regarding some other matter shall be initiated by a grievant in writing and shall be mailed (postmarked) or delivered to the FRHA at its main office no more than fourteen (14) days after the date on which the grievant first became aware or should have become aware of the subject matter of the grievance, provided the FRHA shall have discretion to permit a grievance to be initiated late.

D. In the event that a tenant files a grievance as to the amount of a redetermined rent within fourteen (14) days of the FRHA's notice of the redetermined rent, the tenant shall continue to pay the rent then in

effect (unless the redetermined rent is lower) until final disposition of the grievance. Upon final disposition of the grievance, the tenant shall pay any additional amounts determined to have been due but not paid since the effective date set out in the notice of redetermined rent or the FRHA shall credit the tenant with any amounts paid but determined not to have been due.

E. The FRHA shall permit additional time for initiation of a grievance if the FRHA shall find that there was a good reason for late initiation of the grievance and that the late initiation would not cause prejudice to the FRHA. The FRHA shall have available forms on which a grievance may be initiated.

3. Informal Settlement Conference

Promptly after the initiation of a grievance, unless otherwise provided, the FRHA's Executive Director or his or her designee shall give the grievant the opportunity to discuss the grievance informally in an attempt to settle the grievance without the necessity of a grievance hearing. The FRHA shall give reasonable advance notice to the grievant and his or her representative (if any) of a time and place for an informal settlement conference, unless such a conference shall have taken place when the grievance was delivered to the FRHA. At the informal settlement conference, the FRHA and the grievant may be represented by a lawyer or by a non-lawyer. If the grievance is resolved at the informal settlement conference, the FRHA and grievant shall acknowledge the terms of the resolution in writing. If the grievance is resolved at the informal settlement conference no grievance hearing shall be held. If a grievance is not resolved at the informal conference, a grievance hearing shall be held. Failure to attend an informal settlement conference shall not affect a grievant's right to a grievance hearing.

4. Right to a Hearing

A. The FRHA's hearing panel shall conduct hearings on grievances filed by a public housing tenant, a program participant, or a data subject concerning a grievable matter, provided that no grievance hearing regarding whether good cause exists for terminating a lease shall be requested or held under any of the circumstances specified in MGL c.121B, §32, including the following circumstances.~

(1) in the event of non-payment of rent;
(2) in the event the FRHA has reason to believe that tenant or household member:

a. has unlawfully caused serious physical harm to another tenant or employee of the FRHA or any other person lawfully on the FRHA's property;

b. has unlawfully threatened to cause serious physical harm to any member of a tenant household or an FRHA employee or any person lawfully on the FRHA's property;

c. has unlawfully destroyed, vandalized or stolen property of any member of a tenant household or of the FRHA or of any person lawfully on the FRHA's property, if such conduct involved a serious threat to the health or safety of any such person;

d. has unlawfully possessed, carried or kept a weapon on or adjacent to the FRHA's property in violation of MGL c.269 §10;

e. has unlawfully possessed or used an explosive or incendiary device on or adjacent to FRHA's property or has otherwise violated MGL c.266 §~101, 102, 102Aor 102B;

f. has unlawfully possessed, sold or possessed with intent to distribute a class A, B or C controlled substance, as defined in MGL, c.94C §31, on or adjacent to the FRHA's property;

g. has engaged in other criminal conduct which has seriously threatened or endangered the health or safety of any member of a tenant household, an FRHA employee, or any person lawfully on the FRHA's property, or

h. has engaged in behavior which would be cause for voiding the lease pursuant to the provisions of MGL, c139, §19; or

(3) in the event the FRHA has reason to believe that a guest of a tenant or a guest of a household member has engaged in any of the behavior listed in subparagraph 4 A (2) and that the tenant knew beforehand or should have known beforehand that there was a reasonable possibility that the guest would engage in misconduct.

5. Hearing Date and Notice of Hearing

A. The FRHA shall schedule of a grievance hearing regarding whether good cause exists for terminating a lease within fourteen (14) days after the date on which the FRHA receives the grievance. At such time, the FRHA shall set a date for the hearing no more than thirty (30) days from the date of the request for a grievance hearing (or as soon as reasonably practical thereafter) and at least fifteen (15) days prior to the date of termination.

The FRHA shall give grievant written notice of the date, time and place at least seven (7) days before the hearing. At the grievance hearing any additional reason(s) for termination of the lease, which arose subsequent to the date of the notice of termination, shall be considered so long as the FRHA has given written notice to the grievant as to the additional reason(s) not less than three (3) days before the hearing, or, if the additional reason(s) for termination shall have arisen within such three (3) day period, a subsequent session of the hearing may be scheduled on not less than three (3) days notice to consider such reason(s). In lease terminations if grievant is entitled to request a grievance hearing and has made a timely request, the FRHA shall not file a summary process summons and complaint seeking an eviction pending the hearing and a decision or other resolution in the FRHA's favor.

B. A hearing of a grievance regarding an issue other than lease termination shall be scheduled as soon as reasonably convenient following receipt of the grievance. The FRHA shall give reasonable advance written notice of the time and place of the hearing to the grievant and to his or her representative, if any is known.

C. The FRHA or the Presiding Member may reschedule a hearing by agreement of the FRHA and the grievant; or upon a showing by the grievant or by the FRHA that rescheduling is reasonably necessary.

6. Pre-Hearing Examination of Relevant Documents

Prior to a grievance hearing the FRHA shall give the grievant or his or her representative a reasonable opportunity to examine FRHA documents which are directly relevant to the grievance. Following a timely request, the FRHA shall provide copies of such documents to grievant and for good cause (including financial hardship), may waive charge for the copies.

7. Persons Entitled to be Present

The grievance hearing shall be private unless the grievant requests that it be open to the public. If the grievant requests an open hearing, the hearing shall be open to the public unless the Presiding Member of

the grievance panel otherwise orders. The FRHA and the grievant shall be entitled to specify a reasonable number of persons who may be present at a private hearing. A challenge to the presence of any such person shall be decided by the Presiding Member. At the grievance hearing, the FRHA and the grievant may be represented by a lawyer or by a non-lawyer. Each person present at the hearing shall conduct himself or herself in an orderly manner or he or she may be excluded. If the grievant misbehaves at the hearing, the hearing panel by majority vote may take other appropriate measures to deal with the misbehavior including dismissing the grievance.

8. Procedure at Grievance Hearings

The hearing panel shall conduct the grievance hearing in a fair manner without undue delay. The Presiding Member shall initially take appropriate steps to define the issues. Thereafter, relevant information, including testimony of witnesses and written material, shall be received regarding such issues. Both the grievant and the FRHA shall be entitled to question each other's witnesses. Procedure at the hearing shall be informal, and formal rules of evidence shall not apply. The hearing shall be tape recorded. The panel members may question witnesses and may take notice of matters of common knowledge and applicable laws, regulations and FRHA rules and policies. The panel members may request the FRHA or the grievant to produce additional information which is relevant to the issues or which is necessary for a decision to be made provided that the other party is provided an opportunity to respond to such additional information.

The tapes of the hearing shall be maintained by the FRHA until any applicable appeals have been decided. During that time grievant and or his or her representative may listen to the tapes at the FRHA's offices.

9. Written Decision by the Grievance Panel

Within fourteen (14) days following the hearing or as soon thereafter as reasonably possible, the hearing panel shall provide the FRHA with a written decision on the grievance, describing the factual situation and ordering whatever relief, if any, that shall be appropriate under the circumstances and under applicable laws, regulations, rules and/or policies. The decision shall be made by a vote of at least a majority of the panel members who heard the hearing. The decision shall be based on the information at the grievance hearing and such additional information as may have been provided to the hearing panel at its request. The FRHA shall forthwith mail or otherwise deliver a copy of the decision to the grievant and his or her representative if any. A copy of the decision (with names and personal identifiers deleted) shall thereafter be maintained at the FRHA and shall be open to public inspection.

10. Review by the FRHA's Board

In cases where the decision of the hearing panel concerns whether good cause exists for terminating a lease, there shall be no review by the FRHA's Board. In other cases, in the event that the grievant or the FRHA believes that: (a) the decision of the hearing panel is not supported by the facts; (b) the decision does not correctly apply the terms of the lease or applicable laws, regulations, rules and/or policies; or (c) the subject matter is not grievable, within fourteen (14) days of mailing or other delivery of the decision, the grievant or the FRHA may request review of the decision by the FRHA's Board. The Board shall promptly decide whether to uphold, set aside or modify the decision after permitting the FRHA and grievant to make oral presentations and/or submit documentation. The Board may also permit. the hearing

panel to make a presentation. The Board's review shall be at an open meeting unless an executive session is warranted pursuant to the Open Meeting Law. The decision of the Board shall be in writing and shall explain its reasoning. If a written decision is not rendered within forty-five (45) days from the date a review is requested, the decision of the Board, when rendered, shall specify a reason showing that there has been no undue delay.

11. Review by the Department of Housing and Community Development

In the event that the FRHA's Board shall make a material change in a decision of the grievance panel, upon written request of the grievant, made to DHCD within fourteen (14) days of mailing or other delivery of the Board's decision, DHCD shall review the decision of the Board and shall render a written decision upholding, setting aside or modifying the decision of the Board. DHCD shall mail copies of its decision to the FRHA and the grievant or to their attorneys.

12. Effect of a Decision on a Grievant

The final decision on a grievance (after any properly requested administrative reviews have been decided) shall be binding between the FRHA and the grievant with respect to the particular circumstances involved in the grievance, provided that if a court has jurisdiction to determine a matter which has been subject to decision on a grievance, the court's determination on the matter shall supersede the decision on the grievance. In the event the hearing panel's decision on a grievance determines that good cause exists for terminating a lease, the FRHA may, upon receipt of the decision, file a summary process summons and complaint, and there shall be no review by the Board or DHCD. The fact that a person may have failed to grieve a matter shall not affect any such jurisdiction by a court. As between the FRHA and any person who was not a grievant, the decision on a grievance shall have no binding effect.

Part B

1. Five Member Hearing Panel

All grievance hearings and determinations of a matter subject to this grievance procedure shall be handled by a five member hearing panel except as otherwise provided herein. Two members (and an alternate member to serve in the event of the member's unavailability for a hearing) shall be chosen by the FRHA and two members (and such an alternate member) shall be chosen by the Fall River Joint Tenants Council (FRJTC). The fifth member (and such an alternate member) shall be chosen by agreement of the other four members. The fifth member (including the alternate member) shall not be a board member of the FRHA or an officer of an FRJTC. Whenever a member (including an alternate member) is chosen, notice of the choice shall be given to the member and shall specify the term, not to exceed seven years, for which the member so chosen shall serve. A copy of the notice shall be given to the FRHA (if the FRJTC made the choice) or to the FRJTC(s) (if the FRHA made the choice). Each member so chosen shall mail or deliver his or her written acceptance to the FRHA promptly after being chosen. The FRHA shall maintain all such notices and acceptances in its files.

A hearing panel so chosen shall serve all tenants of state-aided public housing represented by the FRJTC(s) in the city or town as well as those who are unrepresented by an FRJTC and all participants in the Massachusetts Rental Voucher Program (MRVP) and the Alternative Housing Voucher Program (AHVP) who hold vouchers administered by the FRHA.

Each member (including each alternate member) shall annually certify to the FRHA in writing that he or she is ready, willing and able to serve; failure to certify within ten (10) days of receipt of a written request by the FRHA shall render the member's position vacant. Upon a vacancy, however created, a new member shall be appointed in the same manner as the previous member was appointed. The FRHA shall maintain all such certifications in its files.

2. Impartiality of Members

No member of a hearing panel, or a member of his or her family, which is to determine a particular matter, shall have or shall appear to have any direct personal or financial interest in the outcome. No member of a hearing panel, which is to determine a particular matter, shall be related by blood or marriage to any party or to any person who is the source of evidence as to facts that are disputed by the parties. No member may determine matters which directly concern his or her own housing or the housing of a family member or his or her own status or the status of a family member in that housing.

Each member of the hearing panel shall determine any matter at issue impartially and objectively. Any panel member, who shall be or shall appear to be unable to determine any particular matter impartially or objectively on the basis of the evidence and applicable law, shall remove himself or herself as a member of the panel hearing the particular matter, whether requested or no. If he or she fails to do so, he/she shall be removed from the panel by the Presiding Member upon written objection by the FRHA, any affected LID, or the person who requested the hearing. Any member of a hearing panel who shall willfully obstruct prompt and reliable determination of any matter before the panel shall be removed from the panel for that hearing by the Presiding Member upon such an objection.

3. Removal of a Member

A member (including an alternate member) may be permanently removed as a member at any time for inefficiency, neglect of duty, willful and material delay of proceedings, bias, or partiality. The FRHA may remove the member which the FRHA appointed and the LID(s) may remove the member which the LID(s) appointed, after notice to the member and the opportunity for him or her to be heard. The FRHA and the LID(s) may jointly remove the member (or alternate) appointed by agreement of their appointees, after such notice and opportunity to be heard. If the FRHA and FRJTC(s) fail to agree on removal of a member chosen by agreement of their appointees, DHCD may remove that member for cause upon written request by either the FRHA or an LTD. The written request to DHCD shall contain a detailed specification of charges. DHCD's decision whether to remove a member shall be in writing mailed to the member, the FRHA and the affected LID(s). Prior to removing a member for cause, DHCD shall give the member, the FRHA and all affected LID(s) the opportunity to be heard. If a written specification fails to detail good and significant cause for removal, DHCD shall deny a request for removal without a hearing.

4. Designation of a Presiding Member

Following their appointment a majority of the members (including alternate members) shall designate in writing one member to be the Presiding Member, who shall preside at grievance hearings or shall designate some other member to do so if he or she shall be absent. A majority of the members may designate in writing a different Presiding Member at any time. Written notice of the designation of a Presiding Member shall be given to the FRHA and the FRJTC(s).

5. Scheduling

The FRHA shall be responsible for scheduling and other administrative matters, including all necessary notices. The FRHA shall consult each panel member and insofar as reasonably possible shall schedule hearings at times convenient for him or her or for his or her alternate.

6. Quorum

Reasonable efforts shall be made to have a five member panel hear and decide each grievance. If a panel member without adequate notice to the FRHA fails to appear on a scheduled hearing date, or, if a panel member and his or her alternate are both not available at any time reasonably convenient for the other panel members, two members shall constitute a quorum and may render a decision. If a panel member removes himself or herself or is removed after a grievance hearing has been held on a grievance, the remaining four members may render a decision on the grievance.

ADDENDUM 1

TO GRIEVANCE PROCEDURE

PROVISIONS FOR FEDERAL SITES

A) This grievance procedure will not pertain to cases where the resident is in violation of the Authority's One Strike Rule. Specifically where:

1) The Authority has reasonable cause to believe that the resident engages in drug related criminal activity (42 USC 1437d(1) on or off the premises not just near the premises.

2) The Authority has reasonable cause to believe that the resident engages in criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises by other residents or Authority personnel.

3) The Authority has reasonable cause to believe that the resident abuses alcohol in such a way that interfers with the safety, health, safety or right to peaceful enjoyment of the premises by other residents or Authority personnel.

In cases 1, 2 and 3 above the Authority may proceed with the eviction without going through the normal grievance process.

B) Termination of Assistance under the Sec 8 Housing Choice Voucher Program. This procedure shall govern the termination of assistance for a participant under the Section 8 – Housing Choice Voucher Program. The FRHA Section 8 Administrative Plan details the Policies and Procedures of the Section 8 Program as well as the applicable procedures for termination of assistance.

ADDENDUM 2

TO GRIEVANCE PROCEDURE

FALL RIVER HOUSING AUTHORITY

GRIEVANCE PANEL COMPOSITION

AS OF OCTOBER 1, 2008

ALL TERMS EXPIRE ON DECEMBER 15, 2009

FALL RIVER JOINT TENANTS COUNCIL, INC.

Patricia Marchassault

Muriel Berryman

FALL RIVER HOUSING AUTHORITY

Arlene Weglowski

Rita Lebeau

ALTERNATES FOR FRJTC

Charles Turcotte

Joseph Souza

Donald Keyser

2ND ALTERNATE FOR FRJTC

William H. King, Sr.

ALTERNATES FOR FRHA

Marie Afonso

Martha Gallagher

INDEPENDENT

Ben Mello

ALTERNATES FOR INDEPENDENT

Claudia Mello

ADDENDUM 3

TO GRIEVANCE PROCEDURE

Review of Appeals to FRHA Board

The FRHA Board of Commissioners appoints a Committee to review all requests for an appeal of any grievance panel decision to the Board.

Said committee will make a recommendation to the Board as to whether the Tenant is entitled to a hearing pursuant to Part A Section 10.

This Committee shall also review all requests for appeal to the Board of Commissioners to determine if the specific grievance may be resolved without a formal board hearing.

The makeup of the Committee will be as follows;

1) FRHA Board Member representing Tenants
2) Executive Director
3) Deputy Executive Director

ADDENDUM 4

FALL RIVER HOUSING AUTHORITY
GRIEVANCE PANEL DECISION/AGREEMENT
Date ____/____/____

Grievant_____

This form must be filled out for all Grievance Panel Decisions. In cases where the eviction is stayed the Grievant must agree to the conditions listed below.

The Fall River Housing Authority Grievance panel has heard the case presented by the FRHA and the defense of the Grievant.

After due consideration the Grievance Panel has decided as follows;

☐ The FRHA has proven its case and may proceed with Eviction for the violations listed below

☐ The FRHA has not proven its case and may not proceed with Eviction

☐ The FRHA has proven its case – the Panel however has decided that the Eviction should be stayed with the following conditions and contingent up on the Grievant agreeing to the terms contained herein.

