

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. Contained in Strategic Plan
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 Strategic Plan (b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA’s definition of “significant amendment” and “substantial deviation/modification” See ACOP

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, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights) (b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only) (c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only) (d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only) (e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (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, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only) (i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)
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This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced 5-Year and Annual PHA Plans. The 5-Year and Annual PHA plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form is to be used by all PHA types for submission of the 5-Year and Annual Plans to HUD. Public reporting burden for this information collection is estimated to average 12.68 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality

Instructions form HUD-50075

Applicability. This form is to be used by all Public Housing Agencies (PHAs) with Fiscal Year beginning April 1, 2008 for the submission of their 5-Year and Annual Plan in accordance with 24 CFR Part 903. The previous version may be used only through April 30, 2008.

1.0 PHA Information

Include the full PHA name, PHA code, PHA type, and PHA Fiscal Year Beginning (MM/YYYY).

2.0 Inventory

Under each program, enter the number of Annual Contributions Contract (ACC) Public Housing (PH) and Section 8 units (HCV).

3.0 Submission Type

Indicate whether this submission is for an Annual and Five Year Plan, Annual Plan only, or 5-Year Plan only.

4.0 PHA Consortia

Check box if submitting a Joint PHA Plan and complete the table.

5.0 Five-Year Plan

Identify the PHA's Mission, Goals and/or Objectives (24 CFR 903.6). Complete only at 5-Year update.

5.1 Mission. A statement of the mission of the public housing agency for serving the needs of low-income, very low-income, and extremely low-income families in the jurisdiction of the PHA during the years covered under the plan.

5.2 Goals and Objectives. Identify quantifiable goals and objectives that will enable the PHA to serve the needs of low income, very low-income, and extremely low-income families.

6.0 PHA Plan Update. In addition to the items captured in the Plan template, PHAs must have the elements listed below readily available to the public. Additionally, a PHA must:

- (a) Identify specifically which plan elements have been revised since the PHA's prior plan submission.
- (b) Identify where the 5-Year and Annual Plan may be obtained by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on its official website. PHAs are also encouraged to provide each resident council a copy of its 5-Year and Annual Plan.

PHA Plan Elements. (24 CFR 903.7)

1. **Eligibility, Selection and Admissions Policies, including Deconcentration and Wait List Procedures.** Describe the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV and unit assignment policies for public housing; and procedures for maintaining waiting lists for admission to public housing and address any site-based waiting lists.

2. **Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA Operating, Capital and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources.
3. **Rent Determination.** A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units.
4. **Operation and Management.** A statement of the rules, standards, and policies of the PHA governing maintenance management of housing owned, assisted, or operated by the public housing agency (which shall include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA.
5. **Grievance Procedures.** A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants.
6. **Designated Housing for Elderly and Disabled Families.** With respect to public housing projects owned, assisted, or operated by the PHA, describe any projects (or portions thereof), in the upcoming fiscal year, that the PHA has designated or will apply for designation for occupancy by elderly and disabled families. The description shall include the following information: **1)** development name and number; **2)** designation type; **3)** application status; **4)** date the designation was approved, submitted, or planned for submission, and; **5)** the number of units affected.
7. **Community Service and Self-Sufficiency.** A description of: **(1)** Any programs relating to services and amenities provided or offered to assisted families; **(2)** Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs under Section 3 and FSS; **(3)** How the PHA will comply with the requirements of community service and treatment of income changes resulting from welfare program requirements. **(Note: applies to only public housing).**
8. **Safety and Crime Prevention.** For public housing only, describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must include: (i) A description of the need for measures to ensure the safety of public housing residents; (ii) A description of any crime prevention activities conducted or to be conducted by the PHA; and (iii) A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities.

9. **Pets.** A statement describing the PHAs policies and requirements pertaining to the ownership of pets in public housing.
10. **Civil Rights Certification.** A PHA will be considered in compliance with the Civil Rights and AFFH Certification if: it can document that it examines its programs and proposed programs to identify any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction.
11. **Fiscal Year Audit.** The results of the most recent fiscal year audit for the PHA.
12. **Asset Management.** A statement of how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs for such inventory.
13. **Violence Against Women Act (VAWA).** A description of: 1) Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; 2) Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and 3) Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families.

7.0 Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers

- (a) **Hope VI or Mixed Finance Modernization or Development.** 1) A description of any housing (including project number (if known) and unit count) for which the PHA will apply for HOPE VI or Mixed Finance Modernization or Development; and 2) A timetable for the submission of applications or proposals. The application and approval process for Hope VI, Mixed Finance Modernization or Development, is a separate process. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm>
- (b) **Demolition and/or Disposition.** With respect to public housing projects owned by the PHA and subject to ACCs under the Act: (1) A description of any housing (including project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition; and (2) A timetable for the demolition or disposition. The application and approval process for demolition and/or disposition is a separate process. See guidance on HUD's website at: http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.cfm
Note: This statement must be submitted to the extent that approved and/or pending demolition and/or disposition has changed.
- (c) **Conversion of Public Housing.** With respect to public housing owned by a PHA: 1) A description of any building or buildings (including project number and unit count) that the PHA is required to convert to tenant-based assistance or

that the public housing agency plans to voluntarily convert; 2) An analysis of the projects or buildings required to be converted; and 3) A statement of the amount of assistance received under this chapter to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/centers/sac/conversion.cfm>

- (d) **Homeownership.** A description of any homeownership (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval.
- (e) **Project-based Vouchers.** If the PHA wishes to use the project-based voucher program, a statement of the projected number of project-based units and general locations and how project basing would be consistent with its PHA Plan.

8.0 Capital Improvements. This section provides information on a PHA's Capital Fund Program. With respect to public housing projects owned, assisted, or operated by the public housing agency, a plan describing the capital improvements necessary to ensure long-term physical and social viability of the projects must be completed along with the required forms. Items identified in 8.1 through 8.3, must be signed where directed and transmitted electronically along with the PHA's Annual Plan submission.

8.1 Capital Fund Program Annual Statement/Performance and Evaluation Report. PHAs must complete the *Capital Fund Program Annual Statement/Performance and Evaluation Report* (form HUD-50075.1), for each Capital Fund Program (CFP) to be undertaken with the current year's CFP funds or with CFFP proceeds. Additionally, the form shall be used for the following purposes:

- (a) To submit the initial budget for a new grant or CFFP;
- (b) To report on the Performance and Evaluation Report progress on any open grants previously funded or CFFP; and
- (c) To record a budget revision on a previously approved open grant or CFFP, e.g., additions or deletions of work items, modification of budgeted amounts that have been undertaken since the submission of the last Annual Plan. The Capital Fund Program Annual Statement/Performance and Evaluation Report must be submitted annually.

Additionally, PHAs shall complete the Performance and Evaluation Report section (see footnote 2) of the *Capital Fund Program Annual Statement/Performance and Evaluation* (form HUD-50075.1), at the following times:

1. At the end of the program year; until the program is completed or all funds are expended;
2. When revisions to the Annual Statement are made, which do not require prior HUD approval, (e.g., expenditures for emergency work, revisions resulting from the PHAs application of fungibility); and
3. Upon completion or termination of the activities funded in a specific capital fund program year.

8.2 Capital Fund Program Five-Year Action Plan

PHAs must submit the *Capital Fund Program Five-Year Action Plan* (form HUD-50075.2) for the entire PHA portfolio for the first year of participation in the CFP and annual update thereafter to eliminate the previous year and to add a new fifth year (rolling basis) so that the form always covers the present five-year period beginning with the current year.

8.3 Capital Fund Financing Program (CFFP). Separate, written HUD approval is required if the PHA proposes to pledge any

portion of its CFP/RHF funds to repay debt incurred to finance capital improvements. The PHA must identify in its Annual and 5-year capital plans the amount of the annual payments required to service the debt. The PHA must also submit an annual statement detailing the use of the CFFP proceeds. See guidance on HUD's website at:

<http://www.hud.gov/offices/pih/programs/ph/capfund/cffp.cfm>

9.0 Housing Needs. Provide a statement of the housing needs of families residing in the jurisdiction served by the PHA and the means by which the PHA intends, to the maximum extent practicable, to address those needs. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**

9.1 Strategy for Addressing Housing Needs. Provide a 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: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**

10.0 Additional Information. Describe the following, as well as any additional information requested by HUD:

- (a) **Progress in Meeting Mission and Goals.** PHAs must include (i) a statement of the PHAs progress in meeting the mission and goals described in the 5-Year Plan; (ii) the basic criteria the PHA will use for determining a significant amendment from its 5-year Plan; and a significant amendment or modification to its 5-Year Plan and Annual Plan. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**
- (b) **Significant Amendment and Substantial Deviation/Modification.** PHA must provide the definition of "significant amendment" and "substantial deviation/modification". **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan.)**

- (c) PHAs must include or reference any applicable memorandum of agreement with HUD or any plan to improve performance. **(Note: Standard and Troubled PHAs complete annually).**

11.0 Required Submission for HUD Field Office Review. In order to be a complete package, PHAs must submit items (a) through (g), with signature by mail or electronically with scanned signatures. Items (h) and (i) shall be submitted electronically as an attachment to the PHA Plan.

- (a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations*
- (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.
- (g) Challenged Elements. Include any element(s) of the PHA Plan that is challenged.
- (h) Form HUD-50075.1, *Capital Fund Program Annual Statement/Performance and Evaluation Report (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.1.
- (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.2.

PHA Plans

Streamlined 5-Year/Annual Version

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

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

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

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

Streamlined 5-Year Plan for Fiscal Years 2010 – 2014

Streamlined Annual Plan for Fiscal Year 2011

NOTE: This PHA Plan template (HUD-50075-SA) is to be completed in accordance with instructions contained in previous Notices PIH 99-33 (HA), 99-51 (HA), 2000-22 (HA), 2000-36 (HA), 2000-43 (HA), 2001-4 (HA), 2001-26 (HA), 2003-7 (HA), and any related notices HUD may subsequently issue. Full reporting for each component listed in the streamlined Annual Plan submitted with the 5-year plan is required.

Streamlined Five-Year PHA Plan Agency Identification

PHA Name: New Albany Housing Authority
Number: IN012

PHA

PHA Fiscal Year Beginning: (mm/yyyy) 04/01/2009

PHA Programs Administered:

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

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

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

Public Access to Information

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

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

Display Locations For PHA Plans and Supporting Documents

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

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

- Main administrative office of the State government
- Public library
- PHA website
- Other (list below)

PHA Plan Supporting Documents are available for inspection at: (select all that apply)

- Main business office of the PHA
- PHA development management offices
- Other (list below)

Streamlined Five-Year PHA Plan

PHA FISCAL YEARS 2010 - 2014

[24 CFR Part 903.12]

A. Mission

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

- The mission of the PHA is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.
- The PHA's mission is: (state mission here) **To provide quality affordable homes, assist residents to achieve independence, revitalize community, and provide a suitable environment for all families we serve.**

B. Goals

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

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

- PHA Goal: Expand the supply of assisted housing
Objectives:
 - Apply for additional rental vouchers:
 - Reduce public housing vacancies:
 - Leverage private or other public funds to create additional housing opportunities:
 - Acquire or build units or developments
 - Other (list below)

- PHA Goal: Improve the quality of assisted housing
Objectives:

- Improve public housing management: (PHAS score) 87
- Improve voucher management: (SEMAP score) 98
- Increase customer satisfaction:
- Concentrate on efforts to improve specific management functions:
(list; e.g., public housing finance; voucher unit inspections)
- Renovate or modernize public housing units:
- Demolish or dispose of obsolete public housing:
- Provide replacement public housing:
- Provide replacement vouchers:
- Other: (list below)

PHA Goal: Increase assisted housing choices

Objectives:

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

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

PHA Goal: Provide an improved living environment

Objectives:

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

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

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

Objectives:

- Increase the number and percentage of employed persons in assisted families:
- Provide or attract supportive services to improve assistance recipients' employability:

- Provide or attract supportive services to increase independence for the elderly or families with disabilities.
- Other: Provide opportunities for success and attract supportive services to youth to reduce the effects of generational poverty.