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

I (We), _____, the Grievant , having familiarized myself with the facts and agreement contained above do hereby acknowledge that the FRHA has proven sufficient cause to proceed with my eviction. I (We) further agree that the FRHA may immediately bring action against me in the appropriate legal venue should I violate any of the terms considered in this agreement and without any requirement or right of appeal to the Grievance Panel. (only pertains to contingent decisions)

Signed_____/__/__ Signed_____/__/__
Grievant Date Chairperson Date

MAINTENANCE POLICY

The Maintenance Department of the Fall River Housing Authority is responsible for managing the maintenance function in the most cost effective manner possible while maximizing the useful life of Authority properties and providing the best service to Authority residents. The following policy statements are designed to establish the structure of an effective and efficient maintenance system. **Our Asset Based Management Model for delivering maintenance services requires that the Senior Property Managers directly supervise all aspects of the operation of our various developments. Where required in this policy we have listed the Maintenance Superintendent as a responsible official.**

The Maintenance Superintendent will be responsible for the oversight of our Central Maintenance Staff and assure that they available to participate in the maintenance process as required by the Senior Property Managers and assist the Senior Property Managers attain the objectives of this policy where the expertise and assistance of the Central Staff is needed.

1.0 COMPONENTS OF A MAINTENANCE SYSTEM

The Fall River Housing Authority maintenance system shall include certain components:

A. A system of priorities for work requests;

B. Comprehensive working procedures;

C. Performance goals;

D. A work order system;

E. A skills training program; and

F. A long-range planning system.

By developing a maintenance system that has these components in place, the authority will have the tools it needs to control the performance of maintenance work at the Fall River Housing Authority.

1.1 PRIORITY SYSTEM

The work priorities adopted by the Fall River Housing Authority exemplify its philosophy of delivering maintenance services. This priority system ensures that the most important maintenance work is done at a time it can be performed most cost-effectively.

Minimizing vacancy loss is part of the cost-effectiveness calculation. The maintenance priorities of the Fall River Housing Authority are the following:

A. Emergencies

B. Scheduled Operations and Services

C. Vacancy Preparation

D. Resident On-Demand Requests

Placing planned maintenance and vacancy preparation work ahead of resident work requests does not indicate that resident requests are unimportant. It emphasizes the importance of maintaining control of the maintenance work by performing scheduled routine and preventive work first. By doing so the Authority will decrease on-demand work and maintain the property in a manner that will keep and attract good tenants.

1.2 DEVELOP PROCEDURES

The Maintenance Superintendent will ensure that there are sufficient clear procedures in place to allow staff to implement this maintenance policy statement. All procedures will include the following:

A. A statement of purpose;

B. The job title(s) of the staff member(s) responsible for carrying out the activities in the procedure;

C. Any forms needed to carry out the activities; and

D. The frequency of any specified activities.

After their adoption, maintenance procedures will be reviewed and updated at least annually.

1.3 DEVELOP PERFORMANCE STANDARDS AND GOALS

The Maintenance Superintendent will establish measures that will allow the effectiveness of maintenance systems and activities to be evaluated. In establishing these standards the Housing Authority will take into consideration certain factors:

A. Local housing codes;

B. HUD Housing Quality Standards;

C. Public Housing Assessment System (PHAS) standards;

D. Fall River Housing Authority Collective bargaining agreements; and

E. Fall River Housing Authority job descriptions.

Nothing in the documents listed above will prevent the Housing Authority from setting a standard that is higher than that contained in the documents.

These standards and goals will be used to evaluate current operations and performance and to develop strategies to improve performance and meet the standards that have been set.

1.4 WORK ORDER SYSTEM

The Fall River Housing Authority shall have a comprehensive work order system that includes all work request information: source of work, description of work, priority, cost to complete, days to complete, and hours to perform. This information is required for the Authority to plan for the delivery of maintenance services as well as evaluate performance. To obtain the greatest effectiveness from the work order system, all work requests and activities performed by maintenance staff must be recorded on work orders.

Work orders will contain, at a minimum, the following information:

A. Preprinted number

B. Source of request (planned, inspection, resident, etc.)

C. Priority assigned

D. Location of work

E. Date and time received

F. Date and time assigned

G. Worker(s) assigned

H. Description of work requested (with task number)

I. Description of work performed (with task number)

J. Estimated and actual time to complete

K. Materials used to complete work

L. Resident charge

M. Resident signature

1.5 TRAINING

In order to allow its staff members to perform to the best of their abilities, the Fall River Housing Authority recognizes the importance of providing the staff with opportunities to refine technical skills, increase and expand craft skills, and learn new procedures. Each employee must participate in annual training.

The Maintenance Superintendent is responsible for developing a training curriculum for the departmental staff and working with personnel department staff to identify the means of delivering the training.

1.6 LONG-RANGE PLANNING

The Fall River Housing Authority will put in place a long-range maintenance planning capability in order to ensure the most cost-effective use of Authority resources and the maximum useful life of Authority properties.

The Maintenance Superintendent along with the Senior Property Manager will develop a property-specific long-range planning process that includes the following components:

A. A property maintenance standard;

B. An estimate of the work required to bring the property to the maintenance standard;

C. An estimate of the work required to keep the property at the maintenance standard including routine and preventive maintenance workloads, vacant unit turn-around, inspection requirements and resident on-demand work;

D. An estimate of the on-going cost of operating the property at the maintenance standard;

E. A market analysis of the property to determine if there are any capital improvements needed to make the property more competitive;

F. A cost estimate to provide the specified capital improvements; and

G. A revised work plan and cost estimate of maintaining property at the improved standard.

By developing a work plan, the Authority will be able to anticipate its staff, equipment and materials needs. It will also be possible to determine need for contracting particular services.

2.0 MAINTAINING THE PROPERTY

All maintenance work performed at Housing Authority properties can be categorized by the source of the work. Each piece of work originates from a particular source -- an emergency, the routine maintenance schedule, the preventive maintenance schedule, a unit inspection, a unit turnover, or a resident request.

2.1 RESPONDING TO EMERGENCIES

Emergencies are the highest priority source of work. The Fall River Housing Authority will consider a work item to be an emergency if the following occur:

A. The situation constitutes a serious threat to the life, safety or health of residents or staff; or

B. The situation will cause serious damage to the property structure or systems if not repaired within twenty-four (24) hours.

If a staff member is unsure whether or not a situation is an emergency, he or she will consult with his or her supervisor. If a supervisor is not available, the employee will use his or her best judgment to make the decision.

For emergencies that occur after regular working hours, the Fall River Housing Authority shall have a twenty-four (24) emergency response system in place. This response system includes the designation of a maintenance Supervisor in charge for each day as well as a list of qualified pre-approved contractors, open purchase orders for obtaining required supplies or equipment, and access to Authority materials and supplies. The designated Supervisor shall prepare a work order and report on any emergency within twenty-four hours after abatement of the emergency. A list of contractors, open purchase orders and other emergency response items are shown on Attachment A.

After-hours emergencies consist of the following:

1. Lock-Out—Automatic charge to resident;
2. Gas Odor or Gas Leak;
3. CO Detector - must leave apartment and call 911 FIRST;
4. Fire—must leave apartment and call 911 FIRST;
5. Serious Water Leak—as a result of heavy rain or pipe burst, etc.;
6. Inability to Flush Toilet—due to blockage;
7. Sewage Back-Up—in basement or building;
8. Seriously Damaged or Broken Apartment Door—making it impossible

to secure apartment;

9. No Heat—or insufficient heat during cold weather;
10. No Water;
11. No Electricity;
12. Fire Alarm— must leave apartment and call 911 FIRST;
13. Inoperative or Stuck Elevator;
14. Extensive Vandalism—to apartment or building, resulting in security problem.

2.2 PREPARE VACANT UNITS FOR REOCCUPANCY

It is the policy of the Fall River Housing Authority to reoccupy vacant units as soon as possible. This policy allows the Authority to maximize the income produced by its properties and operate attractive and safe properties.

The Maintenance Superintendent and the Senior Property Managers are responsible for developing and implementing a system that ensures an average turn-around time of seven (7) calendar days. In order to do so, he or she must have a system that can perform the following tasks:

A. Forecast unit preparation needs based on prior years' experience;

B. Estimate both the number of units to be prepared and the number of hours it will take to prepare them; and

C. Control work assignments to ensure prompt completion.

The maintenance procedure for reoccupying vacant units relies on the prompt notification by management of the vacancy, fast and accurate inspection of the unit, ready availability of workers and materials, and good communication with those responsible for leasing the unit.

The Maintenance Superintendent has the ability to create special teams for vacancy turnaround or to hire contractors when that is required to maintain Authority goals.

2.3 PREVENTIVE MAINTENANCE PROGRAM

Preventive maintenance is part of the planned or scheduled maintenance program of the Fall River Housing Authority. The purpose of the scheduled maintenance program is to allow the Authority to anticipate maintenance requirements and make sure the Authority can address them in the most cost-effective manner. The preventive maintenance program focuses on the major systems that keep the properties operating. These systems include heating and air conditioning, electrical, life safety and plumbing.

A. General Operating Systems

The heart of any preventive maintenance program is a schedule that calls for the regular servicing of all systems. The development of this schedule begins with the identification of each system or item that must be checked and serviced, the date it must be serviced, and the individual responsible for the work. The servicing intervals and tasks for each system must be included in the schedule. The completion of all required tasks is considered a high priority for the Fall River Housing Authority.

The Maintenance Superintendent and the Senior Property Managers are responsible for the development of an operating system control program that includes these features:

The systems covered by the preventive maintenance program include but are not limited to:

1. Catch basins
2. Compactors
3. Condensate pumps
4. Electric transformer and emergency generators
5. Elevator equipment
6. Emergency lighting
7. Exhaust fans
8. Exterior lights
9. Fire extinguishers and other life safety systems
10. Heating systems
11. Mechanical equipment and vehicles
12. Sanitary drains
13. Air Conditioning equipment
14. Domestic water

A specific program will be developed for each system. This program shall include a list of the scheduled service maintenance for each system and the frequency and interval at which that service must be performed. The equipment and materials required to perform the service will be listed as well so that they will be on hand when needed. As assessment of the skills or licensing needed to perform the tasks will also be made to determine if an outside contractor must be used to perform the work. The preventive maintenance schedule must be updated each time a system is added, updated, or replaced.

B. Roof Repairs/ Replacement

Maintenance of roofs requires regular inspections by knowledgeable personnel to ensure that there is no unauthorized access to roof surfaces and that there is good drainage, clear gutters and prompt discovery of any deficiencies.

The Maintenance Superintendent and the Senior Property Managers are responsible for the development of a roof maintenance plan that includes these features:

1. The type, area, and age of roof

2. Warranties and/or guarantees in effect

3. Company that installed the roof

4. Expected useful life of roof

5. History of maintenance and repair

6. Inspection schedule

The authority maintenance staff will usually undertake only minor roof repairs. Therefore there should be a list of approved roofing contractors to take on more serious problems for roofs no longer under warranty.

C. Vehicle/Equipment Maintenance

D. The Fall River Housing Authority will protect the investment it has made in vehicles and other motorized equipment by putting in place a comprehensive maintenance program. The Maintenance Superintendent and the Senior Property Managers are responsible for the development of a Vehicle/Equipment Maintenance program.

The vehicles and equipment to be covered include:

1. Cars, trucks and vans

2. Tractors

3. Bobcats

4. Snow blowers

5. Leaf blowers

6. Weed cutters

7. Lawn Mowers

8. Chain saws

9. Hedge Trimmers

10. Electric Drain Augers

The Maintenance Superintendent and the Senior Property Managers are responsible for the development of this plan which shall contain components for minimal routine service as well as servicing for seasonal use. Serviceable components for each vehicle or piece of motorized equipment will be listed in the plan along with the type and frequency of service required.

The Maintenance Superintendent shall also maintain a system to ensure that any employee that operates a vehicle or piece of motorized equipment has the required license or certification.

C. Lead-Based Paint

The Fall River Housing Authority is committed to controlling lead-based paint hazards in all its dwellings, especially family dwellings constructed before 1978. If any hazards are discovered, the Authority will develop a plan to abate the hazard. The Maintenance Superintendent and the Senior Property Managers shall have the authority and responsibility to direct all activities associated with lead hazard control. The control plan will include such activities as:

1. Detecting the possible presence of lead paint;

2. Protection of residents and workers from lead-based paint hazards;

3. Surface protection of non-painted surfaces;

4. Equipment use and care;

5. Paint quality; and

6. Method of application.

Other responsibilities include directing training sessions, issuing special work orders, informing residents, responding to cases of children with elevated blood lead levels, correcting lead-based paint hazards on an emergency repair basis, and any other efforts that may be appropriate.

The Fall River Housing Authority's plan to control such hazards is detailed in a risk assessment report and lead hazard control plan.

C. Life Safety Systems

The Fall River Housing Authority shall have a comprehensive program for maintenance of life safety systems to ensure that they will be fully functional in the case of an emergency. The Maintenance Superintendent and the Senior Property Managers are responsible for the development of a schedule that includes the inspection, servicing and testing of this equipment. The equipment to be included in the plan includes the following:

1. Fire alarms and fire alarm systems

2. Fire extinguishers

3. Emergency generators

4. Emergency lighting

5. Smoke detectors

6. Sprinkler systems

The plan will include the required testing and servicing as required by manufacturer’s recommendations. It will also include a determination of the most reliable and cost effective way to perform the work including the decision to hire a contractor.

2.4 INSPECTION PROGRAM

The Fall River Housing Authority's goals of efficiency and cost-effectiveness are achieved through a carefully designed and rigorously implemented inspection program.

This program calls for the inspection of all areas of the Authority's facilities -- the dwelling units, the grounds and building exteriors, and major service systems.

A. Dwelling Unit Inspections

The unit inspection system of the Fall River Housing Authority has two primary goals:

1. To assure that all dwelling units comply with standards set by HUD and local codes; and

2. To assure that the staff of the Fall River Housing Authority knows at all times the condition of each unit for which it is responsible.

The achievement of these goals may require more than the annual HUD required inspection. The Director of Field Operations is responsible for developing a unit inspection program that schedules inspections at the frequency required.

For all non-emergency inspections, the Resident shall be given at least two (2) days written notice of the inspection.

The management staff shall perform the unit inspection program of the Fall River Housing Authority. During each inspection, the staff shall perform specified preventive and routine maintenance tasks. Any other work items noted at the time of the inspection will be documented on the Fall River Housing Authority inspection form. All uncompleted work items shall be converted to a work order within twenty-four hours of the completion of the inspection. The maintenance staff shall endeavor to complete all inspection-generated work items within 30 days of the inspection.

All maintenance staff is responsible for monitoring the condition of dwelling units. Whenever a maintenance staff member enters a dwelling unit for any purpose, such as completing a resident request for service or accompanying a contractor, he or she shall record on an inspection form any required work he or she sees while in the apartment. These work items shall also be converted to a service request within twenty-four hours of discovery.

B. Building and Grounds Inspections

Regular inspections of the property grounds and building exteriors are required to maintain the curb appeal of the property. This curb appeal is required to maintain the attractiveness of the property for both current and prospective residents. The inspection procedure will specify the desired condition of the areas to be inspected. This defined condition will include any HUD or locally required standards. The existence of these standards shall not prevent the Housing

Authority from setting a higher standard that will make the property more competitive in the local market.

Building and grounds inspections must cover these areas:

1. Hallways

2. Stairwells

3. Community room and other common space such as kitchens or public restrooms

4. Laundry facilities

5. Lobbies

6. Common entries

7. Basements

8. Grounds

9. Porches or patios

10. Parking lots

11. Sidewalks and fences

12. Lawns, shrubs and trees

13. Trash compactors or collection areas

14. Building foundations

An inspection form will be developed for common areas and building exteriors and grounds. The staff member responsible for the inspection shall note all deficiencies on the form and ensure that these deficiencies are recorded on work order within twenty-four hours of the inspection. The Fall River Housing Authority will complete all inspection-generated work items within thirty (30) days of the inspection.

Nothing in this policy shall prevent any Fall River Housing Authority staff member from reporting any needed work that they see in the regular course of their daily activities. Such work items shall be reported to the site manager of the appropriate property.

The Superintendent of Maintenance shall assist the Senior Property managers in the performance of these inspections.

C. Systems Inspections

The regular inspection of all major systems is fundamental to a sound maintenance program. The major systems inspection program overlaps with the preventive maintenance program in some areas. To the extent that inspections, in addition to those required for scheduled service intervals, are needed, they will be a part of the inspection schedule. Any work items identified during an inspection shall be converted to a work order within twenty-four hours and completed within thirty (30) days. The Superintendent of Maintenance shall assist the Senior Property managers in the performance of these inspections.

2.5 SCHEDULED ROUTINE MAINTENANCE

The Fall River Housing Authority includes in this work category all tasks that can be anticipated and put on a regular timetable for completion. Most of these routine tasks are those that contribute to the curb appeal and marketability of the property. All aspects of routine Maintenance shall be overseen by the Senior Property Managers with the assistance of the Superintendent of Maintenance.

A. Pest Control/Extermination

The Fall River Housing Authority will make all efforts to provide a healthy and pest-free environment for its residents. The Authority will determine which, if any, pests infest its properties and will then provide the best possible treatment for the eradication of those pests.

All pest control functions will be performed by licensed contractors.

The extermination plan will begin with an analysis of the current condition at each property. The Director of Management shall make sure that an adequate schedule for treatment is developed to address any existing infestation. Special attention shall be paid to cockroaches and bedbugs. The schedule will include frequency and locations of treatment. Different schedules may be required for each property.

Resident cooperation with the extermination plan is essential. All apartments in a building must be treated for the plan to be effective. Residents will be given information about the extermination program at the time of move-in. All residents will be informed at least one week and again twenty-four hours before treatment. The notification will be in writing and will include instructions that

describe how to prepare the unit for treatment. If necessary, the instructions shall be bi-lingual to properly notify the resident population.

B. Landscaping and Grounds

The Fall River Housing Authority will prepare a routine maintenance schedule for the maintenance of the landscaping and grounds of its properties that will ensure their continuing attractiveness and marketability.

Routine grounds maintenance includes numerous activities:

1. Litter control

2. Lawn care

3. Maintenance of driveways, sidewalks and parking lots

4. Care of flower and shrubbery beds and trees

5. Maintenance of playgrounds, benches and fences

6. Snow removal (when required by climate)

The Maintenance Superintendent shall be responsible for the development of a routine maintenance schedule that shall include the following:

1. A clearly articulated standard of appearance for the grounds that acknowledges but is not limited to HUD and local code standards;

2. A list of tasks that are required to maintain that standard and the frequency with which the tasks must be performed;

3. The equipment, materials, and supplies required to perform the tasks and a schedule for their procurement; and

4. A separate snow removal plan including a schedule for preparing equipment for the season and the procurement of other necessary materials and supplies.

C. Building Exteriors and Interior Common Areas

The appearance of the outside of Authority buildings as well as their interior common areas is important to their marketability. Therefore, the Fall River Housing Authority has established a routine maintenance schedule to ensure that

they are always maintained in good condition. The components to be maintained include:

1. Lobbies

2. Hallways and stairwells

3. Elevators

4. Public restrooms

5. Lighting fixtures

6. Common rooms and community spaces

7. Exterior porches and railings

8. Building walls

9. Windows

The Maintenance Superintendent is responsible for the development of a routine maintenance schedule for building exterior and interior common areas. The schedule shall be based on the following:

1. A clearly articulated standard of appearance for the building

2. A list of tasks required to maintain that standard

3. The frequency with which the tasks must be performed

4. A list of materials, equipment and supplies required to perform the tasks.

D. Interior Painting

The appearance and condition of the paint within each unit is important to unit condition and resident satisfaction. Accordingly, the Fall River Housing Authority will develop a plan to ensure that interior paint in resident dwelling units is satisfactorily maintained.

As part of this plan painting standards will be developed that include:

1. Surface preparation

2. Protection of non-painted surfaces

3. Color and finish

4. Paint quality

5. Methods of application approved

6. Lead paint testing and abatement if required

The plan will set out the conditions for the consideration of a painting request. These standards include the period of time that has elapsed since the last time the unit was painted. Alternatives for performance of the work will be included including the conditions under which a resident will be allowed to paint his or her own unit.

2.6 RESIDENT ON-DEMAND SERVICE

This category of work refers to all resident generated work requests that fall into no other category. These are non-emergency calls made by residents seeking maintenance service. These requests for service cannot be planned in advance or responded to before the resident calls.

It is the policy of the Fall River Housing Authority to complete these work requests within seven (7) days. However, unless the request is an emergency or entails work that compromises the habitability of the unit, these requests will not be given a priority above scheduled routine and preventive maintenance. By following this procedure, the Fall River Housing Authority believes it can achieve both good resident service and a maintenance system that completes the most important work first and in the most cost effective manner.

3.0 CONTRACTING FOR SERVICES

The Fall River Housing Authority will contract for maintenance services when it is in the best interests of the Authority to do so. When the employees of the Authority have the time and skills to perform the work at hand, they will be the first choice to perform a given task. When the employees of the Authority have the skills to do the work required, but there is more work than there is time available to complete it, the Housing Authority will determine whether it is more cost effective to use a contractor to complete the work. If the Authority staff does not have the skills to complete the work, a contractor will be chosen. In the last instance, the Authority will decide whether it will be cost effective to train a staff member to complete the work.

Once the decision has been made to hire a contractor, the process set out in the Fall River Housing Authority Procurement Policy will be used. These procedures vary depending on the expected dollar amount of the contract. The Maintenance Superintendent will work with the Procurement Department to facilitate the contract award. The Maintenance

Superintendent or will be responsible for the contribution of the Maintenance Department to this process. The most important aspect of the bid documents will be the specifications or statement of work. The clearer the specifications the easier it will be for the Authority to get the work product it requires.

PEST CONTROL POLICY

The Fall River Housing Authority recognizes the importance of pest and vermin control in providing a living environment of adequate health and safety for its residents. To achieve this control the authority has adopted a pest control policy that will be implemented by the Director of Management.

PEST CONTROL AND EXTERMINATION

The Fall River Housing Authority will make all efforts to provide a healthy and pest-free environment for its residents. The Authority will determine which, if any, pests infest its properties and will then provide the best possible treatment for the eradication of those pests.

The Authority has determined that the most cost-effective way of delivering the treatments is the use of a licensed private contractor.

The extermination plan will requires that the Contractor visit each site once per week on a schedule determined by the Director of Field Operations or his/her designee. Director of Field Operations or his/her designee shall make sure that this schedule provides adequate treatment to address any existing infestation. Special attention shall be paid to cockroaches and bedbugs. The schedule includes frequency and locations of treatment. Different schedules may be required for each property. Additional treatments may be required at times other than the scheduled visits and the individual Site Managers inform the extermination contractor of the specific additional needs and arrange for proper treatment.

Resident cooperation with the extermination plan is essential. All apartments in a building must be treated for the plan to be effective. Residents will be given information about the extermination program at the time of move-in. All residents will be informed at least one week and again twenty-four hours before treatment. The notification will be in writing and will include instructions that describe how to prepare the unit for treatment. If necessary, the instructions shall be bi-lingual to properly notify the resident population.

Management will work closely with residents that are physically or emotionally unable to comply with the necessary preparation to ensure effective treatment. Failure to prepare or allow access constitutes a health and safety violation for the residents of the development. If able residents do not comply by adequately preparing for extermination, they will be fined for noncompliance. The charge for failure to allow access to exterminators or failure to prepare shall be $75.00. If noncompliance continues beyond one instance, lease enforcement proceedings will commence and continue until compliance is achieved.

Payment Standards
Section 8 Program

BR SIZE	New Payment Standard	Percent of FMR	New FMR
0 BR	$720	97%	$746
1 BR	$800	96%	$830
2 BR	$935	98%	$956
3 BR	$1,110	97%	$1,142
4 BR	$1,410	100%	$1,409

The City of Fall River is included in the Providence and Warwick, Rhode Island statistical area for determination of Income Limits and FMR's.

The market for Fall River is distinct from the Providence and Warwick markets. Fall River has a significant vacancy problem. The vacancy rate in the core city has decreased and there is continuing pressure to pay increased rents..

Our knowledge of the local market in summarized in the rent chart as shown above.

The rent reasonableness is factored into all decisions on what rent applies to any given unit but apartments in the City can be reasonable categorized in the rates reflected in the Payment Standards as shown above.

These payment standards were adopted by the FRHA Board on October 15, 2008 and are effective on January 1, 2009.

PET POLICY

The following rules are established to govern the keeping of pets in and on properties owned and operated by the Housing Authority in the City of Fall River, Massachusetts. The Fall River Police Department and Fall River Dog Officer shall have responsibility for enforcement of applicable city ordinances. The manager of each of the Authority's public housing developments shall have primary responsibility for enforcing the guidelines in this Pet Policy. Rules and regulations of pet ownership and maintenance and enforcement, including any changes thereto, will be posted in the management office of each housing development which it owns and shall inform all registered pet owners of any changes in such rules and regulations.

This policy does not apply to animals that are used to assist persons with disabilities. Assistive animals approved by ADA (seeing eye dogs, etc.) are allowed in all public housing facilities with no restrictions other than those imposed on all tenants to maintain their units and associated facilities in a decent, safe, and sanitary manner and to refrain from disturbing their neighbors.

Permission to own and keep a specific pet will not be unreasonably withheld. Approval for pet ownership will be based on, among other things, the resident's demonstration that he/she has the physical and financial capability to care for the pet and certification that he/she will abide by the following guidelines concerning pet ownership and pet maintenance:

1. All pets must be registered with the Housing Authority. Tenants must request in writing permission to have a pet, residents will then receive a written permit ***prior*** to any animal being kept on or about the premises. Management reserves the right to check references for previous pet guardianship to confirm that the resident has demonstrated that she/he has been a responsible pet guardian. Residents will receive a certificate and ID TAG from FRHA management for the animal after completing and submitting the required documentation (see #5). Animal must wear tag at all times. The privilege of having an animal may be revoked at any time subject to the Housing Authority grievance procedure if the animal becomes destructive, is a nuisance, or infringes the safety of others. (Form A)

2. No pet sitting is allowed for any animals. No visitor is allowed to bring his or her pet to FRHA property. Any animal on FRHA property at anytime must be pre-registered to management. No exceptions.

3. From the date of adoption of this pet policy by the FRHA, said policy will remain as is until March 31, 2010, for state family developments, at which time FRHA will reconvene with the representatives of the RAB to further discuss and deliberated the no pet policy in state family developments. At the time, if a no pet policy is implemented, the grandfather clause will be initiated. Residents would then have to complete a grandfather clause form to keep his/her pet. (Form B)

4. A maximum number of one pet per household is permitted. Two (2) aquariums – one not to exceed twenty (20) gallons in capacity and the other not to exceed ten (10) gallons – may be permitted. Many fish are acceptable, but no more than (2) two birds (no birds of prey e.g. eagles, hawks, falcons), may be kept if they do not create a nuisance as determined by Housing Management. Birds must be confined to a cage at all times, unless exercised during controlled conditions in resident pet owner's apartment.

5. The tenant is responsible to give management the following documentation within 30 days of the issuance of the written approval: (Form C & D)

    A. A color photo and identifying description and name of the pet to be housed.
    B. The attending veterinarian's name, address, and telephone number.
    C. Veterinary certificate of spaying or neutering, no later than six (6) months of age. Rabies, distemper, parvovirus, feline leukemia, and other inoculations when applicable.
    D. Licensing certificates in accord with state and local laws.
    E. Name, addresses and phone numbers of two (2) a primary and alternate caretaker who will assume immediate responsibility for the pet should the owner is unable to care for pet. This caretaker must provide a written verification acknowledging their willingness to assume responsibility for the pet in compliance with the guidelines established in this Pet Policy.
    F. A Pet Rider or Addendum to the resident's current lease executed by the resident.

6. Only common household pets (dogs, cats, birds, guinea pigs, gerbils, hamsters, and other common small domesticated animals, ferrets are not considered a common household pet) will be approved by the FRHA for ownership and maintenance. No vicious or intimidating dogs (Shar-pei, Chow Chow, Terriers, (Boston, Wheaten, Con Terriers are allowed) Pit Bull, Doberman, German Shepherd, Rottweiler, any mixture of said mentioned, or any animal over 40 lbs. The forty (40) pound weight limit shall apply to the size for an animal in normally good condition. Animals over this weight limit due to weight gain will not be eliminated solely due to its weight. Any animal deemed to be potentially harmful to the health or safety of others, including attack or fights trained dogs, will not be allowed. No snakes, iguanas, or any type of reptile are allowed. The FRHA shall be the final arbiter on this matter.

7. If pets are left unattended for a period of twenty-four (24) hours or more, the Authority may enter the dwelling unit, remove the pet and transfer it to the proper authorities at the resident's expense, that is subject to the provision of state law and pertinent local ordinances. The Housing Authority accepts no responsibility for the animal under such circumstances. If the primary caretakers designated by the pet owner is unable or unwilling to assume responsibility for the pet upon the incapacitation of the owner and the owner is unable to locate an alternate caretaker within twenty-four (24) hours, the Authority may enter the owner's unit, remove the pet, and arrange for the pet's care for no less than ten (10) days to protect the pet. Funds for such care will be billed to the resident (see #8). The Authority may contact the Massachusetts Society for the Prevention of Cruelty to Animals or other suitable humane society for assistance in providing alternate arrangements for the care of the pet if a caretaker cannot be located.

8. If animal control officer removes any pet, resident will be fully responsible for fees associated with removal and care of said animal. FRHA or Animal Control Officer reserves the right to remove said animal if safety of residents, concern of property and care of animal is in question.

9. No pet may be kept in violation of humane or health laws.

10. Management reserves the right to require animal guardians to relocate to a comparable unit on the ground floor or other suitable unit of their building base upon written complaints concerning; 1) the behavior of the dog/cat (etc.) in the elevator or hallways: or 2) the documented medical conditions of resident(s) affected by the presence of the animal. Designated elevator use will be the ONLY elevators used by pet guardians when they are with their pets.

11. Dogs and cats shall remain inside a tenant's unit. When taken outside the unit, dogs and cats must be kept on a leash, controlled by a responsible household member. No animal shall be permitted to be loose in hallways, lobby areas, cellar, basement, laundry areas, community rooms, yards or other common areas of the facility. Pets are not to be tied outside or on the patio.

12. Residents must provide litter boxes for cat waste, which must be kept in the dwelling unit. Residents shall not permit refuse from litter boxes to accumulate nor become unsightly or unsanitary. Residents are solely responsible for cleaning up pet (dog, cat, etc.) droppings, outside the unit and on facility grounds. Droppings of pets must be disposed of by being placed in a sack and then placed in a refuse container outside the building. In a high-rise facility residents are responsible to dispose pet waste properly in a sealed sack and placed in the refuse drop in hallway. Under no circumstances should any pet debris be deposited in a toilet, as blockages will occur. Residents will be responsible for the cost of repairs or replacements of any damaged toilets or pipes. Tenant must take all necessary precautions to eliminate any pet odors and insect infestation within or around unit and maintain unit in a sanitary condition at all times (see # 17).

13. Residents shall not permit their pet to disturb, interfere, or diminish the peaceful enjoyment of other residents. The terms, "disturb, interfere or diminish" shall include but not be limited to barking, howling, chirping, biting, scratching and other like activities.

14. Tenants shall not alter their unit, patio or unit area to create an enclosure for an animal.

15. Tenants are prohibited from feeding stray animals. The feeding of stray animals shall constitute having a pet without permission of the Housing Authority.

16. Management has the right to make a home visit to observe the pet, the quarters in which it is kept, and the condition of the unit when proper notice is given or under unique circumstances.

17. Pet guardians are encouraged to secure personal liability insurance or other insurance to indemnify the property management against pet-related litigation and attorney fees. Tenant is responsible for all damages and actions done by their pet and will pay for all repairs and misgivings. Any sums necessary to repair (cleaning of carpets and /or fumigation of units etc.) such damage will be billed to the pet guardian. Tenants are responsible for materials/labor on all damages caused by their pets. Damage payment plans may be negotiated between the Authority and the pet owner at the FRHA's discretion. Disputes concerning the amount of such damages are subject to the standard grievance procedures described in the owner's lease.

18. Tenants who violate these rules are subject to: (a) being required to get rid of the pet within 30 days of notice by the Housing Authority; and/or, (b) eviction.

Management will establish a pet committee for resolving complaints consisting of three (3) members: one (1) resident who is a pet guardian, one (1) resident who is not a pet guardian and one (1) local interested humane group member or veterinarian. Complaints must be in writing, all written complaints shall be referred to the pet committee for resolution. The pet committee to verbal or unsigned complaints shall give no credence. Management will also inform the pet guardian of any other rule infractions and will duly notify the pet committee for attempted resolution.

- Upon second notice of a written legitimate complaint from the pet committee to the pet guardian, the resident shall be advised that a further notice shall be cause for termination of the pet rider provisions; except that in the case of a serious problem, e.g. a vicious dog, this procedure may be shortened in the interest of public safety.

Resident has received a copy of the FRHA pet policy. The pet policy rules and regulations have been explained to the tenant by the FRHA management. The tenant understands the above regulations regarding pets and agrees to conform to the FRHA pet policy.

The resident at the time of signing this agreement has a pet_____.
Signature of resident

The resident at the time of signing this agreement does not have a pet_____.
Signature of resident

_____ _____
Tenant Signature Date

_____ _____
Witness Signature Date

Form A

FALL RIVER HOUSING AUTHORITY
APPLICATION FOR PET PERMIT

I am officially requesting permission of the Fall River Housing Authority to house a pet in accord with the Family Housing Pet Policy promulgated by the Fall River Housing Authority. I have received a copy of this pet policy, understand all of my right and obligations under this pet policy, and agree to abide by all of the rules listed in the pet policy.

I understand and agree that I will not house a pet until such time as my application for pet permit has been reviewed and formally approved in writing by the Fall River Housing Authority.

I am requesting permission to house the following pet:

(Identify breed and describe pet fully, including current size/weight of pet, and projected size/weight of pet at maturity)

THIS SECTION MUST BE COMPLETED/SIGNED BY VETERNARIAN/ANIMAL SHELTER

Breed: _____
(please make reference to reverse side)

Current size/wgt: _____ Projected size/wgt: _____

Description: _____

_____

_____

_____
Signature

Tenant Information

Name: _____ _____

Address: _____

Apartment No: _____

Telephone No: _____

Date: _____

"GRANDFATHER" CLAUSE (dated 11/10/2001)

This grandfather clause is added as an addendum to the attached pet policy for …

_____ and
(resident)

_____ on
(management)

Pets of residents that do not conform to the attached pet policy (for example, multiple animals in excess of the policy or types of animals not allowed by policy), that reside with the resident prior to the adoption of the attached pet policy, are allowed, provided that the resident conforms with all other aspects of the pet policy for each pet listed (without exception) and the resident agrees to all terms.

If the resident gives away or otherwise relinquishes any pet listed herein, or if/when the pet (s) dies, any future pets of the resident must conform to the attached pet policy, the resident will not be permitted to replace a relinquished of deceased pet in excess of the limit stated in the pet policy. Future pet (s) must be approved by management prior to taking up residence and must be maintained in accordance with the pet policy.

_____
(name/description of "non-conforming pet)

_____
(resident signature)

_____
(management signature)

_____
(date)

Form C

FALL RIVER HOUSING AUTHORITY
DISPOSITION OF PET PERMIT APPLICATION

_____
Date

_____
Name

_____
Address

_____
Apartment No.

Your application for Pet Ownership received on _____ has been:

☐ Tentatively Approved ☐ Approved

☐ Rejected for the following reasons:

_____

_____

_____

If the above indicates tentative approval, approval is conditional on the receipt of the following within thirty (30) days from this notice.

_____ A color photo and identifying description and name of pet.
_____ Attending veterinarian's name, address and telephone number.
_____ Veterinary certificate of spaying or neutering; Rabies, Distemper, Parvovirus, Feline Leukemia and other inoculations, when applicable.
_____ Dog license certificates in accord with local and state laws.
_____ Names, addresses and telephone numbers of two (2) alternate caretakers who will assume responsibility of the pet should the owner become incapacitated. These caretakers must provide written verification acknowledging willingness to assume these responsibilities.