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

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

Other PHA Goals and Objectives: (list below)

Streamlined Annual PHA Plan
PHA Fiscal Year 2010
[24 CFR Part 903.12(b)]

Table of Contents

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

A. ANNUAL STREAMLINED PHA PLAN COMPONENTS

- 1. Housing Needs
- 2. Financial Resources
- 3. Policies on Eligibility, Selection and Admissions
- 4. Rent Determination Policies
- 5. Capital Improvements Needs
- 6. Demolition and Disposition
- 7. Homeownership
- 8. Civil Rights Certifications (included with PHA Certifications of Compliance)
- 9. Additional Information
 - a. PHA Progress on Meeting 5-Year Mission and Goals
 - b. Criteria for Substantial Deviations and Significant Amendments
 - c. Other Information Requested by HUD
 - i. Resident Advisory Board Membership and Consultation Process
 - ii. Resident Membership on the PHA Governing Board
 - iii. PHA Statement of Consistency with Consolidated Plan
 - iv. (Reserved)
- 10. Project-Based Voucher Program
- 11. Supporting Documents Available for Review
- 12. FY 2009 Capital Fund Program and Capital Fund Program Replacement Housing Factor, Annual Statement/Performance and Evaluation Report
- 13. Capital Fund Program 5-Year Action Plan
- 14. Other (List below, providing name for each item)

B. SEPARATE HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE

Form HUD-50077, PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans;

Certification by State or Local Official of PHA Plan Consistency with Consolidated Plan.

For PHAs APPLYING FOR CAPITAL FUND PROGRAM (CFP) GRANTS:

Form HUD-50070, Certification for a Drug-Free Workplace;

Form HUD-50071, Certification of Payments to Influence Federal Transactions;

Form SF-LLL & SF-LLLa, Disclosure of Lobbying Activities.

Executive Summary (optional)

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

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

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

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

Housing Needs of Families on the PHA’s Waiting Lists			
Waiting list type: (select one)			
<input type="checkbox"/> Section 8 tenant-based assistance			
<input type="checkbox"/> Public Housing			
<input checked="" type="checkbox"/> Combined Section 8 and Public Housing			
<input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional)			
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	269		
Extremely low income <=30% AMI	239	89%	
Very low income (>30% but <=50% AMI)	25	9%	
Low income (>50% but <80% AMI)	5	2%	
Families with children	169	63%	
Elderly families	3	1%	
Families with Disabilities	86	32%	
Race/ethnicity	96	36%	
Race/ethnicity	3	1%	
Race/ethnicity			
Race/ethnicity			
Characteristics by Bedroom Size (Public Housing Only)			
1BR	511	47%	104 20%
2 BR	316	30%	116 37%
3 BR	199	18%	64 32%
4 BR	57	5%	11 19%
5 BR	0	0	
5+ BR	0	0	
Is the waiting list closed (select one)? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
If yes: Section 8 only			
How long has it been closed (# of months)? 17			
Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
Does the PHA permit specific categories of families onto the waiting list, even if generally closed?			
<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			

B. Strategy for Addressing Needs

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

(1) Strategies

Need: Shortage of affordable housing for all eligible populations

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

Select all that apply

- Employ effective maintenance and management policies to minimize the number of public housing units off-line
- Reduce turnover time for vacated public housing units
- Reduce time to renovate public housing units
- Seek replacement of public housing units lost to the inventory through mixed finance development
- Seek replacement of public housing units lost to the inventory through section 8 replacement housing resources
- Maintain or increase section 8 lease-up rates by establishing payment standards that will enable families to rent throughout the jurisdiction
- Undertake measures to ensure access to affordable housing among families assisted by the PHA, regardless of unit size required
- Maintain or increase section 8 lease-up rates by marketing the program to owners, particularly those outside of areas of minority and poverty concentration
- Maintain or increase section 8 lease-up rates by effectively screening Section 8 applicants to increase owner acceptance of program
- Participate in the Consolidated Plan development process to ensure coordination with broader community strategies
- Other (list below)

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

Select all that apply

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

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

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

Select all that apply

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

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

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

Select all that apply

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

Need: Specific Family Types: The Elderly

Strategy 1: Target available assistance to the elderly:

Select all that apply

- Seek designation of public housing for the elderly
- Apply for special-purpose vouchers targeted to the elderly, should they become available
- Other: (list below)

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:

Select all that apply

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

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

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

Select if applicable

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

Strategy 2: Conduct activities to affirmatively further fair housing

Select all that apply

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

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

(2) Reasons for Selecting Strategies

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

- Funding constraints
- Staffing constraints
- Limited availability of sites for assisted housing
- Extent to which particular housing needs are met by other organizations in the community
- Evidence of housing needs as demonstrated in the Consolidated Plan and other information available to the PHA
- Influence of the housing market on PHA programs
- Community priorities regarding housing assistance
- Results of consultation with local or state government
- Results of consultation with residents and the Resident Advisory Board
- Results of consultation with advocacy groups
- Other: (list below)

2. Statement of Financial Resources

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

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

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants (FY 2011 grants)		
a) Public Housing Operating Fund	3,100,00	Operations
b) Public Housing Capital Fund	1,650,000	Modernization
c) HOPE VI Revitalization		
d) HOPE VI Demolition		
e) Annual Contributions for Section 8 Tenant-Based Assistance	2,100,000	Rental Subsidy
f) Resident Opportunity and Self-Sufficiency Grants	170,000	Support Services
g) Community Development Block Grant		
h) HOME		
Other Federal Grants (list below)		
2. Prior Year Federal Grants (unobligated funds only) (list below)		
3. Public Housing Dwelling Rental Income	1,900,000	Operations
4. Other income (list below)		
Interest	100,000	Operations
Tenant charges	100,000	Operations
4. Non-federal sources (list below)		
Valley View Court Rents	200,000	Operations
Total resources		

3. PHA Policies Governing Eligibility, Selection, and Admissions

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

A. Public Housing

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

(1) Eligibility

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

- When families are within a certain number of being offered a unit: (state number)
- When families are within a certain time of being offered a unit: (state time)
- Other: (describe) On application, waiting list for 2,3,4 BR is short

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

- Criminal or Drug-related activity
- Rental history
- Housekeeping
- Other (describe)

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

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

e. Yes No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)

(2)Waiting List Organization

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

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

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

- PHA main administrative office
- PHA development site management office
- Other (list below)

c. Site-Based Waiting Lists-Previous Year

1. Has the PHA operated one or more site-based waiting lists in the previous year? If yes, complete the following table; if not skip to d. NO

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

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

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

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

d. Site-Based Waiting Lists – Coming Year

If the PHA plans to operate one or more site-based waiting lists in the coming year, answer each of the following questions; if not, skip to subsection **(3) Assignment**

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

2. Yes No: Are any or all of the PHA’s site-based waiting lists new for the upcoming year (that is, they are not part of a previously-HUD-approved site based waiting list plan)?
If yes, how many lists?

3. Yes No: May families be on more than one list simultaneously?
If yes, how many lists?

4. Where can interested persons obtain more information about and sign up to be on the site-based waiting lists (select all that apply)?

- PHA main administrative office
- All PHA development management offices
- Management offices at developments with site-based waiting lists
- At the development to which they would like to apply
- Other (list below)

(3) Assignment

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

- One (unless good cause)
- Two
- Three or More

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

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

(4) Admissions Preferences

a. Income targeting:

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

b. Transfer policies:

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

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

c. Preferences

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

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

Former Federal preferences:

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

Other preferences: (select below)

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

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

- Date and Time 1

Former Federal preferences:

- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition) 3
- Victims of domestic violence 2
- Substandard housing
- Homelessness 1
- High rent burden

Other preferences (select all that apply)

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

4. Relationship of preferences to income targeting requirements:

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

(5) Occupancy

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

- The PHA-resident lease
- The PHA's Admissions and (Continued) Occupancy policy
- PHA briefing seminars or written materials
- Other source (list) Admissions manual

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

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

(6) Deconcentration and Income Mixing

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

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

Deconcentration Policy for Covered Developments			
Development Name	Number of Units	Explanation (if any) [see step 4 at §903.2(c)(1)(iv)]	Deconcentration policy (if no explanation) [see step 5 at §903.2(c)(1)(v)]
Parkview Broadmeade	442		

B. Section 8

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

(1) Eligibility

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

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

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

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

d. Yes No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)

e. Indicate what kinds of information you share with prospective landlords? (select all that apply)

- Criminal or drug-related activity
- Other (describe below)

(2) Waiting List Organization

a. With which of the following program waiting lists is the section 8 tenant-based assistance waiting list merged? (select all that apply)

- None
- Federal public housing
- Federal moderate rehabilitation
- Federal project-based certificate program
- Other federal or local program (list below)

b. Where may interested persons apply for admission to section 8 tenant-based assistance? (select all that apply)

- PHA main administrative office
- Other (list below) Section 8 Office

(3) Search Time

a. Yes No: Does the PHA give extensions on standard 60-day period to search for a unit?

If yes, state circumstances below: Coordination with existing lease, accessibility, school proximity for children, special needs

(4) Admissions Preferences

a. Income targeting

Yes No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 75% of all new admissions to the section 8 program to families at or below 30% of median area income?

b. Preferences

1. Yes No: Has the PHA established preferences for admission to section 8 tenant-based assistance? (other than date and time of application) (if no, skip to subcomponent **(5) Special purpose section 8 assistance programs**)

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

Former Federal preferences

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

Other preferences (select all that apply)

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

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

Date and Time 1

Former Federal preferences:

- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition) 3
- Victims of domestic violence 2
- Substandard housing
- Homelessness 1
- High rent burden

Other preferences (select all that apply)

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

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

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

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

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

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

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

(5) Special Purpose Section 8 Assistance Programs

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

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

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

- Through published notices
- Other (list below)

4. PHA Rent Determination Policies

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

A. Public Housing

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

(1) Income Based Rent Policies

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

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

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

b. Minimum Rent

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

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

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

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

Pending disability, loss of income

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

1. Yes No: Does the PHA plan to charge rents at a fixed amount or percentage less than 30% of adjusted income?

2. If yes to above, list the amounts or percentages charged and the circumstances under which these will be used below:

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

- For the earned income of a previously unemployed household member
 For increases in earned income
 Fixed amount (other than general rent-setting policy)

If yes, state amount/s and circumstances below:

- Fixed percentage (other than general rent-setting policy)
If yes, state percentage/s and circumstances below:

- For household heads
 For other family members
 For transportation expenses
 For the non-reimbursed medical expenses of non-disabled or non-elderly families
 Other (describe below)

e. Ceiling rents

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

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

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

- For all developments
 For all general occupancy developments (not elderly or disabled or elderly only)
 For specified general occupancy developments
 For certain parts of developments; e.g., the high-rise portion
 For certain size units; e.g., larger bedroom sizes
 Other (list below)

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

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

f. Rent re-determinations:

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

- Never
- At family option
- Any time the family experiences an income increase
- Any time a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold)_____
- Other (list below)

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

(2) Flat Rents

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

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

B. Section 8 Tenant-Based Assistance

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

(1) Payment Standards

Describe the voucher payment standards and policies.

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

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

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

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

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

- FMRs are not adequate to ensure success among assisted families in the PHA's segment

- of the FMR area
- Reflects market or submarket
- To increase housing options for families
- Other (list below)

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

- Annually
- Other (list below)

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

- Success rates of assisted families
- Rent burdens of assisted families
- Other (list below)

(2) Minimum Rent

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

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

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

5. Capital Improvement Needs

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

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

A. Capital Fund Activities

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

(1) Capital Fund Program

- a. Yes No Does the PHA plan to participate in the Capital Fund Program in the upcoming year? If yes, complete items 12 and 13 of this template (Capital Fund Program tables). If no, skip to B.
- b. Yes No: Does the PHA propose to use any portion of its CFP funds to repay debt incurred to finance capital improvements? If so, the PHA must identify in its annual and 5-year capital plans the development(s) where such improvements will be made and show both how the proceeds of the financing will be used and the amount of the annual payments required to

service the debt. (Note that separate HUD approval is required for such financing activities.).

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

Applicability of sub-component 5B: All PHAs administering public housing. Identify any approved HOPE VI and/or public housing development or replacement activities not described in the Capital Fund Program Annual Statement.

(1) Hope VI Revitalization

- a. Yes No: Has the PHA received a HOPE VI revitalization grant? (if no, skip to next component; if yes, provide responses to questions on chart below for each grant, copying and completing as many times as necessary)
- b. Status of HOPE VI revitalization grant (complete one set of questions for each grant)
Development name:
Development (project) number:
Status of grant: (select the statement that best describes the current status)
 Revitalization Plan under development
 Revitalization Plan submitted, pending approval
 Revitalization Plan approved
 Activities pursuant to an approved Revitalization Plan underway
- c. Yes No: Does the PHA plan to apply for a HOPE VI Revitalization grant in the Plan year? If yes, list development name/s below:
- d. Yes No: Will the PHA be engaging in any mixed-finance development activities for public housing in the Plan year? If yes, list developments or activities below:
- e. Yes No: Will the PHA be conducting any other public housing development or replacement activities not discussed in the Capital Fund Program Annual Statement? If yes, list developments or activities below:

6. Demolition and Disposition

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

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

- a. Yes No: Does the PHA plan to conduct any demolition or disposition activities (pursuant to section 18 or 24 (Hope VI) of the U.S. Housing Act of 1937 (42 U.S.C. 1437p) or Section 202/Section 33 (Mandatory Conversion) in

the plan Fiscal Year? (If “No”, skip to component 7; if “yes”, complete one activity description for each development on the following chart.)

Demolition/Disposition Activity Description	
1a. Development name:	
1b. Development (project) number:	
2. Activity type: Demolition <input type="checkbox"/>	
Disposition <input type="checkbox"/>	
3. Application status (select one)	
Approved <input type="checkbox"/>	
Submitted, pending approval <input type="checkbox"/>	
Planned application <input type="checkbox"/>	
4. Date application approved, submitted, or planned for submission: (DD/MM/YY)	
5. Number of units affected:	
6. Coverage of action (select one)	
<input type="checkbox"/> Part of the development	
<input type="checkbox"/> Total development	
7. Timeline for activity:	
a. Actual or projected start date of activity:	
b. Projected end date of activity:	

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

[24 CFR Part 903.12(b), 903.7(k)(1)(i)]

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

(2) Program Description

a. Size of Program

Yes No: Will the PHA limit the number of families participating in the Section 8 homeownership option?

If the answer to the question above was yes, what is the maximum number of participants this fiscal year?10

b. PHA-established eligibility criteria

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

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

(3) Capacity of the PHA to Administer a Section 8 Homeownership Program

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

- a. Establishing a minimum homeowner downpayment requirement of at least 3 percent of purchase price and requiring that at least 1 percent of the purchase price comes from the family's resources.
- b. Requiring that financing for purchase of a home under its Section 8 homeownership will be provided, insured or guaranteed by the state or Federal government; comply with secondary mortgage market underwriting requirements; or comply with generally accepted private sector underwriting standards.
- c. Partnering with a qualified agency or agencies to administer the program (list name(s) and years of experience below). Homeownership Partners of Louisville, >15 years
- d. Demonstrating that it has other relevant experience (list experience below).

8. Civil Rights Certifications

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

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

9. Additional Information

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

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

(Provide a statement of the PHA's progress against the goals and objectives established in the previous 5-Year Plan for the period FY 2009 - 2010.)

B. Criteria for Substantial Deviations and Significant Amendments

(1) Amendment and Deviation Definitions

24 CFR Part 903.7(r)

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

- a. Substantial Deviation from the 5-Year Plan
See ACOP

b. Significant Amendment or Modification to the Annual Plan

C. Other Information

[24 CFR Part 903.13, 903.15]

(1) Resident Advisory Board Recommendations

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

If yes, provide the comments below:

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

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

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

Other: (list below)

(2) Resident Membership on PHA Governing Board

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

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

Yes No:

If yes, complete the following:

Name of Resident Member of the PHA Governing Board: Toni Blair

Method of Selection:

Appointment

The term of appointment is (include the date term expires): 2011

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

Description of Resident Election Process

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

Candidates were nominated by resident and assisted family organizations

Candidates could be nominated by any adult recipient of PHA assistance

Self-nomination: Candidates registered with the PHA and requested a place on

- ballot
- Other: (describe)

Eligible candidates: (select one)

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

Eligible voters: (select all that apply)

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

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

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

Date of next term expiration of a governing board member:

Name and title of appointing official(s) for governing board (indicate appointing official for the next available position):

(3) PHA Statement of Consistency with the Consolidated Plan

[24 CFR Part 903.15]

For each applicable Consolidated Plan, make the following statement (copy questions as many times as necessary).

Consolidated Plan jurisdiction: (provide name here)

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

- The PHA has based its statement of needs of families on its waiting list on the needs expressed in the Consolidated Plan/s.
- The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.

- The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
- Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)
- Other: (list below)

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

(4) (Reserved)

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

10. Project-Based Voucher Program

- a. Yes No: Does the PHA plan to “project-base” any tenant-based Section 8 vouchers in the coming year? If yes, answer the following questions. NAHA will continue existing project based program.
- b. Yes No: Are there circumstances indicating that the project basing of the units, rather than tenant-basing of the same amount of assistance is an appropriate option?

If yes, check which circumstances apply:

- Low utilization rate for vouchers due to lack of suitable rental units
- Access to neighborhoods outside of high poverty areas
- Other (describe below:)

- c. Indicate the number of units and general location of units (e.g. eligible census tracts or smaller areas within eligible census tracts): 40 existing project based units in CB704

11. List of Supporting Documents Available for Review for Streamlined Five-Year/ Annual PHA Plans

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

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Related Plan Component
x	<i>PHA Certifications of Compliance with the PHA Plans and Related Regulations and Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans.</i>	Standard 5 Year and Annual Plans; streamlined 5 Year Plans
x	State/Local Government Certification of Consistency with the Consolidated Plan.	5 Year Plans
x	Fair Housing Documentation Supporting Fair Housing Certifications: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions’ initiatives to affirmatively further fair housing that require the PHA’s involvement.	5 Year and Annual Plans
x	Housing Needs Statement of the Consolidated Plan for the jurisdiction(s) in which the PHA is located and any additional backup data to support statement of housing needs for families on the PHA’s public housing and Section 8 tenant-based waiting lists.	Annual Plan: Housing Needs
x	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources
x	Public Housing Admissions and (Continued) Occupancy Policy (A&O/ACOP), which includes the Tenant Selection and Assignment Plan [TSAP] and the Site-Based Waiting List Procedure.	Annual Plan: Eligibility, Selection, and Admissions Policies
	Any policy governing occupancy of Police Officers and Over-Income Tenants in Public Housing. <input checked="" type="checkbox"/> Check here if included in the public housing A&O Policy.	Annual Plan: Eligibility, Selection, and Admissions Policies
x	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
x	Public housing rent determination policies, including the method for setting public housing flat rents. <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
x	Schedule of flat rents offered at each public housing development. <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
x	Section 8 rent determination (payment standard) policies (if included in plan, not necessary as a supporting document) and written analysis of Section 8 payment standard policies. <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Rent Determination
x	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation).	Annual Plan: Operations and Maintenance
x	Results of latest Public Housing Assessment System (PHAS) Assessment (or other applicable assessment). None for FY09 due to transition year.	Annual Plan: Management and Operations
N/a	Follow-up Plan to Results of the PHAS Resident Satisfaction Survey (if necessary)	Annual Plan: Operations and Maintenance and Community Service & Self-Sufficiency
x	Results of latest Section 8 Management Assessment System (SEMAP)	Annual Plan: Management

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Related Plan Component
		and Operations
x	Any policies governing any Section 8 special housing types <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Operations and Maintenance
N/a	Consortium agreement(s).	Annual Plan: Agency Identification and Operations/ Management
x	Public housing grievance procedures <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Grievance Procedures
x	Section 8 informal review and hearing procedures. <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Grievance Procedures
x	The Capital Fund/Comprehensive Grant Program Annual Statement /Performance and Evaluation Report for any active grant year.	Annual Plan: Capital Needs
N/a	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grants.	Annual Plan: Capital Needs
N/a	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans, or any other approved proposal for development of public housing.	Annual Plan: Capital Needs
x	Self-evaluation, Needs Assessment and Transition Plan required by regulations implementing Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. See PIH Notice 99-52 (HA).	Annual Plan: Capital Needs
N/a	Approved or submitted applications for demolition and/or disposition of public housing.	Annual Plan: Demolition and Disposition
N/a	Approved or submitted applications for designation of public housing (Designated Housing Plans).	Annual Plan: Designation of Public Housing
N/a	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act, Section 22 of the US Housing Act of 1937, or Section 33 of the US Housing Act of 1937.	Annual Plan: Conversion of Public Housing
N/a	Documentation for required Initial Assessment and any additional information required by HUD for Voluntary Conversion.	Annual Plan: Voluntary Conversion of Public Housing
x	Approved or submitted public housing homeownership programs/plans.	Annual Plan: Homeownership
x	Policies governing any Section 8 Homeownership program (Section of the Section 8 Administrative Plan)	Annual Plan: Homeownership
x	Public Housing Community Service Policy/Programs <input checked="" type="checkbox"/> Check here if included in Public Housing A & O Policy	Annual Plan: Community Service & Self-Sufficiency
x	Cooperative agreement between the PHA and the TANF agency and between the PHA and local employment and training service agencies.	Annual Plan: Community Service & Self-Sufficiency
x	FSS Action Plan(s) for public housing and/or Section 8.	Annual Plan: Community Service & Self-Sufficiency
x	Section 3 documentation required by 24 CFR Part 135, Subpart E for public housing.	Annual Plan: Community Service & Self-Sufficiency
x	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports for public housing.	Annual Plan: Community Service & Self-Sufficiency
x	Policy on Ownership of Pets in Public Housing Family Developments (as required by regulation at 24 CFR Part 960, Subpart G). <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Pet Policy
x	The results of the most recent fiscal year audit of the PHA conducted under the Single Audit Act as implemented by OMB Circular A-133, the results of that audit and the PHA's response to any findings.	Annual Plan: Annual Audit
N/a	Consortium agreement(s), if a consortium administers PHA programs.	Joint PHA Plan for Consortia
N/a	Consortia Joint PHA Plans ONLY: Certification that consortium agreement is in compliance with 24 CFR Part 943 pursuant to an opinion of counsel on file and	Joint PHA Plan for Consortia