_____ _____
Date Fall River Housing Authority

Rev: 11/20/01
(over)

DISPOSITION OF PET PERMIT APPLICATION

MANAGERS CHECK OFF LIST

☐ Color Pet Photo

☐ _____
Veternarian Name

_____
Address

_____
Telephone No.

VETERNARY CERTIFICATES

☐ Spaying or Neutering

☐ Rabies

☐ Distemper

☐ Others

☐ Dog license with Local & State Laws

Form D

FALL RIVER HOUSING AUTHORITY

APPLICATION FOR PET

PRIMARY CARE TAKER

_____
(date)

I, _____ of _____ telephone no. _____
agree that I will assume responsibility for the pet owned by _____
of _____ telephone no. _____ in the event that owner becomes incapacitated of not immediately available to care for pet. I further agree that while pet is in my care and custody, I will follow all guidelines established in the Fall River Housing Authority Pet Policy.

Witness:

_____ _____
(signature) (date)

ALTERNATE CARETAKER

I, _____ of _____ telephone no. _____
Agree that I will assume responsibility for the pet owned by _____
Of _____ telephone no. _____ in the event that owner becomes incapacitated or not immediately available to care for pet. I further agree that while pet is in my care and custody, I will follow all guidelines established in the Fall River Housing Authority Pet Policy.

Witness:

_____ _____
(signature) (date)

COMMUNITY SERVICE AND CONTINUED OCCUPANCY

14.0 CONTINUED OCCUPANCY AND COMMUNITY SERVICE

14.1 GENERAL

In order to be eligible for continued occupancy, each adult family member must either (1) contribute eight hours per month of community service (not including political activities) within the community in which the public housing development is located, or (2) participate in an economic self-sufficiency program unless they are exempt from this requirement

14.2 EXEMPTIONS

The following adult family members of tenant families are exempt from this requirement.

A. Family members who are 62 or older

B. Family members who are blind or disabled

C. Family members who are the primary care giver for someone who is blind or disabled

D. Family members engaged in work activity

E. Family members who are exempt from work activity under part A title IV of the Social Security Act or under any other State welfare program, including the welfare-to-work program

F. Family members receiving assistance under a State program funded under part A title IV of the Social Security Act or under any other State welfare program, including welfare-to-work and who are in compliance with that program

14.3 NOTIFICATION OF THE REQUIREMENT

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

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

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

The notification will advise families that their community service obligation will begin upon the effective date of their first annual reexamination on or after 4/1/2002. For family's paying a flat rent, the obligation begins on the date their annual reexamination would have been effective had an annual reexamination taken place. It will also advise them that failure to comply with the community service requirement will result in ineligibility for continued occupancy at the time of any subsequent annual reexamination**.**

14.4 VOLUNTEER OPPORTUNITIES AND ECONOMIC SELF SUFFICIENCY

Community service includes performing work or duties in the public benefit that serve to improve the quality of life and/or enhance resident self-sufficiency, and/or increase the self-responsibility of the resident within the community.

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

The Fall River Housing Authority will coordinate with social service agencies, local schools, and the Human Resources Office in identifying a list of volunteer community service positions.

Together with the resident advisory councils, the Fall River Housing Authority may create volunteer positions such as hall monitoring, litter patrols, and supervising and record keeping for volunteers.

14.5 THE PROCESS

At the first annual reexamination on or after April 1, 2002 and each annual reexamination thereafter, the Fall River Housing Authority will do the following:

A. Provide a list of volunteer opportunities to the family members.

B. Provide information about obtaining suitable volunteer positions.

C. Provide a volunteer time sheet to the family member. Instructions for the time sheet require the individual to complete the form and have a supervisor date and sign for each period of work.

D. Assign family members to a volunteer coordinator who will assist the family members in identifying appropriate volunteer positions and in meeting their responsibilities. The volunteer coordinator will track the family member's progress monthly and will meet with the family member as needed to best encourage compliance.

E. Thirty (30) days before the family's next lease anniversary date, the volunteer coordinator will advise the Fall River Housing Authority whether each applicable adult family member is in compliance with the community service requirement.

14.6 NOTIFICATION OF NON-COMPLIANCE WITH COMMUNITY SERVICE REQUIREMENT

The Fall River Housing Authority will notify any family found to be in noncompliance of the following:

A. The family member(s) has been determined to be in noncompliance;

B. That the determination is subject to the grievance procedure; and

C. That, unless the family member(s) enter into an agreement to comply, the lease will not be renewed or will be terminated;

14.7 OPPORTUNITY FOR CURE

The Fall River Housing Authority will offer the family member(s) the opportunity to enter into an agreement prior to the anniversary of the lease. The agreement shall state that the family member(s) agrees to enter into an economic self-sufficiency program or agrees to contribute to community service for as many hours as needed to comply with the requirement over the past 12-month period. The cure shall occur over the 12-month period beginning with the date of the agreement and the resident shall at the same time stay current with that year's community service requirement. The first hours a resident earns goes toward the current commitment until the current year's commitment is made.

The volunteer coordinator will assist the family member in identifying volunteer opportunities and will track compliance on a monthly basis.

If any applicable family member does not accept the terms of the agreement, does not

fulfill their obligation to participate in an economic self-sufficiency program, or falls behind in their obligation under the agreement to perform community service by more than three (3) hours after three (3) months, the Fall River Housing Authority shall take action to terminate the lease.

14.8 OPPORTUNITIES TO PERFORM THE SERVICE REQUIREMENTS

The Fall River Housing Authority in conjunction with the Resident Advisory Board has determined that the FRHA and our residents will best be served if we liberally define what constitutes Community Service and Economic Self Sufficiency activities. The following partial list of activities, are suggestions only and are not meant to be all inclusive. Any activity which benefits the residents' economic self sufficiency will be accepted and any activity that reasonable provides the FRHA developments or the general public with a needed service will also be accepted. All opportunities to perform community service will be provided and performed with pride and dignity.

- GED Program
- High School completion
- ESL English as a Second Language Program
- Vocational School
- College Courses
- Participation in Foster Grandparent program
- Provide arts and crafts for elderly residents
- Provide arts and crafts for children
- Gardening around FRHA sites
- Volunteering with Food Kitchens or programs to help low income residents of Fall River
- Visit Nursing homes or Hospitals
- Run Errands for Elderly or Handicapped City residents
- Peer Leadership
- Red Cross
- Tutoring
- Volunteer participation in after school childcare program
- Working with FR Joint Tenants to educate residents on their rights and organization, as well as passing out flyers and otherwise assisting the FRJTC in its mission
- Other activities as may from time to time be added by the FRHA or agreed to with the Resident Advisory Board
- Volunteer work in the public sector
- Volunteer work in the FRHA and the FRHAJTC
- Attendance at monthly resident meetings

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

PHA Name: Fall River Housing Authority 85 Morgan Street P. O. Box 989 Fall River, MA 02722	Grant Type and Number Capital Fund Program Grant No: MA06-P006-50105 Replacement Housing Factor Grant No:	Federal FY of Grant: 2005

Original Annual Statement ☐ **Reserve for Disasters/ Emergencies** ☐ **Revised Annual Statement (revision no:)** 5
☒ **Performance and Evaluation Report for Period Ending: 09/30/08** ☐ **Final Performance and Evaluation Report**

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised # 5	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	185,845.92	239,825.87	239,825.87	239.825.87
3	1408 Management Improvements Soft Costs	598,807.27	598,807.27	598,807.27	598,807.27
	Management Improvements Hard Costs				
4	1410 Administration	131,983.07	161,184.14	161,184.14	161,184.14
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	100,000	47,908.48	47,908.48	45,133.48
8	1440 Site Acquisition				
9	1450 Site Improvement	0	0	0	0
10	1460 Dwelling Structures	1,434,297.98	1,403,208.28	1,403,208.48	1,403,208.48
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Nondwelling Structures	276,063.76	276,063.76	276,063.76	276,063.76
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1502 Contingency				
	Amount of Annual Grant: (sum of lines…..)	2,726,998	2,726,998.00	2,726,998.00	2,724,223.00
	Amount of line XX Related to LBP Activities				
	Amount of line XX Related to Section 504 compliance				
	Amount of line XX Related to Security –Soft Costs				
	Amount of Line XX related to Security-- Hard Costs				
	Amount of line XX Related to Energy Conservation Measures				
	Collateralization Expenses or Debt Service				

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

PHA Name: Fall River Housing Authority 85 Morgan Street P.O. Box 989 Fall River, MA 02722	**Grant Type and Number** Capital Fund Program Grant No: MA06-P006-50105 Replacement Housing Factor Grant No:	**Federal FY of Grant: 2005**

Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
					Original	Revised	Obligated	Expended	
MA 06-1	Re-point chimneys		1460		0	0	0	0	Omitted
Sunset Hill	Replace bathtub (re-glazing)		1460		6,475.00	6,475.00	6,475.00	6,475.00	Complete
	Maintenance/Comm Rm Upgrades		1470		102,930.54	102,930.54	102,930.54	102,930.54	Complete
	Roof Replacement		1460		273,620.00	273,620.00	273,620.00	276,620.00	Complete
MA 06-2	Upgrade bathroom exhaust system		1460		0	0	0	0	Omitted
Heritage Heights									
MA 06-3	Upgrade telecommunications		1475		0	0	0	0	Omitted
Diaferio	Maintenance Comm Rm Upgrades		1470		147,106.22	147,106.22	147,106.22	147,106.22	Complete
Village	Additional Office/Comm Rm Space		1470		26,027.00	26,027.00	26,027.00	26,027.00	Complete
	Building Exterior Repairs		1460		220,450.00	220,450.00	220,450.00	220,450.00	Complete
MA 06-4	Window treatments in comm. Hall		1460		0	0	0	0	Omitted
Oak Village	Building exterior repair		1460		0	0	0	0	Omitted
MA 06-5	Upgrade elevator EMS key		1460		0	0	0	0	Omitted
O'Brien Apts	Remove old hot water lines		1460		0	0	0	0	Omitted
	Common Area Upgrades		1460		78,984.88	78,984.88	78,984.88	78,984..88	Complete
MA 06-6	Upgrade elevator EMS key		1460		0	0	0	0	Omitted
Holmes Apts.	Building exterior repairs		1460		0	0	0	0	Omitted
	Common Area Upgrades		1460		32,000.00	32,000.00	32,000.00	32,000.00	Complete
MA 06-7	Upgrade elevator EMS key		1460		0	0	0	0	Omitted
Oliveira Apts.	Building exterior repairs		1460		0	0	0	0	Omitted
	Common Area Upgrades		1460		83,000.00	83,000	83,000	83,000.00	Complete
MA 06-8	Site improvements/landscaping		1450		0	0	0	0	Omitted
Medeiros Towers	Upgrade elevator (drive)		1460		9,500.00	9,500.00	9,500.00	9,500.00	Complete
	Building exterior repairs/assisted living		1460		0	0	0	0	Omitted
	Upgrade office telecommunications		1475		0	0	0	0	Omitted
	Replace Heating Circulation Pumps		1460		118,832.65	118,832.65	118,832.65	118,832.65	Complete
	Common Area Upgrades		1460		337,166.00	337,166.00	337,166.00	337,166.00	Complete
MA 06-10	Upgrade elevator EMS key		1460		0	0	0	0	Omitted
Cottell Apts.	Replace kitchen faucets		1460		0	0	0	0	Omitted
	Emergency Repairs to Sprinkler Riser		1460		3,125.00	3,125.00	3,125.00	3,125.00	Complete
	Replace Heating Circulation Pumps		1460		48,427.55	48,427.55	48,427.55	48,427.55	Complete
	Common Area Upgrades		1460		48,000.00	48,000.00	48,000.00	48,000.00	Complete

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

PHA Name: Fall River Housing Authority 85 Morgan Street P.O. Box 989 Fall River, MA 02722	**Grant Type and Number** Capital Fund Program Grant No: MA06-P006-50105 Replacement Housing Factor Grant No:	**Federal FY of Grant: 2005**

Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
					Original	Revised	Obligated	Expended	
MA 6-11	Upgrade elevator EMS key		1460		0	0	0	0	Omitted
Mitchell Apts.	Replace storeroom hardware		1460		0	0	0	0	Omitted
	Replace hot water control panel		1460		0	0	0	0	Omitted
	Replace Heating Circulation Pumps		1460		15,930.90	15,930.90	15,930.90	15,930.90	Complete
	Common Area Upgrades		1460		67,000.00	67,000.00	67,000.00	67,000.00	Complete
MA 6-13	Replace baseboard heat		1460		0	0	0	0	Omitted
N. Rocliffe Apts	Flooring Replacement		1460		9,211.00	9,211.00	9,211.00	9,211.00	Complete
MA 6-15	Replace baseboard heat		1460		0	0	0	0	Omitted
Fordeny Apts	Repave fire lanes		1450		0	0	0	0	Omitted
	Flooring Replacement		1460		9,209.00	9,209.00	9,209.00	9,209.00	Complete
MA 6-16	Landscaping/site improvements		1450		0	0	0	0	Omitted
Bennie Costa Plaza	Replace baseboard heat		1460		0	0	0	0	Omitted
	Flooring Replacement		1460		36,276.00	32,276.00	32,276.00	36,276.00	Complete
MA 6-17	Landscaping/site improvements		1450		0	0	0	0	Omitted
Riley Plaza	Replace baseboard heat		1460		0	0	0	0	Omitted
	Flooring Replacement		1460		6,000.50	6,000.50	6,000.50	6,000.50	Complete

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

PHA Name: Fall River Housing Authority 85 Morgan Street P.O. Box 989 Fall River, MA 02722	**Grant Type and Number** Capital Fund Program Grant No: MA06-P006-50105 Replacement Housing Factor Grant No:	**Federal FY of Grant: 2005**

Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
					Original	Revised	Obligated	Expended	
OPERATIONS	Operations		1406		185,845.92	239,825.87	239,825.87	239,825.87	Complete
MANAGEMENT	Elder Services		1408		6,367.44	10,915.75	10,915.75	10,915.75	Complete
	Hire City Police/Security		1408		388,781.63	401,918.84	401,918.84	401,918.84	Complete
	Tenant Coordinator		1408		12,148.36	14,460.80	14,460.80	14,460.80	Complete
	Assisted Living		1408		191,509.84	171,511.88	171,511.88	171,511.88	Complete
ADM	Modernization Secretary		1410		44,853	51,185.80	51,185.80	51,185.80	Complete
	Modernization Coordinator		1410		57,810.94	65,989.98	65,989.98	65,989.98	Complete
	Fringe Benefits		1410		29,319.13	45,133.48	45,133.48	45,133.48	Complete
FEES & COSTS	Engineering services		1430		100,000	47,133.48	47,133.48	45,133.48	In progress

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

PHA Name:	**Grant Type and Number** Capital Fund Program No: MA06-P006-50105 Replacement Housing Factor No:	**Federal FY of Grant:** 2005

Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
MA6-01 SUNSET HILL	08/17/07			08/17/09			
MA6-02 HERITAGE	08/17/07			08/17/09			
MA6-03 DIAFERIO	08/17/07			08/17/09			
MA6-04 OAK VILLAGE	08/17/07			08/17/09			
MA6-05 O'BRIEN Apts	08/17/07			08/17/09			
MA6-06 HOLMES Apts	08/17/07			08/17/09			
MA6-07 OIVEIRA Apts	08/17/07			08/17/09			
MA6-08 CARDINAL MEDEIROS TOWERS	08/17/07			08/17/09			
MA6-10 COTTELL	08/17/07			08/17/09			
MA6-11 MITCHELL	08/17/07			08/17/09			
MA6-13 N. ROCLIFFE	08/17/07			08/17/09			
MA6-15 FORDNEY	08/17/07			08/17/09			
MA6-16 BENNIE COSTA	08/17/07			08/17/09			
MA6-17 RILEY PLAZA	08/17/07			08/17/09			

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

PHA Name: Fall River Housing Authority 85 Morgan Street P. O. Box 989\ Fall River, MA 02722	Grant Type and Number Capital Fund Program Grant No: MA06-P006-50106 Replacement Housing Factor Grant No:	Federal FY of Grant: 2006

Original Annual Statement ☐ **Reserve for Disasters/ Emergencies** ☐ **Revised Annual Statement (revision no:)** 4
☒ **Performance and Evaluation Report for Period Ending: 09/30/08** ☐ **Final Performance and Evaluation Report**

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised #4	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	232,516	287,855.54	287,855.54	287,855.54
3	1408 Management Improvements Soft Costs	525,000	523,504.56	523,504.56	523,504.56
	Management Improvements Hard Costs				
4	1410 Administration	262,000	70,005.46	70,005.46	70,005.46
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	100,000	104,556.54	104,556.54	80,616.48
8	1440 Site Acquisition				
9	1450 Site Improvement	108,769	13,168.00	13,168.00	13,168.00
10	1460 Dwelling Structures	1,346,565	1,575,759.90	1,575,759.90	1,060,124.51
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Nondwelling Structures	54,303	54,303.00	54,303.00	54,303.00
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1502 Contingency				
	Amount of Annual Grant: (sum of lines…..)	2,629,153	2,629,153.00	2,629,153.00	2,089,577.55
	Amount of line XX Related to LBP Activities				
	Amount of line XX Related to Section 504 compliance				
	Amount of line XX Related to Security –Soft Costs				
	Amount of Line XX related to Security-- Hard Costs				
	Amount of line XX Related to Energy Conservation Measures				
	Collateralization Expenses or Debt Service				

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

PHA Name: Fall River Housing Authority 85 Morgan Street P.O. Box 989 Fall River, MA 02722	**Grant Type and Number** Capital Fund Program Grant No: MA06-P006-50106 Replacement Housing Factor Grant No:	**Federal FY of Grant: 2006**

Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
					Original	Revision #4	Obligated	Expended	
MA 06-1	Upgrade Comm Room		1470		0	0	0	0	Omitted
Sunset Hill	Upgrade Bath Vents		1460		76,403.00	76,403.00	76,403.00	76,403.00	Complete
	Building Exterior Repairs		1460		103,723.00	0	0	0	Omitted
	Carbon Monoxide Detectors		1460		93,464.00	93,464.00	93,464.00	93,464.00	Complete
	Installation of Bathtub Liners		1460		200,000.00	196,700.00	196,700.00	196,700.00	Complete
MA 06-2	Carbon Monoxide Detectors		1460		25,105.00	25,105.00	25,105.00	25,105.00	Complete
Heritage Heights	Window Glazing		1460		0	7,127.25	7,127.25	7,127.25	Complete
MA 06-3	Replace Porch Rails		1460		0	0	0	0	Omitted
Diaferio Village	Carbon Monoxide Detectors		1460		55,673.66	55,673.66	55,673.66	55,673.66	Complete
	Upgrade Site Pole Lights		1450		3,269.00	3,269.00	3,269.00	3,269.00	Complete
	Window Glazing		1460		0	37,869.90	37,869.90	37,869.90	Complete
MA 06-4	Landscape Improvements		1450		25,500.00	0	0	0	Omitted
Oak Village	Building Structural Repairs		1460		3,576.00	0	0	0	Omitted
	Carbon Monoxide Detectors		1460		8,419.66	8,419.66	8,419.66	8,419.66	Complete
MA 06-5	Handicapped Bath for Community Room		1470		54,303.00	54,303.00	54,303.00	54,303.00	Complete
O'Brien Apts	Carbon Monoxide Detectors		1460		9,031.76	9,031.76	9,031.76	9,031.76	Complete
	Boiler Stack Upgrade		1460		0	17,348.00	17,348.00	17,348.00	Complete
MA 06-6	Common Area Upgrades		1460		0	0	0	0	Omitted
Holmes Apts.	Carbon Monoxide Detectors		1460		19,011.47	19,011.47	19,011.47	19,011.47	Complete
	Boiler Stack Upgrade		1460		0	9,770.00	9,770.00	9,770.00	Complete
	Water Rise Replacement		1460		0	524,600.00	524,600.00	86,490.00	In Progress
MA 06-7	Install New Hot Water Heater		1460		50,000.00	0	0	0	Omitted
Oliveira Apts.	New Apt. Door Hardware		1460		35,000.00	0	0	0	Omitted
	Carbon Monoxide Detectors		1460		17,140.26	17,140.26	17,140.26	17,140.26	Complete
	Common Area Improvements		1470		0	0	0	0	Omitted
	Boiler Stack Upgrade		1460		0	14,848.00	14,848.00	14,848.00	Complete
MA 06-8	New Fire Doors in Boiler Room		1460		0	0	0	0	Omitted
Medeiros Towers	Upgrade Laundry Room		1460		0	0	0	0	Omitted
	Common Area Upgrade		1460		0	0	0	0	Omitted
	Upgrade A/C Units		1460		15,000.00	15,000.00	0	0	Pending
	Replace Shower Mixing Valves		1460		84,000.00	84,000.00	0	0	Pending
	Elev. Lobby Improvements		1460		0	0	0	0	Omitted

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

PHA Name: Fall River Housing Authority 85 Morgan Street P.O. Box 989 Fall River, MA 02722	**Grant Type and Number** Capital Fund Program Grant No: MA06-P006-50106 Replacement Housing Factor Grant No:	**Federal FY of Grant: 2006**

Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
					Original	Revision #4	Obligated	Expended	
	Install New Roof		1460		195,000.00	184,000.00	184,000.00	174,800.00	In Progress
	Carbon Monoxide Detectors		1460		31,486.51	31,486.51	31,486.51	31,486.51	Complete
	Boiler Stack Upgrade		1460		0	27,510.00	27,510.00	27,510.00	Complete
	Fire Pump Replacement		1460		0	41,475.39	41,475.39	0	In Progress
MA 06-10	Install Bathroom Faucets & Valves		1460		35,325.00	35,325.00	0	0	Omitted
Cottell Apts.	Replace heat in lobby		1460		10,000.00	10,000.00	0	0	Omitted
	Remove Carpeting & Re-tile in Apts.		1460		61,565.00	61,565.00	0	0	Omitted
	Paint Stairways / Upgrade Corridors		1460		39,000.00	39,000.00	0	0	Omitted
	Carbon Monoxide Detectors		1460		0	15,144.26	15,144.26	15,144.26	Complete
	Boiler Stack Upgrade		1460		0	14,848.00	14,848.00	14,848.00	Complete
MA 6-11	Upgrade sprinkler riser system		1460		35,000	35,000.00	0	0	Pending
Mitchell Apts.	Paint Stairways / Upgrade Corridors		1460		40,000	40,000.00	0	0	Pending
	Carbon Monoxide Detectors		1460		0	19,385.74	19,385.74	19,385.74	Complete
	Site Improvements		1450		0	9,899.00	9,899.00	9,899.00	Complete
	Boiler Stack Upgrade		1460		0	22,187.36	22,187.36	22,187.36	Complete
	Security System Upgrade		1460		0	38,100.00	38,100.00	11,250.00	Complete
MA 6-13	Landscape Improvements		1450		20,000	0	0	0	Omitted
N. Rocliffe Apts	Carbon Monoxide Detectors		1460		0	13,511.67	13,511.67	13,511.67	Complete
MA 6-15	Landscape Improvements		1450		20,000	20,000.00	0	0	Pending
Fordeny Apts	Carbon Monoxide Detectors		1460		0	13,846.67	13,846.67	13,846.67	Complete
MA 6-16	Landscape Improvements		1450		0	20,000.00	0	0	Pending
Bennie Costa Plaza	Carbon Monoxide Detectors		1460		0	22,136.67	22,136.67	22,136.67	Complete
	Kitchen Floor Replacements		1460		0	4,555.00	4,555.00	4,555.00	Complete
MA 6-17	Landscape Improvements		1450		0	20,000.00	0	0	Pending
Riley Plaza	Carbon Monoxide Detectors		1460		0	10,180.67	10,180.67	10,180.67	Complete
	Kitchen Floor Replacements		1460		0	4,880.00	4,880.00	4,880.00	Complete

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

PHA Name: Fall River Housing Authority 85 Morgan Street P.O. Box 989 Fall River, MA 02722	**Grant Type and Number** Capital Fund Program Grant No: MA06-P006-50106 Replacement Housing Factor Grant No:	**Federal FY of Grant: 2006**

Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
					Original	Revision #4	Obligated	Expended	
OPERATIONS	Operations		1406		232,516	287,855.54	287,855.54	287,855.54	Complete
MANAGEMENT	Elder Services		1408		20,000	21,490.47	21,490.47	21,490.47	Complete
	Hire City Police/Security		1408		490,000	487,888.69	487,888.69	487,888.69	Complete
	Tenant Coordinator		1408		15,000	14,125.40	14,125.40	14,125.40	Complete
ADM	Modernization Secretary		1410		75,480	30,549.56	30,549.56	30,549.56	Complete
	Mod Coordinator		1410		97,735	39,455.90	39,455.90	39,455.90	Complete
	Fringe Benefits		1410		88,875	0.00	0.00	0.00	Omitted
FEES & COSTS	Engineering services		1430		100,000	104,556.54	104,556.54	80,616.48	In Progress

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

PHA Name:	**Grant Type and Number** Capital Fund Program No: MA06-P006-50106 Replacement Housing Factor No:	**Federal FY of Grant:** 2006

Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
MA6-01 SUNSET HILL	07/17/08			07/17/10			
MA6-02 HERITAGE	07/17/08			07/17/10			
MA6-03 DIAFERIO	07/17/08			07/17/10			
MA6-04 OAK VILLAGE	07/17/08			07/17/10			
MA6-05 O'BRIEN Apts	07/17/08			07/17/10			
MA6-06 HOLMES Apts	07/17/08			07/17/10			
MA6-07 OIVEIRA Apts	07/17/08			07/17/10			
MA6-08 CARDINAL MEDEIROS TOWERS	07/17/08			07/17/10			
MA6-10 COTTELL	07/17/08			07/17/10			
MA6-11 MITCHELL	07/17/08			07/17/10			
MA6-13 N. ROCLIFFE	07/17/08			07/17/10			
MA6-15 FORDNEY	07/17/08			07/17/10			
MA6-16 BENNIE COSTA	07/17/08			07/17/10			
MA6-17 RILEY PLAZA	07/17/08			07/17/10			

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

PHA Name: Fall River Housing Authority	Grant Type and Number Capital Fund Program Grant No: MA06-P006-50107 Replacement Housing Factor Grant No:	Federal FY of Grant: 2007

☐Original Annual Statement ☐Reserve for Disasters/ Emergencies ☐Revised Annual Statement (revision no:) 3
☒Performance and Evaluation Report for Period Ending: 09/30/08 ☐Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised # 3	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	155,142	269,121.00	0.00	0.00
3	1408 Management Improvements Soft Costs	538,242	538,242.00	538,242.00	535,845.25
	Management Improvements Hard Costs				
4	1410 Administration	269,121	269,121.00	269,121.00	269,121.00
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	100,000	104,395.35	104,395.35	0.00
8	1440 Site Acquisition				
9	1450 Site Improvement	50,000	50,000.00	0.00	0.00
10	1460 Dwelling Structures	1,278,706	1,121,098.65	138,480.02	86,879.18
11	1465.1 Dwelling Equipment—Nonexpendable	50,000	50,000.00	0.00	0.00
12	1470 Nondwelling Structures	200,000	206,450.00	6,450.00	6,450.00
13	1475 Nondwelling Equipment	50,000	82,783.00	0.00	0.00
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1502 Contingency				
	Amount of Annual Grant: (sum of lines…..)	2,691,211	2,691,211.00	1,056,688.37	898,295.43
	Amount of line XX Related to LBP Activities				
	Amount of line XX Related to Section 504 compliance				
	Amount of line XX Related to Security –Soft Costs				
	Amount of Line XX related to Security-- Hard Costs				
	Amount of line XX Related to Energy Conservation Measures				
	Collateralization Expenses or Debt Service				

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

PHA Name: Fall River Housing Authority

Grant Type and Number
Capital Fund Program Grant No: MA06-P006-50107
Replacement Housing Factor Grant No:

Federal FY of Grant: 2007

Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
					Original	Revised	Obligated	Expended	
AMP 001									
6-1 Sunset Hill	Tub-Reglazing		1460		20,000	20,000.00			In Progress
	One-bedroom Conversions		1460		118,706	118,706.00			In Progress
	Replace Door Hardware		1460		10,000	10,000.00			In Progress
	Window Glazing		1460		10,000	10,000.00			In Progress
	Baseboard Upgrade		1460		20,000	20,000.00			In Progress
	Screen Door Replacement		1460		10,000	10,000.00			In Progress
AMP 001 Totals					**188,706**	**188,706.00**			
AMP 002									
6-2 Heritage	Building Entrance Doors/Intercoms		1460		10,000	19,285.86	19,285.86	19,285.86	Complete
Heights	Apartment Painting		1460		10,000	10,000.00			In Progress
	Replace Zone Valves/Heating Upgrade		1460		25,000	25,000.00			In Progress
	Sump Pump Replacement		1460		10,000	10,000.00			In Progress
	Replace Door Hardware		1460		10,000	10,000.00	0.00	0.00	In Progress
AMP 002 Totals					**65,000**	**74,285.86**	**19,285.86**	**19,285.86**	
AMP 003									
6-3 Diaferio	Baseboard Upgrade		1460		25,000	25,000.00			In Progress
Village	Replace mixing valves		1460		25,000	25,000.00			In Progress
	Window Glazing		1460		10,000	10,000.00			In Progress
	Snow Removal Equipment/Vehicle		1475		0	82,783.00			**In Progress**
AMP 003 Totals					**60,000**	**142,783.00**			

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

PHA Name: Fall River Housing Authority

Grant Type and Number
Capital Fund Program Grant No: MA06-P006-50107
Replacement Housing Factor Grant No:

Federal FY of Grant: 2007

Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost Original	Total Estimated Cost Revised	Total Actual Cost Obligated	Total Actual Cost Expended	Status of Work
AMP 004									
6-13 N. Rocliffe	Replace Bathroom Exhaust Fans		1460		20,000	20,000.00			In Progress
	Kitchen Floor Replacements		1460		10,000	15,064.92	15,064.92	15,064.92	Complete
	Apartment Door Replacements (interior)		1460		10,000	10,000.00			In Progress
	Kitchen & Bath Upgrade		1460		30,000	1,506.00			In Progress
	Building Exterior Repairs		1460		25,000	25,000.00	0.00	0.00	In Progress
					95,000	71,570.92	15,064.92	15,064.92	
6-15 Fordney	Replace Bathroom Exhaust Fans		1460		10,000	10,000.00			In Progress
	Kitchen Floor Replacements		1460		10,000	13,724.10	13,724.10	13,724.10	Complete
	Apartment Door Replacements (interior)		1460		10,000	10,000.00			In Progress
	Kitchen & Bath Upgrade		1460		30,000	1,506.00			In Progress
	Building Exterior Repairs		1460		25,000	25,000.00	0.00	0.00	In Progress
					85,000	60,230.10	13,724.10	13,724.10	
6-16 Bennie Costa	Replace Bathroom Exhaust Fans		1460		10,000	10,000.00			In Progress
	Kitchen Floor Replacements		1460		10,000	25,243.92	25,243.92	22,843.08	In Progress
	Apartment Door Replacements (interior)		1460		10,000	10,000.00			In Progress
	Kitchen & Bath Upgrade		1460		30,000	1,506.00			In Progress
	Building Exterior Repairs		1460		25,000	25,000.00			In Progress
	Community Bldg Upgrade		1470		0	6,450.00	6,450.00	6,450.00	Complete
					85,000	78,199.92	31,693.92	29,293.08	
6-17 Riley	Replace Bathroom Exhaust Fans		1460		10,000	10,000.00			In Progress
	Kitchen Floor Replacements		1460		10,000	8,510.58	8,510.58	8,510.58	Complete
	Apartment Door Replacements (interior)		1460		10,000	10,000.00			In Progress
	Kitchen & Bath Upgrade		1460		30,000	1,506.00			In Progress
	Building Exterior Repairs		1460		25,000	25,000.00	0.00	0.00	In Progress
					85,000	55,016.58	8,510.58	8,510.58	
AMP 004 Totals					**350,000**	**265,017.52**	**68,993.52**	**66,592.68**	

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

PHA Name: Fall River Housing Authority

Grant Type and Number
Capital Fund Program Grant No: MA06-P006-50107
Replacement Housing Factor Grant No:

Federal FY of Grant: 2007

Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
					Original	Revised	Obligated	Expended	
AMP 005									
6-4 Oak Village	Replace Mixing Valves		1460		25,000	25,000.00			In Progress
	Replace Hot Water Storage Tanks		1460		25,000	25,000.00			In Progress
	Apartment Upgrade		1460		0	3,012.74	3,012.74	3,012.74	Complete
					50,000	53,012.74	3,012.74	3,012.74	
6-5 O'Brien	Building Exterior Repairs		1460		10,000	10,000			In Progress
	Handicap Access Upgrades		1460		30,000	30,000			In Progress
					40,000	40,000			
6-6 Holmes	Building Entry Lighting		1460		10,000	10,000.00			In Progress
	Building Exterior Repairs		1460		20,000	49,200.00	49,200.00		In Progress
	Replace Mixing Valves		1460		25,000	14,652.00	0		In Progress
	Replace Lavatories		1460		20,000	20,000.00	0		In Progress
	Handicap Access Upgrades		1460		20,000	20,000.00	0		In Progress
	Apartment Lighting Upgrades		1460		10,000	10,000.00	0		In Progress
	Mechanical Upgrades		1460		0	10,348.00			In Progress
	Apartment Upgrade		1460		0	808.15	808.15	808.15	Complete
					105,000	135,008.15	50,008.15	808.15	
AMP 005 Totals					**195,000**	**228,020.89**	**53,020.89**	**3,820.89**	

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

PHA Name: Fall River Housing Authority	Grant Type and Number Capital Fund Program Grant No: MA06-P006-50107 Replacement Housing Factor Grant No:	Federal FY of Grant: 2007

Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
					Original	Revised	Obligated	Expended	
AMP 006									
6-7 Oliveira	Replace Mixing Valves		1460		25,000.00	25,000.00			In Progress
	Replace Lavatories and Toilets		1460		25,000.00	25,000.00			In Progress
					50,000	50,000.00			
6-10 Cottell	Window Replacement		1460		50,000	50,000			In Progress
	Water Riser Replacement		1460		25,000	25,000			In Progress
	Replace Tub Overflows		1460		10,000	10,000			In Progress
	Replace Lavatories and Toilets		1460		25,000	25,000			In Progress
	Handicap Access Upgrades		1460		20,000	20,000			In Progress
					130,000	130,000			
6-11 Mitchell	Water Riser Replacements		1460		25,000	25,000			In Progress
	Handicap Access Upgrades		1460		20,000	20,000			In Progress
					45,000	45,000			
AMP 006 Totals					**225,000**	**225,000**			
AMP 007									
6-8 Medeiros	Heating System Upgrades		1460		25,000	3,629.75	3,629.75	3,629.75	Complete
	Replace Lavatories and Toilets		1460		25,000	25,000.00			In Progress
	Handicap Access Upgrades		1460		20,000	20,000.00	0.00	0.00	In Progress
AMP 007 Totals					**70,000**	**48,629.75**	**3,629.75**	**3,629.75**	

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

PHA Name: Fall River Housing Authority		**Grant Type and Number** Capital Fund Program Grant No: MA06-P006-50107 Replacement Housing Factor Grant No:					**Federal FY of Grant: 2007**		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
					Original	Revised	Obligated	Expended	
Authority Wide	Operations		1406		65,000	269,121.00	0.00	0.00	In Progress
	Elder Services Contract		1408		15,000	9,150.00	9,150.00	9,150.00	In Progress
	Police/Security Guard Contracts		1408		460,000	522,493.76	522,493.76	520,097.01	In Progress
	Tenant Coordinator(s)		1408		10,000	6,598.24	6,598.24	6,598.24	In Progress
	Computer Software		1408		25,000	0.00	0.00	0.00	Omitted
	CFP Administrative Cost		1410		250,000	269,121.00	269,121.00	269,121.00	Complete
	Fees & Costs – A/E Services		1430		100,000	104,395.35	104,395.35		In Progress
	Site Improvement – Curb Appeal		1450		50,000	50,000.00			In Progress
	Vacancy Day Reduction Program		1460		25,000	25,000.00			In Progress
	Apartment Upgrades		1460		100,000	12,888.63			In Progress
	Apartment Appliances		1465		50,000	50,000.00			In Progress
	Office Upgrades		1470		25,000	25,000.00			In Progress
	Security Upgrades/Cameras/Lighting		1470		150,000	150,000.00			In Progress
	Common Area Upgrades		1470		25,000	25,000.00			In Progress
	Snow Removal Equipment/Vehicle		1475		50,000	0.00	0.00	0.00	Omitted
A. W. Totals					**1,400,000**	**1,518,767.98**	**911,758.35**	**804,966.25**	