PHA Name:
HA Code:

5-Year Plan for Fiscal Years: 20__ - 20__

Annual Plan for FY 20__

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Related Plan Component
	available for inspection	
	Other supporting documents (optional). List individually.	(Specify as needed)

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

Annual Statement/Performance and Evaluation Report					
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary					
PHA Name: The Housing Authority of the City of New Albany		Grant Type and Number Capital Fund Program Grant No: IN36PO12501109 Replacement Housing Factor Grant No:			Federal FY of Grant: 2009
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 2010 <input type="checkbox"/> Final Performance and Evaluation Report					
Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	270,000			
3	1408 Management Improvements	331,000			
4	1410 Administration	160,000			
5	1411 Audit	8,000			
6	1415 Liquidated Damages				
7	1430 Fees and Costs	56,000			
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures	834,000			
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1501 Collateralization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	1,659,883			
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

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

Annual Statement/Performance and Evaluation Report								
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)								
Part II: Supporting Pages								
PHA Name: The Housing Authority of the City of New Albany			Grant Type and Number Capital Fund Program Grant No: IN36PO1250109 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		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
HA-Wide	Operations	1406		270,000				
HA-Wide	Family Self Sufficiency	1408		25,000				
HA-Wide	Parks Partnership	1408		28,000				
HA-Wide	Technology	1408		100,000				
COCC	Administration	1410		160,000				
AMP 1	Management Improvements	1408		17,700				
AMP 2	Management Improvements	1408		10,500				
AMP 3	Management Improvements	1408		33,150				
AMP 4	Management Improvements	1408		13,250				
HA-WIDE	Audit	1411		8,000				
AMP 1	Spot roof repair	1460		8,000				
AMP 3	Spot roof repair	1460		24,000				
AMP 3	Unit renovation	1460		802,883				
AMP 2	A & E	1430		56,000				
AMP 3	Security Improvements	1408		103,400				

13. Capital Fund Program Five-Year Action Plan

See attached 50075.2

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SECTION 8 ADMINISTRATIVE PLAN

1.0 EQUAL OPPORTUNITY

1.1 FAIR HOUSING

It is the policy of the New Albany Housing Authority to comply fully 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 ground 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 New Albany Housing Authority housing programs.

To further its commitment to full compliance with applicable Civil Rights laws, the New Albany Housing Authority will provide Federal/State/local information to applicants for and participants in the Section 8 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 issuance of voucher, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made available at the New Albany Housing Authority office. In addition, all written information and advertisements will contain the appropriate Equal Opportunity language and logo.

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

1.2 REASONABLE ACCOMODATION

Sometimes people with disabilities may need a reasonable accommodation in order to take full advantage of the New Albany 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 fully 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 New Albany Housing Authority will follow in determining whether it is reasonable to provide a requested accommodation. Because disabilities are not always apparent, the New Albany Housing Authority will ensure that all applicants/participants are aware of the opportunity to request reasonable accommodations.

1.3 COMMUNICATION

Notifications of reexamination, and applications will include information about requesting a reasonable accommodation. Any notification requesting action by the participant will include information about requesting a reasonable accommodation.

All decisions granting or denying requests will be in writing.

1.4 QUESTIONS TO ASK IN GRANTING THE ACCOMMODATION

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

A person with a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. (The disability may not be apparent to others, i.e., a heart condition).

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

- B. Is the requested accommodation related to the disability? If it is apparent that the request is related to the apparent or documented disability, the answer to this question is yes. If it is not apparent, the New Albany Housing Authority will obtain documentation that the requested accommodation is needed due to the disability. The New Albany Housing Authority will not inquire as to the nature of the disability.
- C. Is the requested accommodation reasonable? In order to be determined reasonable, the accommodation must meet two criteria:
1. Would the accommodation constitute a fundamental alteration? The New Albany Housing Authority's business is housing. If the request would alter the fundamental business that the New Albany Housing Authority conducts, that would not be reasonable. For instance, the New Albany Housing Authority would deny a request to have the New Albany Housing Authority do grocery shopping for the person with disabilities.
 2. Would the requested accommodation create an undue financial hardship or administrative burden? Frequently the requested accommodation costs little or nothing. If the cost would be an undue burden, the New Albany

Housing Authority may request a meeting with the individual to investigate and consider equally effective alternatives.

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

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

If the participant requests, as a reasonable accommodation, that he or she be permitted to make physical modifications to their dwelling unit, at their own expense, the request should be made to the property owner/manager. The Housing Authority does not have responsibility for the owner's unit and does not have responsibility to make the unit accessible.

Any request for an accommodation that would enable a participant to materially violate family obligations will not be approved.

1.5 SERVICES FOR NON-ENGLISH SPEAKING APPLICANTS AND PARTICIPANTS

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

Spanish

1.6 FAMILY/OWNER OUTREACH

The New Albany Housing Authority will publicize the availability and nature of the Section 8 Program for extremely low-income, and very low families in a newspaper of general circulation, minority media, and by other suitable means.

To reach persons, who cannot or do not read newspapers, the New Albany 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 New Albany Housing Authority will also try to utilize public service announcements.

The New Albany Housing Authority will communicate the status of program availability to other service providers in the community and advise them of housing eligibility factors and guidelines so that they can make proper referral of their clients to the program.

The New Albany Housing Authority will hold individual and group briefings for owners who participate in or who are seeking information about the Section 8 Program. Owners

and managers participating in the Section 8 Program will participate in making this presentation. The briefing is intended to:

- A. Explain how the program works;
- B. Explain how the program benefits owners;
- C. Explain owners' responsibilities under the program. Emphasis is placed on quality screening and ways the New Albany Housing Authority helps owners do better screening; and
- D. Provide an opportunity for owners to ask questions, obtain written materials, and meet New Albany Housing Authority staff.

The New Albany Housing Authority will particularly encourage owners of suitable units located outside of low-income or minority concentration to attend. Targeted mailing lists will be developed and announcements mailed.

1.7 RIGHT TO PRIVACY

All adult members of both applicant and participant 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 participant information will not be released unless there is a signed release of information request from the applicant or participant.

1.8 REQUIRED POSTINGS

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

- A. The Section 8 Administrative Plan
- B. Notice of the status of the waiting list (opened or closed)
- C. Address of all New Albany Housing Authority offices, office hours, telephone numbers, TDD numbers, and hours of operation
- D. Income Limits for Admission
- E. Informal Review and Informal Hearing Procedures

- F. Fair Housing Poster
- G. Equal Opportunity in Employment Poster

2.0 NEW ALBANY HOUSING AUTHORITY/OWNER RESPONSIBILITY/OBLIGATION OF THE FAMILY

This Section outlines the responsibilities and obligations of the New Albany Housing Authority, the Section 8 Owners/Landlords, and the participating families.

2.1 NEW ALBANY HOUSING AUTHORITY RESPONSIBILITIES

- A. The New Albany Housing Authority will comply with the consolidated ACC, the application, HUD regulations and other requirements, and the New Albany Housing Authority Section 8 Administrative Plan.
- B. In administering the program, the New Albany Housing Authority must:
 - 1. Publish and disseminate information about the availability and nature of housing assistance under the program;
 - 2. Explain the program to owners and families;
 - 3. Seek expanded opportunities for assisted families to locate housing outside areas of poverty or racial concentration;
 - 4. Encourage owners to make units available for leasing in the program, including owners of suitable units located outside areas of poverty or racial concentration;
 - 5. Affirmatively further fair housing goals and comply with equal opportunity requirements;
 - 6. Make efforts to help disabled persons find satisfactory housing;
 - 7. Receive applications from families, determine eligibility, maintain the waiting list, select applicants, issue a voucher to each selected family, and provide housing information to families selected;
 - 8. Determine who can live in the assisted unit at admission and during the family's participation in the program;
 - 9. Obtain and verify evidence of citizenship and eligible immigration status in accordance with 24 CFR part 5;

10. Review the family's request for approval of the tenancy and the owner/landlord lease, including the HUD prescribed tenancy addendum;
11. Inspect the unit before the assisted occupancy begins and at least annually during the assisted tenancy;
12. Determine the amount of the housing assistance payment for a family.
13. Determine the maximum rent to the owner and whether the rent is reasonable;
14. Make timely housing assistance payments to an owner in accordance with the HAP contract;
15. Examine family income, size and composition at admission and during the family's participation in the program. The examination includes verification of income and other family information;
16. Establish and adjust New Albany Housing Authority utility allowance;
17. Administer and enforce the housing assistance payments contract with an owner, including taking appropriate action as determined by the New Albany Housing Authority, if the owner defaults (e.g., HQS violation);
18. Determine whether to terminate assistance to a participant family for violation of family obligations;
19. Conduct informal reviews of certain New Albany Housing Authority decisions concerning applicants for participation in the program;
20. Conduct informal hearings on certain New Albany Housing Authority decisions concerning participant families;
21. Provide sound financial management of the program, including engaging an independent public accountant to conduct audits; and
22. Administer an FSS program.

2.2 OWNER RESPONSIBILITY

- A. The owner is responsible for performing all of the owner's obligations under the HAP contract, and the Tenancy Addendum (form HUD-52641-A).
- B. The owner is responsible for:

1. Performing all management and rental functions for the assisted unit, including selecting a voucher holder to lease the unit, and deciding if the family is suitable for tenancy of the unit.
 2. Maintaining the unit in accordance with HQS, including performance of ordinary and extraordinary maintenance.
 3. Complying with equal opportunity requirements.
 4. Preparing and furnishing to the New Albany Housing Authority information required under the HAP contract.
 5. Collecting from the family:
 - a. Any security deposit required under the lease.
 - b. The tenant contribution (the part of rent to owner not covered by the housing assistance payment.
 - c. Any charges for unit damage by the family.
 6. Enforcing tenant obligations under the lease.
 7. Paying for utilities and services (unless paid by the family under the lease.)
- C. For provisions on modifications to a dwelling unit occupied or to be occupied by a person with disabilities see 24 CFR 100.203.

2.3 OBLIGATIONS OF THE PARTICIPANT

This Section states the obligations of a participant family under the program.

- A. Supplying required information.
1. The family must supply any information that the New Albany Housing Authority or HUD determines is necessary in the administration of the program, including submission of required evidence of citizenship or eligible immigration status. Information includes any requested certification, release or other documentation.
 2. The family must supply any information requested by the New Albany Housing Authority 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 and must sign and submit consent forms for obtaining information.

4. Any information supplied by the family must be true and complete.

B. HQS breach caused by the Family

The family is responsible for any HQS breach caused by the family or its guests.

C. Allowing New Albany Housing Authority Inspection

The family must allow the New Albany Housing Authority to inspect the unit at reasonable times and after at least 2 days notice.