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

PHA Name: Fall River Housing Authority	**Grant Type and Number** Capital Fund Program No: MA06-P006-50107 Replacement Housing Factor No:	**Federal FY of Grant: 2007**

Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
MA6-01 SUNSET HILL	09/13/09			09/13/11			
MA6-02 HERITAGE	09/13/09			09/13/11			
MA6-03 DIAFERIO	09/13/09			09/13/11			
MA6-04 OAK VILLAGE	09/13/09			09/13/11			
MA6-05 O'BRIEN	09/13/09			09/13/11			
MA6-06 HOLMES	09/13/09			09/13/11			
MA6-07 OLIVEIRA	09/13/09			09/13/11			
MA6-08 MEDEIROS	09/13/09			09/13/11			
MA6-10 COTTELL	09/13/09			09/13/11			
MA6-11 MITCHELL	09/13/09			09/13/11			
MA6-13 N. ROCLIFFE	09/13/09			09/13/11			
MA6-15 FORDNEY ST	09/13/09			09/13/11			
MA6-16 BENNIE COSTA	09/13/09			09/13/11			
MA6-17 RILEY PLAZA	09/13/09			09/13/11			

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

PHA Name: Fall River Housing Authority	Grant Type and Number Capital Fund Program Grant No: MA06-P006-50108 Replacement Housing Factor Grant No:	Federal FY of Grant: 2008

☐ Original Annual Statement ☐ Reserve for Disasters/ Emergencies ☐ Revised Annual Statement (revision no:) 2
☒ Performance and Evaluation Report for Period Ending: 09/30/08 ☐ Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised # 2	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	156,990	156,990		
3	1408 Management Improvements Soft Costs	568,819	568,819	568,819.00	96,339.92
	Management Improvements Hard Costs				
4	1410 Central Office Cost Center	284,409	284,409	284,409.00	
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	90,000	90,000		
8	1440 Site Acquisition				
9	1450 Site Improvement	210,000	210,000		
10	1460 Dwelling Structures	1,413,879	1,413,879		
11	1465.1 Dwelling Equipment—Nonexpendable	60,000	60,000		
12	1470 Nondwelling Structures	30,000	30,000		
13	1475 Nondwelling Equipment	30,000	30,000		
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1502 Contingency				
	Amount of Annual Grant: (sum of lines…..)	2,844,097	2,844,097	853,228.00	96,339.92
	Amount of line XX Related to LBP Activities				
	Amount of line XX Related to Section 504 compliance				
	Amount of line XX Related to Security –Soft Costs				
	Amount of Line XX related to Security-- Hard Costs				
	Amount of line XX Related to Energy Conservation Measures				
	Collateralization Expenses or Debt Service				

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

PHA Name: Fall River Housing Authority		Grant Type and Number Capital Fund Program Grant No: MA06-P006-50108 Replacement Housing Factor Grant No:					Federal FY of Grant: 2008		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost Original	Revised	Total Actual Cost Obligated	Expended	Status of Work
AMP 001									
6-1 Sunset Hill	Operations		1406		41,500	41,500			
	Police & Security Services		1408		105,340	105,340		18,411.23	In Progress
	Tenant Coordinator		1408		3,450	3,450			
	AMP Fees & Costs – A/E Services		1430		10,000	10,000			
	Replace Bathroom Flooring		1460		200,000	200,000			
	Foundation Repairs		1460		158,879	158,879			
	Apartment Appliances		1465		10,000	10,000			
	Snow Removal Equipment		1475		10,000	10,000			
AMP 001 Totals					539,169	539,169			
AMP 002									
	Operations		1406		4,000	4,000			
6-2 Heritage	Police & Security Services		1408		36,640	36,640		6,114.43	In Progress
Heights	Tenant Coordinator		1408		1,200	1,200			
	Window Glazing		1460		5,000	5,000			
	Apartment Appliances		1465		10,000	10,000			
AMP 002 Totals					56,840	56,840			
AMP 003									
6-3 Diaferio	Operations		1406		53,990	53,990			
Village	Police & Security Services		1408		64,120	64,120		11,373.40	In Progress
	Tenant Coordinator		1408		2,100	2,100			
	AMP Fees & Costs – A/E Services		1430		10,000	10,000			
	Repair retaining Walls		1450		10,000	10,000			
	Window Glazing		1460		10,000	10,000			
	Install Sewer Pressure Reduction		1460		10,000	10,000			
	Apartment Appliances		1465		10,000	10,000			
	Heat Upgrade Comm. Bldg. Bathrooms		1470		10,000	10,000			
AMP 003 Totals					180,210	180,210			

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

PHA Name: Fall River Housing Authority		Grant Type and Number Capital Fund Program Grant No: MA06-P006-50108 Replacement Housing Factor Grant No:					Federal FY of Grant: 2008		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
					Original	Revised	Obligated	Expended	
AMP 004	Operations		1406		5,000	5,000			
	Police & Security Services		1408		45,800	45,800		11,937.17	In Progress
	Tenant Coordinator		1408		1,500	1,500			
	AMP Fees & Costs – A/E Services		1430		10,000	10,000			
6-13 N. Rocliffe	Range Outlet Upgrade		1460		10,000	10,000			
6-15 Fordney	Range Outlet Upgrade		1460		10,000	10,000			
6-16 Bennie Costa	Range Outlet Upgrade		1460		10,000	10,000			
6-16 Bennie Costa	Roof Replacement		1460		50,000	50,000			
6-17 Riley	Range Outlet Upgrade		1460		10,000	10,000			
	Apartment Appliances		1465		5,000	5,000			
AMP 004 Totals					157,300	157,300			
AMP 005	Operations		1406		7,500	7,500			
	Elder Service Contract		1408		5,100	5,100			
	Elder Service Coordinator		1408		17,000	17,000		2,329.94	In Progress
	Police & Security Services		1408		68,700	68,700		4,253.85	In Progress
	Tenant Coordinator		1408		2,250	2,250			
	AMP Fees & Costs – A/E Services		1430		20,000	20,000			
6-4 Oak Village	Parking Area Upgrades		1450		50,000	50,000			
	Comm. Bldg. Floor Replacement		1470		10,000	10,000			
	Comm. Bldg. Air Conditioning		1470		10,000	10,000			
6-5 O'Brien	Parking Area Upgrades		1450		50,000	50,000			
	Fire Alarm System Upgrade		1460		40,000	40,000			
	Sprinkler System Upgrade		1460		10,000	10,000			
6-6 Holmes	Comm. Room Bathroom Upgrade		1460		10,000	10,000			
	Security Camera System		1460		40,000	40,000			
	Window Glazing		1460		10,000	10,000			
	Fire Alarm Upgrade		1460		40,000	40,000			
	Sprinkler System Upgrade		1460		10,000	10,000			
	AMP Wide Apartment Appliances		1465		5,000	5,000			
	AMP Snow Removal/Power Equipment		1475		20,000	20,000			
AMP 005 Totals					425,550	425,550			

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

PHA Name: Fall River Housing Authority		Grant Type and Number Capital Fund Program Grant No: MA06-P006-50108 Replacement Housing Factor Grant No:					Federal FY of Grant: 2008		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost Original	Revised	Total Actual Cost Obligated	Expended	Status of Work
AMP 006									
	Operations		1406		8,500	8,500			
	Elder Service Contract		1408		5,550	5,550			
	Elder Service Coordinator		1408		18,500	18,500			
	Police & Security Services		1408		77,860	77,860		4,963.46	In Progress
	Tenant Coordinator		1408		2,550	2,550			
	AMP Fees & Costs – A/E Services		1430		20,000	20,000			
6-7 Oliveira	Parking Lot Improvements		1450		50,000	50,000			
	Kitchen Lighting Upgrades		1460		10,000	10,000			
	Security Camera System		1460		40,000	40,000			
	Building Exterior Repairs		1460		50,000	50,000			
	Fire Alarm Upgrade		1460		40,000	40,000			
	Sprinkler System Upgrade		1460		10,000	10,000			
6-10 Cottell	Bldg. Concrete Canopy Repair		1460		20,000	20,000			
	Fire Alarm Upgrade		1460		40,000	40,000			
	Comm. Room Upgrade		1460		10,000	10,000			
	Common Area Upgrades		1460		20,000	20,000			
	DHW Tank Replacement		1460		50,000	50,000			
	Building Exterior Repairs		1460		50,000	50,000			
	Sprinkler System Upgrade		1460		10,000	10,000			
	Security Camera System		1460		40,000	40,000			
6-11 Mitchell	Sprinkler System Upgrade		1460		10,000	10,000			
	Security Camera System		1460		40,000	40,000			
	Fire Alarm Upgrade		1460		40,000	40,000			
	Common Area Upgrades		1460		10,000	10,000			
	Roof Replacement		1460		50,000	50,000			
	Building Air Handler Replacement		1460		10,000	10,000			
	AMP Wide Apartment Appliances		1465		10,000	10,000			
AMP 006 Totals					742,960	742,960			

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

PHA Name: Fall River Housing Authority		Grant Type and Number Capital Fund Program Grant No: MA06-P006-50108 Replacement Housing Factor Grant No:					Federal FY of Grant: 2008		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
					Original	Revised	Obligated	Expended	
AMP 007									
	Operations		1406		6,500	36,500			
	Elder Service Contract		1408		4,350	4,350			
	Elder Service Coordinator		1408		14,500	14,500			
	Police & Security Services		1408		59,540	90,359		36,956.44	In Progress
	Tenant Coordinator		1408		1,950	1,950			
	AMP Fees & Costs – A/E Services		1430		20,000	20,000			
6-8 Medeiros	Parking Lot Improvements		1450		50,000	50,000			
	Common Area Bath (Lobby Level)		1460		10,000	10,000			
	Common Area Upgrades (Lower Level)		1460		10,000	10,000			
	Trash Compactor Room Doors		1460		20,000	20,000			
	Common Area Upgrades		1460		30,000	30,000			
	Building Exterior Lighting Upgrades		1460		10,000	10,000			
	Apartment Baseboard Cover Replace		1460		10,000	10,000			
	Apartment Bathroom Faucet Replace		1460		10,000	10,000			
	Cold Water Supply Riser Replace		1460		30,000	30,000			
	Building Exterior Repairs		1460		50,000	50,000			
	Sprinkler System Upgrade		1460		10,000	10,000			
	Security Camera System		1460		40,000	40,000			
	AMP Wide Apartment Appliances		1465		10,000	10,000			
AMP 007 Totals					396,840	457,659			
Authority Wide									
	Central Office Cost Center Fee		1410		269,121	269,121			
A. W. Totals					269,121	269,121			

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

PHA Name: Fall River Housing Authority	Grant Type and Number Capital Fund Program No: MA06-P006-50108 Replacement Housing Factor No:	Federal FY of Grant: 2008

Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised 1	Actual	Original	Revised 1	Actual	
MA6-01 SUNSET HILL	09/30/10	6/12/2010		09/30/12	6/12/2012		
MA6-02 HERITAGE	09/30/10	6/12/2010		09/30/12	6/12/2012		
MA6-03 DIAFERIO	09/30/10	6/12/2010		09/30/12	6/12/2012		
MA6-04 OAK VILLAGE	09/30/10	6/12/2010		09/30/12	6/12/2012		
MA6-05 O'BRIEN	09/30/10	6/12/2010		09/30/12	6/12/2012		
MA6-06 HOLMES	09/30/10	6/12/2010		09/30/12	6/12/2012		
MA6-07 OLIVEIRA	09/30/10	6/12/2010		09/30/12	6/12/2012		
MA6-08 MEDEIROS	09/30/10	6/12/2010		09/30/12	6/12/2012		
MA6-10 COTTELL	09/30/10	6/12/2010		09/30/12	6/12/2012		
MA6-11 MITCHELL	09/30/10	6/12/2010		09/30/12	6/12/2012		
MA6-13 N. ROCLIFFE	09/30/10	6/12/2010		09/30/12	6/12/2012		
MA6-15 FORDNEY ST	09/30/10	6/12/2010		09/30/12	6/12/2012		
MA6-16 BENNIE COSTA	09/30/10	6/12/2010		09/30/12	6/12/2012		
MA6-17 RILEY PLAZA	09/30/10	6/12/2010		09/30/12	6/12/2012		

Housing and Community Development Needs

Housing and Community Development Needs from 2005 Consolidated Plan

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.

We have reviewed the City of Fall River Consolidated Plan and we feel that we are in compliance. Specifically the Consolidated Plan identified specific populations with special needs and our housing stock and programs meet the needs of these populations as identified below or other providers are meeting the needs;

1) Elderly and Frail Elderly

The population over 65 years of age is considered elderly and presents four main concerns:

- **Income:** People over 65 are usually retired and living on a fixed income
- **Health Care:** Due to the higher rate of illness, health care is important
- **Transportation:** Many seniors use public transit
- **Housing:** Many live alone and many rent

2) Persons with Disabilities

Disability is a mental or physical condition that affects the functioning of a person. Physical disabilities can hinder access to conventional housing units. Mental and developmental activities can affect a person's ability to keep his/her housing. Moreover, physical and mental disabilities can prevent persons from earning adequate income. Therefore, persons with disabilities are more vulnerable and are considered a group with special housing needs. Special housing needs for persons with disabilities fall into two general categories: physical design to address mobility impairments and social, educational, and medical support to address developmental and mental impairments.

The City of Fall River offers various programs for disabled residents:

- The City of Fall River's Consumer Protection Office funded in part by the States Attorney General's office was established to coordinate City compliance with the federal Americans with Disabilities Act (ADA). The City has designed a compliance strategy to achieve the goal of being an "accessible" city.
- The City of Fall River's Building Inspector responds to complaints regarding the state building code (Title-24) for access violations affecting persons with disabilities for non-City owned facilities within the City.

- The Fall River Community Development Agency provides a rehabilitation loan and grant program for repairs and improvements needed for disability access.

3) Female Heads of Households

Single-parent households are likely to have special needs for housing near day care and recreation facilities and to have access to public transportation. Households headed by females are especially likely to need assistance because women continue to earn less on average than men do in comparable jobs. Low-income female heads of households with children experience additional burden when combined with limited transportation resources. Low-income workers, especially female heads of household with children, have unique travel patterns that may prevent them from obtaining work far from home. Women in general are disproportionately responsible for household-supporting activities such as trips to the grocery store or to accompany young children to and from schools.

4) Persons with HIV Infection and AIDS

For persons living with HIV/AIDS, access to safe, affordable housing is as important to their general health and well being as access to quality health care. For many, the persistent shortage of stable housing is the primary barrier to consistent medical care and treatment.

5) Transitional Housing

Transitional housing is supportive housing used to facilitate the movement of homeless individuals and families to permanent housing. The housing may be a congregate living facility or scattered-site units. Homeless persons can stay in transitional housing for up to 24 months and receive supportive services that enable them to live more independently. These resources can serve especially vulnerable and/or disabled populations who need extra assistance in preparing for the demands of more independent living. The FRHA has applied for and received a grant from the Commonwealth of Massachusetts to implement a Transitional Housing Program using state public housing sites for the program. In addition the City has the following resources.

(1) LOFT (Living Opportunities for Families in Transition) (Residential Care Consortium) provides units of scattered-site transitional housing to 10 families, who usually have transitioned out of a shelter.

(2) Transition House (Steppingstone, Inc.) provides 10 individual units of project-based rental assistance for men and women with histories of substance abuse, mental health issues and domestic violence.

(3) Steppingstone, Inc. also offers 40 transitional beds for individuals and families in their residential substance abuse treatment programs.

(4) Respite Care (May Mental Health) provides 6 individual transitional beds for individuals with mental illness.

(5) Gentle Arms (Salvation Army) provides a group home residence for up to 5 homeless teen moms and 10 children. Some residents are victims of domestic abuse. The mother may stay until her 20th birthday.

(6) St. Francis House (Catholic Social Services) provides congregate housing for up to 5 formerly incarcerated females, assisting them in the transition to life outside of prison.

All transitional housing programs provide case management and assistance in accessing public benefits, and access to or referrals for housing search, substance abuse counseling, health and mental health care, and education and job training. The transitional housing programs have a total of 101 beds available each night.

Housing Market Analysis

Characteristics of Market Conditions

This section provides a general overview of the current housing market in Fall River. It is based on a review of 2000 Census data, analysis of locally generated data and consultation and interview with local real estate professionals. Included is a description of the housing stock and an analysis of housing affordability.

Housing Supply

The 2000 Census reported a total of 41,857 year round housing units in Fall River. Of those, 19.8% were single units-detached housing, 1.4% were single units- attached housing, and 78.5% were multifamily units. Only 0.1% of housing in Fall River is in the category of mobile home. Table 3-20 presents the distribution of the City's housing by type.

Public and Assisted Housing

Development of affordable housing in a market such as Fall River typically requires multi-layering of financial assistance from local, state, and federal levels. This section describes the key players and major funding programs for affordable housing development. Public and assisted housing projects are spread through out the city, however, some are located in low and moderate-income areas. Single-family assisted units are also mixed well within the city however clusters of single family development has risen over the past few years and are primarily located on the outskirts of the city.

Public Housing

The Fall River Housing Authority (FRHA) has ownership of 2,491 units in 28 developments, including 1,129 elderly-disabled units in 11 developments (Cottell apartments, Holmes Apartments, O'Brien Apartments, Oliveira Apartments, Doolan Apartments, Bishop Eid Apartments, Bates-Tower Apartments, Medeiros Towers, Mitchell Heights, Barresi Heights and Oak Village).