D. Violation of Lease

The family may not commit any serious or repeated violation of the lease.

E. Family Notice of Move or Lease Termination

The family must notify the New Albany Housing Authority and the owner before the family moves out of the unit or terminates the lease by a notice to the owner.

F. Owner Eviction Notice

The family must promptly give the New Albany Housing Authority a copy of any owner eviction notice it receives.

G. Use and Occupancy of the Unit

1. The family must use the assisted unit for a residence by the family. The unit must be the family's only residence.

2. The New Albany Housing Authority must approve the composition of the assisted family residing in the unit. The family must promptly inform the New Albany Housing Authority of the birth, adoption or court-awarded custody of a child. The family must request approval from the New Albany Housing Authority to add any other member as an occupant of the unit. No other person (i.e., no one but members of the assisted family) may reside in the unit (except for a foster child/foster adult or live-in aide as provided in paragraph (4) of this Section).

3. The family must promptly notify the New Albany Housing Authority if any family member no longer resides in the unit.

4. If the New Albany Housing Authority has given approval, a foster child/foster adult or a live-in aide may reside in the unit. The New Albany Housing Authority has the discretion to adopt reasonable policies concerning residence by a foster child/foster adult or a live-in aide and defining when the New Albany Housing Authority consent may be given or denied.
5. 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 for residence by members of the family. Any business uses of the unit must comply with zoning requirements and the affected household member must obtain all appropriate licenses.
6. The family must not sublease or let the unit.
7. The family must not assign the lease or transfer the unit.

H. Absence from the Unit

The family must supply any information or certification requested by the New Albany Housing Authority to verify that the family is living in the unit, or relating to family absence from the unit, including any New Albany Housing Authority requested information or certification on the purposes of family absences. The family must cooperate with the New Albany Housing Authority for this purpose. The family must promptly notify the New Albany Housing Authority of its absence from the unit.

Absence means that no member of the family is residing in the unit. The family may be absent from the unit for up to 30 days. The family must request permission from the New Albany Housing Authority for absences exceeding 30 days. The New Albany Housing Authority will make a determination within 5 business days of the request. An authorized absence may not exceed 180 days. Any family absent for more than 30 days without authorization will be terminated from the program.

Authorized absences may include, but are not limited to:

1. Prolonged hospitalization
2. Absences beyond the control of the family (i.e., death in the family, other family member illness)
3. Other absences that are deemed necessary by the New Albany Housing Authority

I. Interest in the Unit

The family may not own or have any interest in the unit (except for owners of manufactured housing renting the manufactured home space).

J. Fraud and Other Program Violation

The members of the family must not commit fraud, bribery, or any other corrupt or criminal act in connection with the programs.

K. Crime by Family Members

The members of the family may not engage in drug-related criminal activity or other violent criminal activity.

L. Other Housing Assistance

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.

3.0 ELIGIBILITY FOR ADMISSION

3.1 INTRODUCTION

There are five eligibility requirements for admission to Section 8 -- 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 New Albany Housing Authority screening criteria in order to be admitted to the Section 8 Program.

3.2 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, civil union, adoption or affinity that lives together or will live together in a stable family relationship.
 - 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 purposes 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 50 years of age but below the age of 62;
 - b. Two or more persons who are at least 50 years of age but below the age of 62 living together; or
 - c. One or more persons who are at least 50 years of age but below the age of 62 living with one or more live-in aides.
 - 4. A **disabled family**, which is:
 - a. A family whose head, spouse, or sole member is a person with disabilities;
 - b. Two or more persons with disabilities living together; or
 - c. One or more persons with disabilities living with one or more live-in aides.
 - 5. A **displaced family** is a family in which each member, or whose sole member, has been displaced by disaster (e.g. flood, fire, earthquake); governmental action (code enforcement, neighborhood redevelopment); housing owner action; avoidance of reprisal; and hate crimes.
 - 6. A **remaining member of a tenant family**.
 - 7. A **single person** who is not an elderly or displaced person, or a person

with disabilities, or the remaining member of a tenant family.

B. *Income eligibility*

1. To be eligible to receive assistance a family shall, at the time the family initially receives assistance under the Section 8 program shall be:
 - a. A very low-income family;
 - b. A low-income family continuously assisted under the 1937 Housing Act;
 - c. A low-income family that meets additional eligibility criteria specified by the Housing Authority;
 - d. A low-income family that is a non-purchasing tenant in a HOPE 1 or HOPE 2 project or a property subject to a resident homeownership program under 24 CFR 248.173;
 - e. A low-income family or moderate-income family that is displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing.
 - f. A low-income family that qualifies for voucher assistance as a non-purchasing family residing in a HOPE 1 (HOPE for public housing homeownership) or HOPE 2 (HOPE for homeownership of multifamily units) project.
2. Income limits apply only at admission and are not applicable for continued occupancy; however, as income increases the assistance will decrease.
3. The applicable income limit for admission to the program is the income limit for the area in which the family is initially assisted in the program. The family may only use the voucher to rent a unit in an area where the family is income eligible at admission to the program.
4. Families who are moving into the New Albany Housing Authority's jurisdiction under portability and have the status of applicant rather than of participant at their initial housing authority, must meet the income limit for the area where they were initially assisted under the program.
5. Families who are moving into the New Albany Housing Authority's jurisdiction under portability and are already program participants at their initial housing authority do not have to meet the income eligibility

requirement for the New Albany Housing Authority program.

6. Income limit restrictions do not apply to families transferring units within the New Albany Housing Authority Section 8 Program.

C. Citizenship/Eligible Immigrant status

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

Family eligibility for assistance.

1. 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.
2. Despite the ineligibility of one or more family members, a mixed family may be eligible for one of three types of assistance. (See Section 11.5(K) for calculating rents under the noncitizen rule).
3. A family without any eligible members and receiving assistance on June 19, 1995 may be eligible for temporary deferral of termination of assistance.

D. Social Security Number Documentation

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

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 and the New Albany 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;

- b. A provision authorizing HUD or the New Albany 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.
- F. Suitability for tenancy. The New Albany Housing Authority determines eligibility for participation and will also conduct criminal background checks on all adult household members, including live-in aides. The New Albany Housing Authority will deny assistance to a family because of drug-related criminal activity or violent criminal activity by family members. 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. If the individual has lived outside the local area, the New Albany Housing Authority will require checks from law enforcement agencies where the individual had lived.

The New Albany Housing Authority will check with the State sex offender registration program and will ban for life any individual who is registered as a lifetime sex offender.

Additional screening is the responsibility of the owner. Upon the request of a prospective owner, the New Albany Housing Authority will provide any factual information or third party written information they have relevant to a voucher holder's history of, or ability to, comply with material standard lease terms or any history of drug trafficking.

G. ELIGIBILITY OF STUDENTS FOR SECTION 8 HOUSING

No Section 8 assistance shall be provided per 24 CFR 5.612 to any individual who:

- 1. Is under 24 years of age;
- 2. Is enrolled as a student at an institution of higher learning;
- 3. Is not a veteran of the United States military;
- 4. Is unmarried;
- 5. Does not have a dependent child;

6. Is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible on the basis of income to receive Section 8 assistance.

If the student under the age of 24 who is not a veteran, is unmarried, does not have a dependent child and is applying for Section 8 assistance may otherwise be eligible for Section 8 assistance if the student and the parents (the parents individually and jointly) are both income eligible. If it is determined that the parents are not income eligible, the student is ineligible to receive section 8 assistance.

A student under the age of 24 may be income eligible for Section 8 assistance where the student can demonstrate the absence of, or his or her independence from, parents. These practices and criteria include but are not limited to consideration of all of the following:

1. The individual must be of legal contract age under state law.
2. The individual must have established a household separate from parents or legal guardians for at least one year prior to application for occupancy or meets the U.S. Department of Education's definition of an independent student:
 - a. Be at least 24 years old by December 31 of the award year for which aid is sought;
 - b. Be an orphan or a ward of the court through the age of 18;
 - c. Be a veteran of the U.S. Armed Forces;
 - d. Have legal dependents other than a spouse (for example, dependent children or an elderly dependent parent);
 - e. Be a graduate or professional student; or
 - f. Be married.
3. The individual must not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations.
4. The individual must obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.

NAHA will verify a student's independence from his or her parents by taking into consideration the following:

1. Reviewing and verify previous address information to determine evidence of a separate household, or verifying the student meets the definition of an "independent student" as noted previously.
2. Reviewing prior year income tax returns to verify if a parent or guardian has claimed the student a dependent.

3. Verifying income provided by a parent by requiring a written certification from the individual providing the support. Certification is also required if the parent is providing no support to the student. Financial assistance that is provided by persons not living in the unit is part of annual income.
 - a. NAHA will accept a declaration and certification of income from parents that includes a penalty of perjury.
 - b. NAHA reserves the right to request and review supporting documentation when it fills the declaration, certification, or eligibility of the parents is in question. Supporting documentation includes but is not limited to: Internal Revenue Services (IRS) tax returns, consecutive and original pay stubs, bank statements, pension benefit statements, TANF award letters, Social Security award letters, other official and authentic documents from a Federal, State or local agency.

This HUD requirement only affects those students applying for Section 8 assistance and those students who are already residing in a Section 8 unit without his or her parents. It does not apply to students residing in a Section 8 assisted unit with his or her parents or who reside with parents who are applying to receive Section 8 assistance.

For the purposes of determining eligibility of the student under the age of 24 who is not a veteran, is unmarried, does not have a dependent child, any financial assistance (in excess of amounts received for tuition) that an the student receives shall be considered income to that individual. This does not include the student over the age of 23 with dependent children.

1. Financial assistance does not include loan proceeds.
2. The financial assistance of a student residing with his or her parents will continue to be excluded from annual income.

All student applicants for Section 8 assistance must meet all other HUD requirements that determine eligibility for Section 8 assistance.

A student under the age of 24 who is not a veteran, unmarried, does not have a dependent child and who is currently receiving section 8 assistance, if at recertification is determined to be ineligible, will have his or her assistance terminated.

1. For students occupying units at NAHA project-based section 8 site at Valley View Court cannot and will not evict the student as long as he or she is in compliance with his or her lease.
 - a. As long as the student remains in the unit he or she will not be eligible for section 8 assistance.

- b. If the student moves from the household the remaining members of the household may again be eligible for section 8 assistance, if available.
 - 1) If the household composition no longer qualifies the household for the unit size, the household may be required to move to an appropriate size unit when one is available, or, with approval may move in another eligible person as a member of the household and remain in the same unit.

Upon notification or denial or termination of assistance, the household is entitled to request an informal hearing to discuss the reasons for the denial or termination. The request for appeal must be in writing and received within ten days of the date of the original notification.

4.0 MANAGING THE WAITING LIST

4.1 OPENING AND CLOSING THE WAITING LIST

Opening of the waiting list will be announced via public notice that applications for Section 8 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 that such applicants will not lose their place on other waiting lists when they apply for Section 8. The notice will include the Fair Housing logo and slogan and otherwise be in compliance with Fair Housing requirements.

Closing of the waiting list will be announced via public notice. This will be done when the waiting list is adequate for available program funding. The public notice will state the date the waiting list will be closed. The public notice will be published in a local newspaper of general circulation, and also by any available minority media. The New Albany Housing Authority will not discriminate against any family based on race, color, religion, sex, disability, familial status, or national origin.

4.2 TAKING APPLICATIONS

Families wishing to apply for the Section Eight Housing Choice Voucher Program will be required to complete an application for housing assistance.

Application packets and preliminary applications are available during regular business hours at 211 Erni Ave, New Albany, Indiana. Or, applications will be mailed to interested families upon request.

If it is anticipated that the Section 8 waiting list is going to exceed three months preliminary applications will be accepted. However if the waiting list is anticipated to be less than three-months the following paragraphs will apply.

Applicants will make an appointment for the completion of the application. The completed application will be dated and time stamped.

Persons with disabilities who require a reasonable accommodation in completing an application may call the New Albany Housing Authority to make special arrangements to complete their application. A Telecommunication Device for the Deaf (TDDY) is available. The TDDY telephone number is (812) 948-4820.

An applicant may at any time report changes in family composition, income, or preference factors. The New Albany Housing Authority will annotate the applicant's file and will update the waiting list. Confirmation of the changes will be made to the family in writing.

When the family nears the top of the waiting list, the New Albany Housing Authority will ensure that verification of preferences, eligibility, and suitability selection factors are current in order to determine the family's final eligibility for admission into the housing assistance program.

4.3 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. The waiting list will be maintained in order of preference and then in order of date and time of application;
- C. Any contact between the New Albany Housing Authority and the applicant will be documented in the applicant file.

Note: The waiting list will not be maintained by bedroom size under current HUD regulations.

4.4 FAMILIES NEARING THE TOP OF THE WAITING LIST

When a family appears to be near being offered assistance, 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 New Albany Housing Authority must notify the family in writing of this determination, and give the family the opportunity for an informal review.

4.5 MISSED APPOINTMENTS FOR TAKING APPLICATIONS

Applications will be taken on a walk-in basis unless an applicant requests an appointment time.

4.6 PURGING THE WAITING LIST

The New Albany Housing Authority will update and purge its waiting list at least annually to ensure that the pool of applicants reasonably represents interested families. Purging also enables the Housing Authority to update the information regarding address, family composition, income category and preferences.

4.7 REMOVAL OF APPLICANTS FROM THE WAITING LIST

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

- A. The applicant requests 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 misses scheduled appointments;
or
- C. The applicant does not meet either the eligibility or screening criteria for the program.
- D. If the applicant misses a scheduled briefing without calling to reschedule the applicant will be sent a notice giving them a week to respond. The notice will include the statement that if the applicant fails to respond to the notice the applicant will be removed from the waiting list.

4.8 GROUNDS FOR DENIAL

The New Albany Housing Authority will deny assistance to 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 including evidence of citizenship or eligible immigration status;
- C. Fail to respond to a written request for information or a request to declare their continued interest in the program;
- D. Fail to complete any aspect of the application or lease-up process or fails to sign consent forms for obtaining information;

- E. Have a history of criminal activity by any household member involving crimes of physical violence against persons or property, and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well being of other tenants or staff, or cause damage to the property.
- F. Currently owes rent or other amounts to any housing authority in connection with the public housing or Section 8 Programs or if any member of the family has been evicted from federally assisted housing for serious violation of the lease.
- G. Have committed fraud, bribery, or any other corruption in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from;
- H. Have a family member who was evicted from federally assisted housing within the last three years;
- I. Have a family member who illegally used, or possessed for personal use, a controlled substance, within three years of the date of notice of determination of denial of assistance per 982.553 (b). The NAHA may waive the requirement if:
 - 1. Has an addiction to a controlled substance, has a record of such impairment, or is regarded as having such an impairment; and
 - 2. Is recovering, or has recovered from such addiction and does not currently use or possess controlled substances.
 - 3. The person has otherwise been rehabilitated successfully; or
 - 4. The person is participating in a supervised drug or alcohol rehabilitation Program.
- J. Have engaged in or threatened abusive or violent behavior towards any New Albany Housing Authority staff or residents;
- K. Have a family household member who has been terminated under the Certificate or Voucher Program;
- L. Have a family member who has been convicted of manufacturing or producing methamphetamine (speed) (Denied for life);
- M. Have a family member with a lifetime registration under a State sex offender registration program (Denied for life);

- N. If the Housing Authority has reason to believe that any household member's abuse or pattern of abuse of alcohol threatens the health, safety or right to peaceful enjoyment of the premises by other residents.
- O. See 3.G. Eligibility of Students for Section 8 Housing.
- P. That an applicant or participant 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.

4.9 NOTIFICATION OF NEGATIVE ACTIONS

When deciding to deny, the New Albany will consider circumstances regarding the family's action or failure to act, including the seriousness of the case and the effects on family members who were not involved in the action or failure to act. Any applicant whose name is being removed from the waiting list will be notified by the New Albany Housing Authority, in writing, that they have ten (10) 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 New Albany Housing Authority's system of removing applicants' names from the waiting list will not violate the rights of persons with disabilities. If an applicant's failure to respond to a request for information or updates was caused by the applicant's disability, the New Albany Housing Authority will provide a reasonable accommodation. If the applicant indicates that they did not respond due to a disability, the New Albany Housing Authority will verify that there is in fact a disability and that the accommodation they are requesting is necessary based on the disability. 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.

4.10 INFORMAL REVIEW

If the New Albany Housing Authority determines that an applicant does not meet the criteria for receiving Section 8 assistance, the New Albany Housing Authority will promptly provide the applicant with written notice of the determination. The notice will 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 days of the denial. The New Albany Housing Authority will describe how to obtain the informal review. The informal review process is described in Section 16.2 of this Plan.

5.0 SELECTING FAMILIES FROM THE WAITING LIST

5.1 WAITING LIST ADMISSIONS

The Housing Authority will admit an applicant for participation in the program from the waiting list.

5.2 PREFERENCES

The New Albany Housing Authority will select families based on the following preferences.

- A. Elderly/Disabled/Displaced person(s):
- B. Substandard Housing/Homeless/Victims of Domestic Violence
- C. Working Families (including Education/Job training programs). Fulltime employment defined as 30hours, and fulltime students as defined by the institution
- D. Veteran
- E. Date/Time

5.3 SELECTION FROM THE WAITING LIST

Based on the above preferences, all families will be assigned point values that will aggregate.

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

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

Notwithstanding the above, if necessary to meet the statutory requirement that 75% of newly admitted families in any fiscal year be families who are extremely low-income, the New Albany Housing Authority retains the right to skip higher income families on the waiting list to reach extremely low-income families. This measure will only be taken if it appears the goal will not otherwise be met. To ensure this goal is met, the Housing Authority will monitor incomes of newly admitted families and the income of the families on the waiting list.

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

6.0 ASSIGNMENT OF BEDROOM SIZES (SUBSIDY STANDARDS)

The New Albany Housing Authority will issue a voucher for a particular bedroom size – the bedroom size is a factor in determining the family’s level of assistance. 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

These standards are based on the assumption that each bedroom will accommodate no more than two (2) persons.

In determining bedroom size, the New Albany 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 temporarily in foster-care.

Bedroom size will also be determined using the following guidelines:

- A. Children of the same sex **will** share a bedroom.
- B. Children of the opposite sex will be eligible for separate bedrooms
- C. Adults and children will not be required to share a bedroom.
- D. Foster–adults and children will not be required to share a bedroom with family members.
- E. Live-in aides will get a separate bedroom.

The New Albany Housing Authority will grant exceptions to normal occupancy standards when a family requests a larger size than the guidelines allow and documents a medical reason why the larger size is necessary.

The family unit size will be determined by the New Albany Housing Authority in accordance with the above guidelines and will determine the maximum rent subsidy for

the family; however, the family may select a unit that may be larger or smaller than the family unit size. If the family selects a smaller unit, the payment standard for the smaller size will be used to calculate the subsidy. If the family selects a larger size, the payment standard for the family unit size will determine the maximum subsidy.

6.1 BRIEFING

When the New Albany Housing Authority selects a family from the waiting list, the family will be invited to attend a briefing explaining how the program works. In order to receive a voucher the family is required to attend the briefing. If they cannot attend the originally scheduled briefing, they may attend a later session. If the family fails to attend two briefings without good cause, they will be denied admission.

If an applicant with a disability requires auxiliary aids to gain full benefit from the briefing, the Housing Authority will furnish such aids where doing so would not result in a fundamental alteration of the nature of the program or in an undue financial or administrative burden. In determining the most suitable auxiliary aid, the Housing Authority will give primary consideration to the requests of the applicant. Families unable to attend a briefing due to a disability may request a reasonable accommodation such as having the briefing presented at an alternate location.

The briefing will cover at least the following subjects:

- A. A description of how the program works;
- B. Family and owner responsibilities;
- C. Where the family may rent a unit, including inside and outside the Housing Authority's jurisdiction;
- D. Types of eligible housing;
- E. For families qualified to lease a unit outside the Housing Authority's jurisdiction under portability, an explanation of how portability works;
- F. An explanation of the advantages of living in an area that does not have a high concentration of poor families; and
- G. An explanation that the total family contribution share may not exceed 40% of the family's monthly adjusted income toward the gross rent of the unit.

6.2 PACKET

During the briefing, the Housing Authority will give the family a packet covering at least the following subjects:

- A. The term of the voucher and the Housing Authority's policy on extensions and suspensions of the term. The packet will include information on how to request an extension and forms for requesting extensions;
- B. How the Housing Authority determines the housing assistance payment and total tenant payment for the family;
- C. Information on the payment standard, exception payment standard rent areas, and the utility allowance schedule;
- D. How the Housing Authority determines the maximum rent for an assisted unit;
- E. Where the family may lease a unit. For families qualified to lease outside the Housing Authority's jurisdiction, the packet includes an explanation of how portability works;
- F. The HUD-required tenancy addendum that provides the language that must be included in any assisted lease, and a sample contract;
- G. The request for approval of the tenancy form and an explanation of how to request Housing Authority approval of a unit;
- H. A statement of the Housing Authority's policy on providing information to prospective owners. This policy requires applicants to sign disclosure statements allowing the Housing Authority to provide prospective owners with the family's current and prior addresses and the names and addresses of the landlords for those addresses. Upon request, the Housing Authority will also supply any factual information or third party verification relating to the applicant's history as a tenant or their ability to comply with material standard lease terms or any history of drug trafficking, drug-related criminal activity or any violent criminal activity;
- I. The Housing Authority's subsidy standards, including when the Housing Authority will consider granting exceptions to the standards;
- J. The HUD brochure on how to select a unit ("A Good Place to Live");
- K. The HUD-required lead-based paint brochure;
- L. Information on Federal, State, and local equal opportunity laws; the brochure "Fair Housing: Equal Opportunity for All;" and a copy of the housing discrimination complaint form;
- M. A list of landlords or other parties known to the New Albany Housing Authority who may be willing to lease a unit to the family or help the family find a unit;

- N. Notice that if the family includes a person with disabilities, the family may request a current list of accessible units known to the New Albany Housing Authority that may be available;
- O. The family's obligations under the program;
- P. The grounds upon which the Housing Authority may terminate assistance because of the family's action or inaction;
- Q. New Albany Housing Authority informal hearing procedures, including when the Housing Authority is required to provide the opportunity for an informal hearing, and information on how to request a hearing; and
- R. The New Albany Housing Authority owner information brochure. This brochure can be given by the applicant to a prospective owner to help explain the program.