Also, 1,322 family units in 10 developments (Sunset Hill, Heritage Heights, Watuppa Heights, Bennie Costa Plaza, Riley Plaza, North Rocliffe Apartments, Fordney Apartments, Hillside Manor, Pleasant View, and Maple Gardens).

The FRHA also has 40 units for the handicapped in five (5) developments located at Bates and Orswell Streets, Highland Avenue, Bullock Street, Ray and Stanley Streets, and Elmer and Corbett Streets. There were 135 vacant units (5.41% of total) among the FRHA inventory in February of 2005. The units generally were vacant for water or fire damage repairs, routine rehabilitation, and a very high rate of turnover.

The waiting lists contain the names of households seeking family units-1,536 in state developments and 2,550 for federal facilities, and elderly-153 for state-assisted units and 92 for federal.

Restoration and Revitalization Needs

With an average age of **44 (overall)** years, **(federal = 46)** the FRHA had a housing stock in need of considerable modernization and rehabilitation efforts to bring the units into excellent condition. Since the advent of the Capital Funds Grants, in 1992, the FRHA has been able to meet the ongoing needs for Modernization in its Federally-Assisted Public Housing Developments. The Chart Shown below details the funding received by the FRHA since the inception of the CFP Grants that significantly extend the life expectancy of the properties.

Table 3-23

Capital Funds Grants received by the Fall River Housing Authority	
Year	**Dollar Amount**
1992	3,280,325
1993	3,920,125
1994	4,077,776
1995	4,091,022
1996	3,528,180
1997	3,110,612
1998	3,205,505
1999	3,724,226
2000	3,312,892
2001	3,387,935
2002	3,244,981
2003	2,989,548

2004	2,859,263
2005	2,859,263 *
TOTAL	**47,591,653**

* Estimated Funding

The long-term modernization strategy has met mandated items of energy conservation, physical accessibility, lead-based paint testing, and code enforcement, and the scheduling of other work items in keeping with priorities as developed by the FRHA and its residents.

The funding proposed for years 2006 though 2009 is detailed in the chart shown below:

Table 3-24

Fall River Housing Authority's Proposed Modernization Funding				
Site	**2006**	**2007**	**2008**	**2009**
Sunset Hill	977,068	225,000	507,123	850,000
Heritage Heights	0	7,500	0	277,000
Diafario Village	243,000	189,500	484,550	184,000
Oak Village	57,500	7,500	15,000	35,000
O'Brien Apts	0	87,500	0	62,500
Holmes Apts	40,000	141,500	0	37,500
Oliveira Apts	217,000	175,500	0	20,000
Medeiros Towers	342,250	743,861	657,920	72,500
Cottell Heights	155,325	116,000	292,550	205,500
Mitchell Heights	75,000	103,000	150,000	22,500
No. Rocliffe Apts	20,000	3,500	0	25,000
Fordney Apts	20,000	82,000	20,000	0
Costa Plaza	0	252,282	0	0
Riley Plaza	0	12,500	20,000	355,643
PHA Wide	712,120	712,120	712,120	712,120
TOTAL	**$2,859,263**	**$2,859,263**	**$2,859,263**	**$2,859,263**

Revitalization needs at the State developments are many and can be catalogued as follows:

- Comprehensive modernization (kitchen, bathroom, roofing, windows, siding etc.)
  - Pleasant View
  - Maple Gardens
  - Corky Row
- Kitchen/Bathroom renovations
  - Francis J. Barresi Heights
  - Edward F. Doolan Apartments
- Window Replacement
  - Edward F. Doolan Apartments
  - Chor Bishop Joseph Eid Apartments
- Roofing Repair/Replacement
  - Bates/Tower Development

Comprehensive modernization of Pleasant View is in the final design phase and the project is a scheduled to be bid this year. The Fall River Housing Authority is working with the Department of Housing and Community Development (DHCD) to try to address the other needs. The Map(3-3) below indicates the location of both Federal and State Housing Projects,

The State Department of Housing and Community Development has earmarked funding for major renovations to Pleasant View (131 units). The FRHA Board of Commissioners has voted to complete the design for such major renovations as kitchen and bathroom rehabilitation, flooring, painting, and handicap accessibility measures. The cost of the work is estimated at $14million.

Section 504 (ADA) Needs Assessment: Pursuant to Section 504 of the Americans with Disabilities Act (ADA), FRHA conducted a Section 504 needs assessment on its public housing stock and continues to pursue improvements to the units in compliance with ADA requirements

The FRHA has completed its work schedule to bring its housing stock in compliance with Section 504 requirements. That schedule included upgrading of fire alarms and elevators and apartment at Sunset Hill, Oak Village, Medeiros Towers, Bennie Costa Plaza and O'Brien, Holmes, Oliveira, Cottell, and Mitchell Apartments. Comprehensive Grant Program funds were utilized for completion of the work.

The FRHA also undertook a self-evaluation of policies and practices and implemented a transition plan to effect modifications where conflicts with Section 504 requirements existed.

Public Housing Resident Initiatives

Public housing resident participation was maximized with enactment of a Memorandum of Understanding between the Fall River Housing and the Fall River Joint Tenants Council, Inc., a citywide organization representing all public housing residents.

The memorandum defines the partnership process and outlines monitoring and evaluation roles for the resident planning group, and schedules quarterly meetings for progress reports on the Comprehensive Grant Program performance and to obtain resident input and comments regarding activities. The FRHA administers and sponsors many resident initiatives, including:

- Contracted security with the Fall River Police Department
- Recreational services for youth and elderly
- Youth tutorial/reading enrichment program
- Youth sports program
- LPN assessment of elderly/disabled residents
- Resident job training
- Head Start day care
- Drug prevention/education programs
- Surplus food distributions
- Nutrition programs for elderly/disabled

- On-site medical clinics
- On-site WIC Programs
- On-site Early Childhood Development Program
- First Time Homebuyers Program

A substantial part of the FRHA management improvement funding is dedicated to activities of major concern to public housing residents; other management improvements are linked to public housing management assessment priorities and other improvements to enhance the general public housing neighborhood.

Management and Operating Strategy

The FRHA conducted a general meeting for residents of all federal-aided developments and a Public Hearing to review activities planned within the Comprehensive Grant Program and listed planned improvements at those developments. Resident input at these sessions represents an integral tool in development of programs, activities and improvements for public housing residents.

1. **Comprehensive Grant Developments:** Among the public housing developments participating in the Comprehensive Grant Program are Sunset Hill, Heritage Heights, Diafario Village, Oak Village, O'Brien Apartments, Holmes Apartments, Oliveira Apartments, Medeiros Towers, Cottell Heights, Mitchell Heights, North Rocliffe Apartments, Fordney Apartments, Costa Plaza, and Riley Plaza.

2. **Coordinated Activities:** The position of Minority Community Liaison, jointly supported by CDBG and FRHA funds, was established to assist local agencies and organizations in meeting the specialized needs of minority populations and other residents of public housing. CDBG funds also support an after-school tutoring program made available for public housing tenants of school age who are considered to be academically at risk.

3. **Health Prevention:** Prevention health and flu inoculation clinics are made available through the HEALTHfirst Family Care Center, a CDBG supported health center, at public housing for the elderly developments and the WIC Program, also administered by HEALTHfirst, is outstationed on a regular basis to service residents of Pleasant View.

4. **Recreation:** The Community Development Recreation Program's schedule includes activities at public housing locations.

The Fall River Council on Aging provides transportation assistance to public housing tenants. Health Department nurses offer prevention screening clinics the Public Schools offer Early Childhood Development programs to public housing tenants, the city budget underwrites the nursing staff costs at Cardinal Medeiros Towers, and fire and crime prevention seminars regularly are scheduled by the Fall River Fire and Police Departments.

Citizens For Citizens, Inc., the local CAP agency, makes the Head Start Program available to public housing families.

With the practice of increasing rental levels as family income increases, working families traditionally have moved away from public housing. Initial consideration is being given by the FRHA to implementation of a program establishing a ceiling on rental limits for tenancy as a means of retaining and attracting working families in public housing. Effective April 1, 2005 these rents will be.

Table 3-25

2005 Fall River Housing Authority Rent Caps				
FAMILY DEVELOPMENTS				
Bedrooms	Sunset Hill	Heritage Heights	Diafario	Turnkeys
1BR	$300	$325	$385	$385
2BR	$355	$385	$440	$440
3BR	$385	$415	$470	$470
4BR	$415	$440	$505	$505
5BR	$530	$555	$625	$625

ELDERLY DEVELOPMENTS	
Bedroom Categories	Rent
0BR	$325
1BR	$415
2BR	$470

The program would feature an economic development element, designed in close association Fall River Public Schools and other public and private entities, placing emphasis on job training, working skills, and career development for tenants.

The Fall River Housing Authority annual contribution contracts with the Massachusetts Rental Voucher Program provides for 25 mobility units, 13 units at three apartment complexes, 36 Department of Mental Health/Rental Assistance Program subsidies and 53 Alternative Housing Voucher Program units.

The South Shore Housing Development Corporation, a regional non-profit corporation, manages 36 Section 8 vouchers and 84 moderate-rehabilitation certificates and one Massachusetts Rental Voucher in the City.

The state rental voucher program is being phased out as the Commonwealth is retreating from its programs addressing housing needs. No new vouchers are being issued and those surrendered for any reason are not available for new users.

There are nine other privately-owned facilities in the city where 1,015 households are assisted by federal and/or state resources. The contracts of two are due to expire within the next five years. The City is very much concerned and follows closely any plans for prepayment or voluntary termination of federal or state mortgages on these facilities with a subsequent loss of affordable housing.

Supportive Services for Public Housing Residents

As part of the Consolidated Plan, the City must address the non-housing needs of public housing residents. Such needs may include revitalization of neighborhoods surrounding the public housing projects, drug elimination and anti-crime strategies at public housing projects, and other supportive services. FRHA partners with community organizations to implement a variety of programs designed to enhance and improve the lives of public housing residents.

Subsidized Housing Waiting Lists

Because of the desirability of subsidized housing in Fall River, there is insufficient rental assistance available to meet the needs of those persons on the waiting lists with the Fall River Housing Authority.

Separate lists are maintained for elderly housing, family housing, and the Housing Choice Voucher Program. The current lists remain open on a regular basis. Applications for Section 8 assistance are accepted continually and the FRHA is a participant in the Massachusetts NAHRO Centralized Waiting list.

Following is the waiting lists, as of February 28, 2002:

Federal family	2,550
State family	1,536
Section 8	2,680
State elderly	153
Federal elderly	92

It is an objective of the FRHA to ensure that families are placed in proper order on a waiting list so that an offer of assistance to any family is not delayed or made prematurely to any family. The FRHA has adopted a Tenant Selection and Assignment Plan that uses local preferences weighted highest to lowest and which reflect priorities by need as well as local concerns and which require verification at the time of offer.

The HA uses these Local Preferences for its public housing sites, which are weighted highest to lowest in the following order, reflect priorities by need as well as local concerns, and require verification at the time of offer:

1. Emergency Cases - applicants displaced by Fire, Natural Disaster, or Government action, including applicants in units determined to be uninhabitable by competent local authority shall be housed as an emergency case. Applicants granted emergency status will be housed in the next available unit appropriate for the family size. This will include families being displaced to the presence of Lead Paint that has been determined to be hazardous to a young child. Fall River Residents will be chosen before non-Fall River Residents within this category.

2. Residency preference for families who are residing in the City of Fall River, or have at least one adult member who works or has been hired to work, or is attending an educational or training program full-time in the City of Fall

River, provided that no household member is currently living in subsidized or low income housing, or has lived in such assisted housing during the previous six months.

3. Working/Educational/Training preference for (a) families with at least one adult who is employed a minimum of 32 hours weekly and has been employed for at least three months, (b) families with at least one adult who is a full-time participant in an educational or training program designed to prepare the individual for the job market. Pursuant to 24 CFR 960.206(b)(2), this preference shall also be available to families in which the head and spouse or sole member is age 62 or older or is a person with disabilities.

4. A family who is suffering from Domestic Violence (including sexual abuse) by a spouse or other family member.

5. All other applicants

Administrative Transfers will be made after emergency cases.

The HA uses these Local Preferences, in its Section 8 HCVP, which are weighted highest to lowest in the following order, reflect priorities by need as well as local concerns, and require verification at the time of offer:

1. Resident of the City of Fall River paying 40% or more of their income for rent. This also includes the applicants on the Centralized Waiting List at showing a Rent Burden of 50%.

2. Residency preference for families who are residing in the City of Fall River, or have at least one adult member who works or has been hired to work, provided that no household member is currently living in subsidized or low income housing, or has lived in such assisted housing during the previous six months. No applicant living in a Federally subsidized Public Housing Project will be denied this preference. This includes applicants that show Fall River as their residence or place of employment as being the City of Fall River.

3. Working preference for families with at least one adult who is employed a minimum of 32 hours weekly and has been employed for at least three months. Pursuant to 24CFR982.207(b)(2) this preference shall also be available to families in which the head and spouse or sole member, are age 62 or older or is a person with disabilities.

4. A family who is suffering from Domestic Violence (including sexual abuse) by a spouse or other family member.

5. Disabled/handicapped families under the age of 62. (The HA will select 15% of those receiving assistance from this category. This 15% includes those disabled/handicapped families under the age of 62 that are selected under preferences 1, 2, 3 or 4). The intent of this preference is to assure that 15% of those selected are handicapped.

6. All other families subject to the income limits of the program.

7. Families at or below 30% of the current income limits as published by HUD.

For every seven families with a Residency preference who are offered assistance, the next highest ranked eligible family without a Residency preference shall be offered assistance.

If the FRHA develops a program that is targeted for specifically named families, the HA will admit these families under a Special Admission procedure.

Special admissions families will be admitted outside of the regular waiting list process. They do not have to qualify for any preferences, nor are they required to be on the program waiting list. They are not counted in the limit on non-federal preference admissions. The HA maintains separate records of these admissions.

The following are examples of types of program funding that may be designated by HUD/FRHA/DHCD for families living in a specified unit:

1. A family displaced because of demolition, disposition, discontinuation or loss of funding of a federal or state public housing project or program;

2. A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;

3. For housing covered by the Low Income Housing Preservation and Resident Homeownership Act of 1990;

4. A family residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term; and

5. A non-purchasing family residing in a HOPE 2 project.

Suitable for Special Groups

All housing in Fall River is available to any individual or family without regard to race, religion, ethnicity, family status, or disability. There are 1,837 units (570 privately-owned and 1,267 publicly-owned), specifically for elderly and disabled persons. Of this number, 358 units are designed to be wheelchair accessible. Also, 40 units of public housing are designed specifically for the physically handicapped.

Tenant-Based Rental Housing Assistance

FRHA offers a rental assistance voucher program for lower-income residents. As of February 2005, 2,220 households in the City of Fall River were receiving Section 8 assistance through FRHA.

Project-Based Section 8 Contracts

Project-based Section 8 contracts provide rental assistance that is tied to a rental development (unlike vouchers that are tied to the tenants).

Identified Impediments and Resolutions

CDA relied heavily on the recently completed 2005 Analysis of Impediments (AI) conducted by the Community Housing Resource Board, Inc. (CHRB) to identify the barriers to affordable housing recognized in that report.

Five major impediments were found since the 2001 AI. Three were recurring and continue to be addressed but remain as impediments. Two new impediments were identified and are being addressed. Actions taken to minimize these impediments are highlighted below and are in some cases more fully described within this document and the City's Annual Plan.

- **Impediment 1**: Need for another viable CHDO to rehabilitate current housing stocks and to provide additional affordable housing opportunities for citizens of Fall River.

  Resolution 1: The Community Housing Resource Board, Inc. (CHRB) a 501(c)3 non-profit corporation has now been certified by the City of Fall River as a Community Housing Development Organization (CHDO). To date the CHRB with the assistance of CDA has acquired a 4-story masonry building and leased the property to Steppingstone, Inc., which opened emergency shelters for 8 single males and 6 single females, collectively called First Step Inn.. Also located within the facility is the Stone Residence, a new permanent supportive housing project for 23 chronically homeless and disabled individuals. In addition, the CHRB as a CHDO is in the final rehabilitation stages for completion of 11 affordable housing units on Hartwell Street in Fall River. The CHRB will continue, as its main focus, to provide opportunities to develop and maintain affordable housing within the City.

- **Impediment 2**: Age of City of Fall River's Housing Stock. A majority of the city's housing stock was built prior to 1939. This suggests a strong need for rehabilitation and lead paint removal in a large portion of Fall River's housing stock. This also suggests that improvements and adaptation would be needed for individuals with disabilities.

  Resolution 2: CDA has created marketing campaigns (radio, print, direct mail and flyers posted in public areas ("Start Today – Call CDA") to heighten awareness of its rehabilitation program. Rehabilitation loans are deferred for one year with an interest rate of 3%. If lead paint removal, asbestos removal or handicap accessibility is involved, the borrower may receive $7,500 per unit up to $30,000 per property, deferred until granted as long as the borrower remains in compliance with the loan and its housing restrictions. In conjunction, the HOME Program requires Energy Star standards during substantial rehabilitation and new construction.

- **Impediment 3**: Application and denial rates for minority mortgage applicants. Denial rates for minority applicants remained at almost double the denial rates for white applicants during 2000-2003. In addition, applications received from low-

income census tracts represents only a very small percentage of the total applications filed (less than 1%). This lack of activity begs the question as to the adequacy of outreach efforts of local lending institutions to market their product offerings in low-income census tracts and to low-income and minority residents.

Resolution 3: The CHRB will communicate directly with local lending institutions to help them broaden their outreach efforts in underserved areas within the city. With the expansion of the duties of the CHRB, regular consumer education programs (pre and post purchase homebuyer counseling) targeted toward minority, low-income and first time homebuyer's will be held on an ongoing basis with strong participation from the area lending community. CDA has been promoting the ADDI program (radio, print, direct mail and flyers posted in public areas), which can provide eligible residents with down payment assistance of $10,000 or 6% of the sales price, whichever is greater, to qualified first-time homebuyers. The loan is deferred until granted as long as the borrower remains in compliance with the loan, primary residency and housing restrictions. CDA is willing to work with any non-predatory lender.