6.3 ISSUANCE OF VOUCHER; REQUEST FOR APPROVAL OF TENANCY

The New Albany Housing Authority issues only Housing Choice Vouchers.

Once all family information has been verified, their eligibility determined, their subsidy calculated, and they have attended the family briefing, the New Albany Housing Authority will issue the voucher. At this point the family begins their search for a unit.

When the family finds a unit that the owner is willing to lease under the program, the family and the owner will submit proposed lease, the HUD required tenancy addendum and the request for approval of the tenancy form. The family will submit the proposed lease and the request form to the Housing Authority during the term of the voucher. The Housing Authority will review the request, the lease, and the HUD required tenancy addendum and make an initial determination of approval of tenancy. The Housing Authority may assist the family in negotiating changes that may be required for the tenancy to be approvable. Once it appears the tenancy may be approvable, the Housing Authority will schedule an appointment to inspect the unit within 15 days after the receipt of inspection request from the family and owner. The 15 day period is suspended during any period the unit is unavailable for inspection. The Housing Authority will promptly notify the owner and the family whether the unit and tenancy are approvable.

During the initial stage of qualifying the unit, the Housing Authority will provide the prospective owner with information regarding the program. Information will include Housing Authority and owner responsibilities for screening and other essential program elements. The Housing Authority will provide the owner with the family's current and prior address as shown in the Housing Authority records along with the name and address (if known) of the landlords for those addresses.

Additional screening is the responsibility of the owner. Upon request by a prospective owner, the Housing Authority will provide any factual information or third party written information they have relevant to a voucher holder's history of, or ability to, comply with standard material lease terms.

6.4 TERM OF THE VOUCHER

The initial term of the voucher will be 60 days and will be stated on the Housing Choice Voucher.

The Housing Authority may grant one or more extensions of the term, but the initial term plus any extensions will never exceed 120 calendar days from the initial date of issuance. To obtain an extension, the family must make a request in prior to the expiration date. No more than two 30 day extensions will be granted.

If the family includes a person with disabilities and the family requires an extension due to the disability, the Housing Authority will grant an extension allowing the family the full 120 days search time. If the Housing Authority determines that additional search time would be a reasonable accommodation, or determines other good cause, the Housing Authority can approve additional time as needed.

Upon submittal of a completed request for approval of tenancy form, the New Albany Housing Authority will suspend the term of the voucher. The term will be in suspension until the date the Housing Authority provides notice that the request has been approved or denied. This policy allows families the full term (60 days, or more with extensions) to find a unit, not penalizing them for the period during which the Housing Authority is taking action on their request. The New Albany Housing Authority will not consider multiple requests for tenancy.

6.5 APPROVAL TO LEASE A UNIT

The New Albany Housing Authority will approve a lease if all of the following conditions are met:

- A. The unit is eligible;
- B. The unit is inspected by the Housing Authority and passes HQS;
- C. The lease is approvable and includes the language of the tenancy addendum;
- E. The rent to owner is reasonable;
- E. The family contribution toward the gross rent of the unit does not exceed 40% of their monthly adjusted income.

- E. The owner has not been found to be debarred, suspended, or subject to a limited denial of participation by HUD or the Housing Authority; and
- G. The family continues to meet all eligibility and screening criteria.

If tenancy approval is denied, the Housing Authority will advise the owner and the family in writing and advise them also of any actions they could take that would enable the Housing Authority to approve the tenancy.

The lease term may begin only after all of the following conditions are met:

- A. The unit passes the Housing Authority HQS inspection;
- B. The landlord and tenant sign the approved lease that includes the HUD required addendum; or the HA provided lease
- C. HAP Contract

The Housing Authority will prepare the contract when the unit is approved for tenancy. Generally, the landlord, simultaneously with the signing of the lease and the HUD required tenancy addendum, will execute the contract. Upon receipt of the executed lease and the signed contract by the landlord, the Housing Authority will execute the contract. The Housing Authority will not pay any housing assistance to the owner until the contract is executed.

In no case will the contract be executed later than 60 days after the beginning of the lease term.

Any contract executed after the 60-day period will be void and the Housing Authority will not pay housing assistance to the owner.

6.6 NEW ALBANY HOUSING AUTHORITY DISAPPROVAL OF OWNER

The Housing Authority will deny participation by an owner at the direction of HUD. The Housing Authority will also deny the owner's participation for any of the following reasons:

- A. The owner has violated any obligations under a Section 8 Housing Assistance Payments Contract;
- B. The owner has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program;
- C. The owner has engaged in drug-related criminal activity or any violent criminal activity;

- D. The owner has a history or practice of non-compliance with HQS for units leased under Section 8 or with applicable housing standards for units leased with project-based Section 8 assistance or leased under any other Federal housing program;
- E. The owner has a history or practice of renting units that fail to meet State or local codes; or
- F. The owner has not paid State or local real estate taxes, fines, or assessments.
- G. The owner refuses (or has a history of refusing) to evict families for drug-related or violent criminal activity, or for activity that threatens the health, safety or right of peaceful enjoyment of the:
 - 1. premises by tenants, New Albany Housing Authority employees or owner employees; or
 - 2. residences by neighbors;
- H. Other conflicts of interest under Federal, State, or local law.

6.7 INELIGIBLE/ELIGIBLE HOUSING

The following types of housing cannot be assisted under the Section 8 Tenant-Based Program:

- A. A public housing or Indian housing unit;
- B. A unit receiving project-based assistance under a Section 8 Program;
- C. Nursing homes, board and care homes, or facilities providing continual psychiatric, medical or nursing services;
- D. College or other school dormitories;
- E. Units on the grounds of penal, reformatory, medical, mental, and similar public or private institutions;
- F. A unit occupied by its owner or by a person with any interest in the unit;
- G. A unit receiving any duplicative Federal, State, or local housing subsidy.

The New Albany Housing Authority will not approve a lease for any of the following special housing types, except as a reasonable accommodation for a family with disabilities:

- A. Congregate housing
- B. Group homes
- C. Shared housing
- D. Cooperative housing
- E. Single room occupancy housing

The New Albany Housing Authority will approve leases for the following housing types:

- A. Single family dwellings
- B. Apartments
- C. Manufactured housing
- D. Manufactured home space rentals

6.8 SECURITY DEPOSIT

The owner may collect a security deposit from the tenant in an amount not in excess of amounts charged in private market practice and not in excess of amounts charged by the owner to unassisted tenants.

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

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

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

7.0 MOVES WITH CONTINUED ASSISTANCE

Participating families are allowed to move to another unit after the initial 12 months has expired, if the landlord and the participant have mutually agreed to terminate the lease, or if the Housing Authority has terminated the HAP contract. The New Albany Housing

Authority will issue the family a new voucher if the family does not owe the New Albany Housing Authority or any other Housing Authority money, has not violated a Family Obligation, has not moved or been issued a voucher within the last 12 months, and if the New Albany Housing Authority has sufficient funding for continued assistance. If the move is necessitated for a reason other than family choice, the 12-month requirement will be waived.

7.1 WHEN A FAMILY MAY MOVE

For families already participating in the Housing Choice Voucher Program, the New Albany Housing Authority will allow the family to move to a new unit if:

- A. The assisted lease for the old unit has terminated;
- B. The owner has given the tenant a notice to vacate, has commenced an action to evict the tenant, or has obtained a court judgment or other process allowing the owner to evict the tenant (If such action does not imply a violation that is subject to termination of assistance); or
- C. The tenant has given notice of lease termination (if the tenant has a right to terminate the lease on notice to the owner).

7.2 PROCEDURES REGARDING FAMILY MOVES

Families considering transferring to a new unit will be scheduled for a re-examination and to attend a mover's briefing. All families who are moving, including any families moving into or out of the New Albany Housing Authority's jurisdiction, will be required to attend a mover's briefing prior to the New Albany Housing Authority entering a new HAP contract on their behalf.

This briefing is intended to provide the following:

- A. A refresher on program requirements and the family's responsibilities. Emphasis will be on giving proper notice and meeting all lease requirements such as leaving the unit in good condition;
- B. Information about finding suitable housing and the advantages of moving to an area that does not have a high concentration of poor families;
- C. Payment standards, exception payment standard rent areas, and the utility allowance schedule;
- D. An explanation that the total family contribution may not exceed 40% of the family's monthly adjusted income toward the gross rent of the unit.

E. Portability requirements and opportunities;

Families are required to give proper written notice of their intent to terminate the lease. In accordance with HUD regulations, no notice requirement may exceed 60 days or be less than 30 days. During the initial term, families may not end the lease unless they and the owner mutually agree to end the lease. If the family moves from the unit before the initial term of the lease ends without the owner's and the New Albany Housing Authority's approval, it will be considered a serious lease violation and subject the family to termination from the program.

The family is required to give the New Albany Housing Authority a copy of the notice to terminate the lease at the same time as it gives the notice to the landlord. A family's failure to provide a copy of the lease termination notice to the New Albany Housing Authority will be considered a violation of Family Obligations and may cause the family to be terminated from the program.

A family who gives notice to terminate the lease must provide written notification to the landlord, via the New Albany Housing Authority,

Failure to follow the above procedures may subject the family to termination from the program.

8.0 PORTABILITY

8.1 *GENERAL POLICIES OF THE NEW ALBANY HOUSING AUTHORITY*

A family whose head or spouse has a domicile (legal residence) or works in the jurisdiction of the New Albany Housing Authority at the time the family first submits its application for participation to the New Albany Housing Authority may lease a unit anywhere in the jurisdiction of the New Albany Housing Authority or outside the New Albany Housing Authority jurisdiction as long as there is another entity operating a tenant-based Section 8 program covering the location of the proposed unit.

If the head or spouse of the assisted family does not have a legal residence or work in the jurisdiction of the New Albany Housing Authority at the time of its application, the family will not have any right to lease a unit outside of the New Albany Housing Authority jurisdiction for a 12-month period beginning when the family is first admitted to the program. During this period, the family may only lease a unit located in the jurisdiction of the New Albany Housing Authority.

Families participating in the Voucher Program will not be allowed to move more than once in any 12-month period and under no circumstances will the New Albany Housing Authority allow a participant to improperly break a lease. Under extraordinary

circumstances the New Albany Housing Authority may consider allowing more than one move in a 12-month period.

Families may only move to a jurisdiction where a Section 8 Program is being administered.

If a family has moved out of their assisted unit in violation of the lease, the New Albany Housing Authority will not issue a voucher, and will terminate assistance in compliance with Section 17.0, Grounds for Termination of the Lease and Contract. However, per the Violence Against Womens Act (VAWA) Section 8(5) NAHA will not terminate or deny portable voucher assistance to a family who is otherwise in 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 reasonable believed he or she was imminently threatened by harm from further violence if he or she remained in the assisted dwelling unit.”

8.2 INCOME ELIGIBILITY

A. New Admission

A family must be income-eligible in the area where the family first leases a unit with assistance in the Voucher Program.

B. If a portable family is already a participant in the Initial Housing Authority's Voucher Program, income eligibility is not re-determined.

8.3 PORTABILITY: ADMINISTRATION BY RECEIVING HOUSING AUTHORITY

A. When a family utilizes portability to move to an area outside the Initial Housing Authority jurisdiction, another Housing Authority (the Receiving Housing Authority) must administer assistance for the family if that Housing Authority has a tenant-based program covering the area where the unit is located.