- **Impediment 4**: Improvement of public housing including the provision of supportive services.

  Resolution 4: As part of the Consolidated Plan, the City must address the non-housing needs of public housing residents. Such needs may include revitalization of neighborhoods surrounding the public housing projects, drug elimination and anti-crime strategies at public housing projects, and other supportive services. FRHA partners with community organizations to implement a variety of programs designed to enhance and improve the lives of public housing residents.

  Pursuant to Section 504 of the Americans with Disabilities Act (ADA), FRHA conducted a Section 504 needs assessment on its public housing stock and continues to pursue improvements to the units in compliance with ADA requirements.

  The long-term modernization strategy has met mandated items of energy conservation, physical accessibility, lead-based paint testing, and code enforcement, and the scheduling of other work items in keeping with priorities as developed by the FRHA and its residents.

  The Fall River City Council recently voted unanimously to demolish the Watuppa Heights housing project, a 50-year old, 100-unit complex, which will be replaced by the construction of 26 affordable single family homes. The Housing Improvement Plan calls for Watuppa Heights residents to receive equal or better housing including the opportunity to purchase these new units.

  The Fall River Housing Authority continuously updates and rehabilitates its units. Cardinal Medeiros Towers is scheduled to be partially converted to an assisted-living facility with 24-hour supportive services.

- **Impediment 5**: Residents need for additional information about fair housing.

Resolution 5: The Community Housing Resource Board (CHRB) is a non-profit agency funded with Community Development Block Grant money. CHRB provides assistance to tenants and landlords with fair housing issues. Each client is provided with information regarding fair housing laws and given direction for assistance. Providers of assistance include the Southeastern Massachusetts Legal Assistance for free legal advice, HUD or MCAD for complaints of discrimination, Minimum Housing and the Board of Health for complaints of State Sanitary Code violations.

CHRB distributes pamphlets regarding fair housing law and tenant/landlord relations, the pamphlet is available in English, Spanish, Portuguese and Khmer.

The CHRB also provides group counseling sessions and workshops for homeless shelter clients.

CHRB promotes these sessions and workshops through letters, flyers, and word-of-mouth. There are mini-posters available stating "Fair Housing is the Law" in English, Spanish and Portuguese.

CHRB publishes a "Fair Housing and Equal Opportunity Policy Statement" daily in *The Herald News*. Multi-lingual "Fair Housing is the Law" advertisements have appeared on city buses in Fall River. Also, CHRB has created and has available for sale the **Property Management Manual**, a guide for landlords, property managers, tenant groups, real estate agencies, and community development agencies. It is promoted through news articles and the Greater Fall River Association of Realtors.

Quarterly, CHRB publishes advertisements stating "The City of Fall River Supports U.S. Fair Housing Law" in *The Herald News*, *O Jornal* (a local, weekly Portuguese newspaper), and *The Tribune* (a local, biweekly newspaper). Monthly, CHRB publishes articles on different fair housing issues in *Footprints*, the publication of Fall River's Council on Aging.

CHRB, along with the Community Development Agency and the City of Fall River, promotes April as Fair Housing Month with articles, advertisements, and the presentation of a proclamation and resolution to CHRB by the Mayor of Fall River.

CHRB is active on the Fall River Coalition for the Homeless and also participates in other social service networking and promotional activities.

PUBLIC HEARING FOR FEDERALIZATION OF STATE-AIDED DEVELOPMENTS – AMENDMENT TO 2009 AGENCY PLAN

WEDNESDAY, NOVEMBER 4, 2009
3:00 P.M.

The Fall River Housing Authority (FRHA), pursuant to Federal Guidelines, appointed the City-wide legal representation of the developments--the Fall River Joint Tenants Council, Inc. (JTC)--as the Resident Advisory Board (RAB).

The members of the RAB are as follows:

William H. King, Public Housing
Bette Ann Lavoie, Public Housing
Muriel Berryman, Public Housing
Donald Keyser, Public Housing
John English, Public Housing
Rosemary Cutler, Public Housing
Joseph Souza, Public Housing
Maitz Perez, Public Housing
Adeline Adams, Public Housing
Charles Turcotte, Public Housing
Robert Tetrault, Public Housing
Irene Echard, Public Housing
Jack Cooper, Mass. Union of Public Housing Tenants
Margarita Morales, Mass. Union of Public Housing Tenants
Susan Hayes, Section 8, Tenant Based
Lisa Copeland, Section 8, Tenant Based

AGENCY PLAN PUBLIC HEARING AMENDMENT TO 2009 AGENCY PLAN FOR FEDERALIZATION OF STATE-AIDED DEVELOPMENTS --The Fall River Housing Authority was required to conduct a Public Hearing for the submission of the application for the federalization of state-aided developments. **The Public Hearing was conducted on WEDNESDAY, NOVEMBER 4, 2009, 3:00 P.M., in the James A. O'Brien, Sr. Apartments Community Hall.**

PUBLIC HEARING SUMMARY

The Public Hearing conducted to discuss the federalization of the following State-aided developments—Francis J. Barresi Heights, Fall River 667-1; Edward F. Doolan Apartments, Fall River 667-2; Chor-Bishop Joseph Eid Apartments, Fall River 667-3; Bates/Tower Apartments, Fall River 667-4; Pleasant View, Fall River 200-1 and various Corky Row Apartments, 705-2, was held in the Community Hall at James A. O'Brien, Sr. Apartments on the above-referenced date and time.

Twenty-seven (27) residents and Fall River Housing Authority staff were in attendance at the Public Hearing.

Thomas J. Collins, Jr., Executive Director opened the meeting by introducing himself and gave a very brief overview of the purpose of the Public Hearing, introduced the other members of the FRHA staff in attendance, including the Chairman of the Fall River Housing Authority Board of Commissioners, Leonard Aguiar; Daniel McDonald, Deputy Executive Director of Operations and Technology; Timothy Barrow, Director of Finance; Peter Proulx, Director of Facilities Management; Everett McGarty, Director of Modernization; James Comer, Director of Field Operations and Martha Gallagher, Executive Office Coordinator.

After the brief overview, Mr. Collins turned the meeting over to Mr. McDonald, who explained in detail the reason for the public hearing, the Authority's preparations for the submission of our request to the Department of Housing & Urban Development (HUD), and went over each section of the application process.

Mr. McDonald distributed copies of the revised PHA 5-Year and Annual Plan, which included the PHA's Mission; Goals and Objectives; PHA Plan Update; etc. In addition, a Federalization of State Units Summary was distributed and discussed in detail, including the benefits associated with the Plan, the requirements associated with preparing the State units slated for federalization and an explanation of how the PHA intends to address changes from State to Federal requirements and differences in discretionary policies. The last piece of information distributed and discussed was the HUD Form 50075.1--(Annual Statement/ Performance and Evaluation Report, Capital Fund Program, Capital Fund Program Replacement Housing Factor and Capital Fund Financing Program) report, outlining in detail how the monies from HUD would be utilized in these State units.

The attendees asked a number of questions, including how these changes would affect the current Federal elderly developments, and Mr. McDonald explained that no monies would be taken away from the Federal developments who already receive Capital Fund Program monies for modernization, etc. purposes.

Mr. McDonald further explained that it would be a win-win situation for all residents associated with the proposed changes and felt it would only benefit everyone involved should the application to HUD be approved.

Once all of the questions were answered, Mr. Collins invited the attendees to enjoy coffee and donuts provided by the Authority.

The Public Hearing was very well received and presented in such a way that everyone in attendance was able to voice their opinions, concerns and have their questions answered.

Mr. Collins closed the meeting by thanking everyone for their participation, hard work and interest in the Fall River Housing Authority.

Annual Statement/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
Expires 4/30/2011

Part I: Summary

PHA Name: Fall River Housing Authority	**Grant Type and Number** Capital Fund Program Grant No: **MA06-S006-50109** Replacement Housing Factor Grant No: Date of CFFP -	FFY of Grant: **FFY 2009 ARRA** FFY of Grant Approval

Type of Grant
___ Original Annual Statement ___ Reserve for Disasters/Emergencies __X_ Revised Annual Statement (revision no: 1)
__ Performance and Evaluation report for Period Ending: ___ Final Performance and Evaluation Report

Line	Summary by Development Account	Total Estimated Cost Original	Total Estimated Cost Revised (2)	Total Actual Cost (1) Obligated	Total Actual Cost (1) Expended	
1	Total non-CFP Funds					
2	1406 Operations (may not exceed 20% of line 20) (3)					
3	1408 Management Improvements	$175,000	$100,000			
4	1410 Administration (may not exceed 10% of line 20)	$360,000	$100,000			
5	1411 Audit					
6	1415 Liquidated Damages					
7	1430 Fees and Costs	$150,000	$75,000			
8	1440 Site Acquisition					
9	1450 Site Improvements	$25,000	$0			
10	1460 Dweling Structures	$2,890,065	$2,174,065			
11	1465.1 Dwelling Equipment - Nonexpendable					
12	1470 Non-dwelling Structures					
13	1475 Non-dwelling Equipment					
14	1485 Demolition					
15	1492 Moving to Work Demonstration					
16	1495.1 Relocation Costs					
17	1499 Development Activities (4)	$0	$1,151,540			
18a	1501 Collateralization or Debt Service paid by the PHA					
18b	9000 Collateralization or Debt Service paid Via System of Direct Payment					
19	1502 Contingency (may not exceed 8% of line 20)					
20	Amount of Annual Grant: (sum of lines 2 - 19)	$3,600,065	$3,600,605			
21	Amount of line 20 Related to LBP Activities					
22	Amount of line 20 Related to Section 504 Activities					
23	Amount of line 20 Related to Security - Soft Costs					
24	Amount of line 20 Related to Security - Hard Costs					
25	Amount of line 20 Related to energy Conservation Measures					

Signature of Executive Director	**Date**	**Signature of Public Housing Director**	**Date**

(1) To be completed for the Performance and Evaluation Report or a Revised Annual Statement
(2) To be completed for the Performance and Evaluation Report
(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: **Fall River Housing Authority**

Grant Type and Number
Capital Fund Program Grant No: **MA06-S006-50109**
Replacement Housing Factor Grant No.:

Federal FFY of Grant: 2009 ARRA

CFFP - (**No**)

Development Number Name/PHA Wide Activities	General Descitption of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised (1)	Funds Obligated (2)	Funds Expended (2)	
PHA-Wide	Police/Security	1408		$100,000.00	$100,000.00			
PHA-Wide	Administration	1410		$360,000.00	$100,000.00			
AMP 1 Sunset Hill	Tenant Coordinator(s)	1408		$75,000.00	$0.00			
AMP 1 Sunset Hill	Fees & Costs - AE	1430		$150,000.00	$75,000.00			
AMP 1 Sunset Hill	Site Improvements	1450		$25,000.00	$0.00			
AMP 1 Sunset Hill	Replace Windows	1460		$2,200,000.00	$1,574,065.00			
AMP 1 Sunset Hill	Replace Roofs (Flat and/or pitched)	1460		$690,065.00	$600,000.00			
	Barresi 1430 Pre-Development A/E	1499		$0.00	$8,940.00			
	Barresi 1450 Site - Parking Upgrades (504)	1499		$0.00	$60,000.00			
	Barresi 1460 Handrail Rehabilition and GFCI	1499		$0.00	$208,000.00			
	Barresi 1470 Common Area Rehabilitation (504)	1499		$0.00	$30,000.00			
	Doolan 1430 Pre-Development A/E	1499		$0.00	$9,120.00			
	Doolan 1450 Site Upgrades (504)	1499		$0.00	$74,000.00			
	Doolan 1460 Boiler Replacements & GFCI	1499		$0.00	$230,000.00			
	Bishop Eid 1430 Pre-Development A/E	1499		$0.00	$3,240.00			
	Bishop Eid 1450 Site Upgrade (504)	1499		$0.00	$8,000.00			
	Bishop Eid 1470 Common Area Rehabilitation (504)	1499		$0.00	$100,000.00			
	Bates & Tower 1430 Pre-Development A/E	1499		$0.00	$3,660.00			
	Bates & Tower 1460 2 -bedroom (504 Compliance)	1499		$0.00	$100,000.00			
	Bates & Tower 1470 Common Entry Rehab (504)	1499		$0.00	$22,000.00			
	Corky Row 1430 Pre-Development A/E	1499		$0.00	$1,440.00			
	Corky Row 1450 Site Rehabilitation	1499		$0.00	$48,000.00			
	Pleasant View 1430 Pre-Development A/E	1499		$0.00	$7,140.00			
	Pleasant View 1450 Site Improv. - Playgrounds	1499		$0.00	$238,000.00			
		Total		**$3,600,065.00**	**$3,600,605.00**			

(1) To be completed for the Performance and Evaluation Report or a Revised Annual Statement
(2) To be completed for the Performance and Evaluation Report

Part III: Implementation Schedule for Capital Fund Financing Program

PHA Name: **Fall River Housing Authority** **Federal FFY of Grant: 2009 ARRA**

Development Number/Name/PHA-Wide Activities	All Funds Obligated		All Funds Expended		Reasons for Revised Target Dates (1)
	Original Obligation End Date	Acutal Obigation End Date	Original Expenditure End Date	Actual Expenditure End Date	
AMP 1	3/18/2010		3/18/2012		
AMP 2	3/18/2010		3/18/2012		
AMP3	3/18/2010		3/18/2012		
AMP 4	3/18/2010		3/18/2012		
AMP 5	3/18/2010		3/18/2012		
AMP 6	3/18/2010		3/18/2012		

(1) Obligation and expenditure end date can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended.

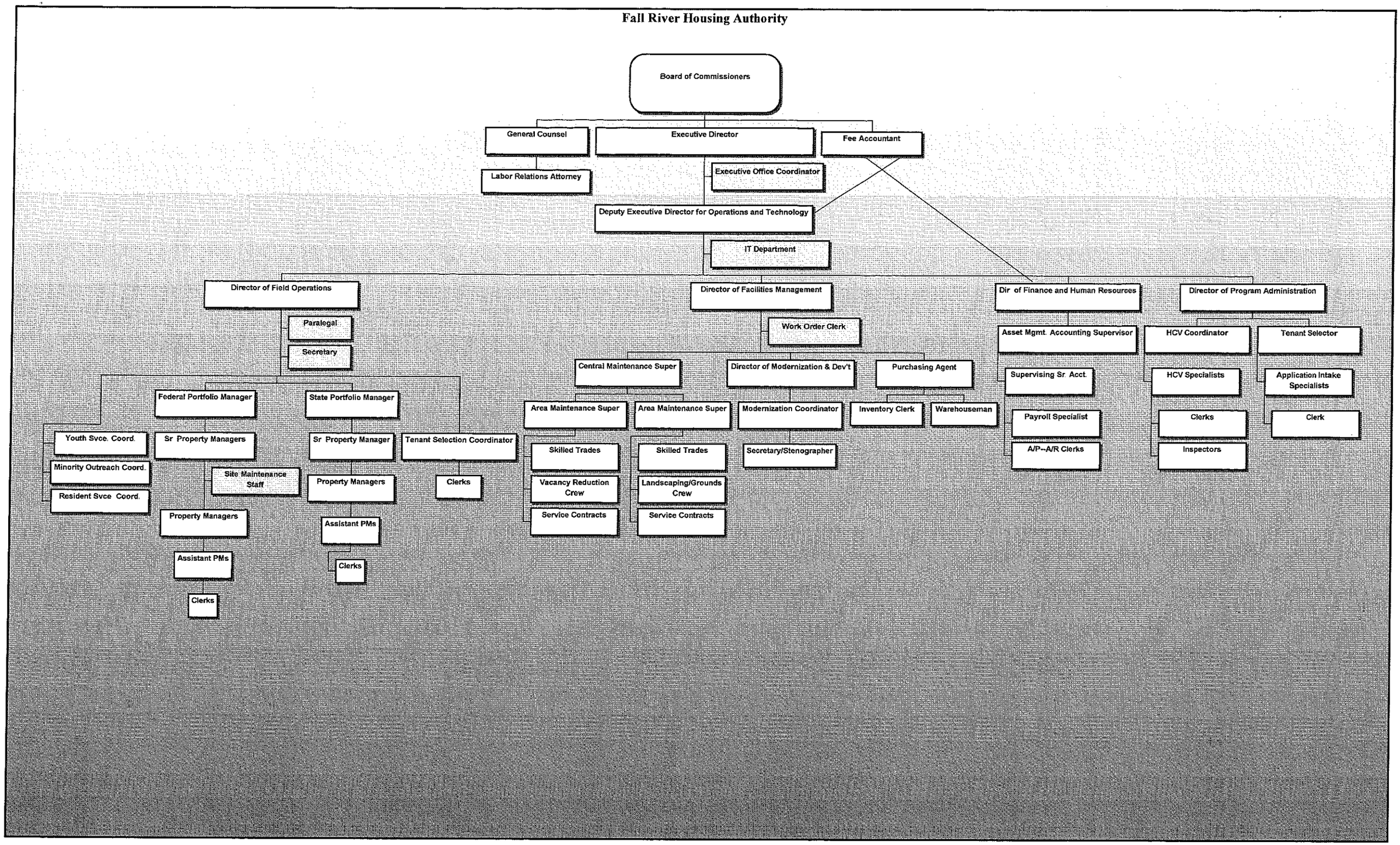
FALL RIVER HOUSING AUTHORITY

ATTACHMENT TO AGENCY PLAN

STATEMENT REGARDING RESIDENT BOARD MEMBERS

Pursuant to 24CFR 964 Subpart E the Mayor of the City of Fall River has appointed a Resident Board Member.

The Resident Board Member is John English and is a resident in our James A. O'Brien Apartment complex which is a Federally Subsidized public housing development.

As such we meet the requirements that the Resident Board Member is a person: (1) Who is directly assisted by a public housing agency; (2) Whose name appears on the lease; and (3) Is eighteen years of age or older.

Fall River Housing Authority