B. A Housing Authority with jurisdiction in the area where the family wants to lease a unit must issue the family a voucher. If there is more than one such housing authority, the Initial Housing Authority may choose which housing authority shall become the Receiving Housing Authority.

8.4 PORTABILITY PROCEDURES

A. When the New Albany Housing Authority is the Initial Housing Authority:

1. The New Albany Housing Authority will brief the family on the process that must take place to exercise portability. The family will be required to attend an applicant or mover's briefing.

2. The New Albany Housing Authority will determine whether the family is income-eligible in the area where the family wants to lease a unit (if applicable).
3. The New Albany Housing Authority will advise the family how to contact and request assistance from the Receiving Housing Authority.
4. The New Albany Housing Authority will, within ten (10) calendar days, notify by phone, fax, or e-mail the Receiving Housing Authority to expect the family.
5. The New Albany Housing Authority will immediately mail to the Receiving Housing Authority the most recent HUD Form 50058 (Family Report) for the family, form HUD-52665, Housing Choice Voucher, Birth Certificate(s), Social Security Card(s) and other related verification information.

B. When the New Albany Housing Authority is the Receiving Housing Authority:

1. When the portable family requests assistance from the New Albany Housing Authority, the New Albany Housing Authority will within ten (10) calendar days inform the Initial Housing Authority whether it will bill the Initial Housing Authority for assistance on behalf of the portable family, or absorb the family into its own program. When the New Albany Housing Authority receives a portable family, the family will be absorbed if funds are available and a voucher will be issued.
2. The New Albany Housing Authority will issue a voucher to the family. The term of the New Albany Housing Authority's voucher will not expire before the expiration date of any Initial Housing Authority's voucher. The New Albany Housing Authority will determine whether to extend the voucher term. The family must submit a request for tenancy approval to the New Albany Housing Authority during the term of the New Albany Housing Authority's voucher.
3. The New Albany Housing Authority will determine the family unit size for the portable family. The family unit size is determined in accordance with the New Albany Housing Authority's subsidy standards.
4. The New Albany Housing Authority will within ten (10) calendar days notify the Initial Housing Authority if the family has leased an eligible unit under the program, or if the family fails to submit a request for tenancy approval for an eligible unit within the term of the voucher.

5. If the New Albany Housing Authority opts to conduct a new reexamination, the New Albany Housing Authority will not delay issuing the family a voucher or otherwise delay approval of a unit unless the re-certification is necessary to determine income eligibility.
6. In order to provide tenant-based assistance for portable families, the New Albany Housing Authority will perform all Housing Authority program functions, such as reexaminations of family income and composition. At any time, either the Initial Housing Authority or the New Albany Housing Authority may make a determination to deny or terminate assistance to the family in accordance with 24 CFR 982.552.

C. Absorption by the New Albany Housing Authority

1. If funding is available under the consolidated ACC for the New Albany Housing Authority's Housing Choice Voucher Program when the portable family is received, the New Albany Housing Authority will absorb the family into its Voucher Program. After absorption, the family is assisted with funds available under the consolidated ACC for the New Albany Housing Authority's Tenant-Based Program.

D. Portability Billing

1. To cover assistance for a portable family, the Receiving Housing Authority may bill the Initial Housing Authority for housing assistance payments and administrative fees. The billing procedure will be as follows:
 - a. As the Initial Housing Authority, the New Albany Housing Authority will promptly reimburse the Receiving Housing Authority for the full amount of the housing assistance payments made by the Receiving Housing Authority for the portable family. The amount of the housing assistance payment for a portable family in the Receiving Housing Authority's program is determined in the same manner as for other families in the Receiving Housing Authority's program.
 - b. The Initial Housing Authority will promptly reimburse the Receiving Housing Authority for 80% of the Initial Housing Authority's on-going administrative fee for each unit month that the family receives assistance under the tenant-based programs and is assisted by the Receiving Housing Authority. If both Housing Authorities agree, we may negotiate a different amount of reimbursement.

E. When a Portable Family Moves

When a portable family moves out of the tenant-based program of a Receiving Housing Authority that has not absorbed the family, the Housing Authority in the new jurisdiction to which the family moves becomes the Receiving Housing Authority, and the first Receiving Housing Authority is no longer required to provide assistance for the family.

9.0 DETERMINATION OF FAMILY INCOME

9.1 INCOME, EXCLUSIONS FROM INCOME, DEDUCTIONS FROM INCOME

To determine annual income, the New Albany 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 New Albany Housing Authority subtracts out all allowable deductions (allowances) as the next step in determining the Total Tenant Payment.

9.2 INCOME

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

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

B. Annual income includes, but is not limited to:

1. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services.
2. 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 reimbursement of cash or assets invested in the

operation by the family.

3. 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.
4. 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.)
5. 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.)
6. Welfare assistance.
 - a. If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income consists of:
 - i. The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
 - ii. The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount

calculated under this requirement is the amount resulting from one application of the percentage.

- b. 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.
 - c. If the amount of welfare assistance is reduced as a result of a lifetime time limit, the reduced amount is the amount that shall be counted.
- 7. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling.
 - 8. 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.)

9.3 EXCLUSIONS FROM 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 is 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 initiative 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. Deferred periodic amounts from Supplemental Security Income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts;
11. 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;
12. 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
13. 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

9.4 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.

9.5 EARNED INCOME DISALLOWANCE FOR PERSONS WITH DISABILITIES

The following persons will qualify for the HUD income disallowance under CFR 5.617. Previously unemployed a persons with disabilities who have earned, in the

twelve months previous to employment, no more than would be received for ten hours of work per week for 50 weeks at the established minimum wage. Qualified families whose annual income increases as a result of:

- A. Employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment;
- B. Increased earnings by a family member who is a person with disabilities during participation in any economic self-sufficiency or other job training training;
- C. 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.

Disallowance of increase in annual income will be applied as follows

- A. Initial twelve month exclusion. During the cumulative twelve month period beginning on the date a member who is a person with disabilities of a qualified family is first employed or the family first experiences an increase in income attributable to employment, the New Albany Housing Authority must exclude from annual income of a qualified family any increase in income of the employment over prior income of that family member.
- B. Second twelve month exclusion and phase-in. During the second cumulative twelve month period after the date a member who is a person with disabilities of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the New Albany Housing Authority must exclude from annual income of a qualified family fifty percent of any increase in income of that family member prior to the beginning of such employment.
- C. Maximum four year disallowance. The disallowance of increased income of an individual family member who is a person with disabilities as provided above is limited to a lifetime 48 month period.

The disallowance of increases in income as a result of employment of persons with disabilities under this section does not apply for purposes of admission to the program (including the determination of income eligibility or any income targeting that may be applicable).

10.0 VERIFICATION

Per SEMAP requirements the Section Eight Coordinator will conduct an audit on selected records to determine:

- A. Third party documentation has been obtained for:
 - 1) income, assets, and deductions
 - 2) correct utility allowance is used
 - 3) allowances have been correctly been attributed and calculated
- B. Audits will be conducted randomly throughout the year with a copy of the audit form, any explanations, comments, etc.
- C. The Audit Forms will be kept on file.

10.1 ACCEPTABLE METHODS OF VERIFICATION

Age, relationship, U.S. citizenship, and Social Security Numbers will generally be verified with documentation provided by the family. 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.

The New Albany Housing Authority will attempt to verify income through the upfront income verification method. If not available information will be verified by third party verification. This type of verification includes written documentation (with forms sent directly to and received directly from a source, not passed through the hands of the family). It may also be a report generated by a request from the New Albany 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.

If after two attempts, documented by New Albany Housing Authority staff with no luck, NAHA staff will attempt oral third party verification documenting date and time of contact. 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 the above documentation cannot be obtained, the New Albany Housing Authority will accept documentation received from the applicant/participant. Hand-carried documentation will be accepted if the New Albany Housing Authority has been unable to obtain third party verification. 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 New Albany Housing Authority will accept a notarized statement signed by the head, spouse or co-head. Such documents will be maintained in the file.

10.2 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 New Albany Housing Authority will send a request form to the source along with a release form signed by the applicant/participant via first class mail, fax, or e-mail.

Verification Requirements for Individual Items		
Item to Be Verified	3 rd 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 professional knowledgeable of condition	N/A
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		

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
Savings, checking accounts	Letter from institution	Passbook, most current statements
CDs, bonds, etc	Letter from institution	Tax return, information brochure from institution, the CD, the bond
Stocks	Letter from broker or holding company	Stock or most current statement, price in newspaper or through Internet
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
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	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' comp, unemployment)	Letter or electronic reports from the source	Award letter, letter announcing change in amount of future payments

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
Training program participation	Letter from program provider indicating <ul style="list-style-type: none"> - whether enrolled - whether training is HUD-funded - whether State or local program - whether it is employment training - whether payments are for out-of-pocket expenses incurred in order to participate in a program 	N/A

10.3 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 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 New Albany Housing Authority will make a copy of the individual's INS documentation and place the copy in the file. The New Albany Housing Authority also will verify their status through the INS SAVE system. If the INS SAVE system cannot confirm eligibility, the New Albany Housing Authority will mail information to the INS so a manual check can be made of INS records.

Family members who do not claim to be citizens, nationals or eligible noncitizens, or whose status cannot be confirmed, must be listed on a statement of non-eligible 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 the Section 8 Program.

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

If no family member is determined to be eligible under this Section, the family's admission 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 New Albany 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 Section 8 unit, the family's assistance will be terminated. Such family will not be eligible to be readmitted to Section 8 for a period of 24 months from the date of termination.

10.4 VERIFICATION OF SOCIAL SECURITY NUMBERS

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

The best verification of the Social Security Number is the original Social Security card. If the card is not available, the New Albany Housing Authority will accept letters from Social Security that establish and state the number. Documentation from other governmental agencies will also be accepted that establish and state the number. Driver's license, military ID, 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 New Albany 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 assisted 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 60 days to provide the verification. If the individual is at least 62 years of age, they will be given 120 days to provide the verification. If the individual fails to provide the verification

within the time allowed, the family will be denied assistance or will have their assistance terminated.

10.5 TIMING OF VERIFICATION

Verification must be dated within 60 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 only those elements reported to have changed.

10.6 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 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.

11.0 RENT AND HOUSING ASSISTANCE PAYMENT

11.1 GENERAL

The New Albany Housing Authority issues housing choice vouchers to applicants, movers, and families entering the jurisdiction through portability.

11.2 RENT REASONABLENESS

The Housing Authority will not approve an initial rent or a rent increase in any of the tenant-based programs without determining that the rent amount is reasonable. Reasonableness is determined prior to the initial lease and at the following times:

- A. Before any increase in rent to owner is approved;
- B. If 60 days before the contract anniversary date there is a 5% decrease in the published FMR as compared to the previous FMR; and

C. If the Housing Authority or HUD directs that reasonableness be re-determined.

11.3 COMPARABILITY

In making a rent reasonableness determination, the Housing Authority will compare the rent for the unit to the rent of comparable units in the same or comparable neighborhoods. The Housing Authority will consider the location, quality, size, number of bedrooms, age, amenities, housing services, maintenance and utilities of the unit and the comparable units.

The Housing Authority will maintain current survey information on rental units in the jurisdiction. The Housing Authority will also obtain from landlord associations and management firms the value of the array of amenities.

The Housing Authority will develop a points system through which to compare gross rents of units.

Owners are invited to submit information to the survey at any time. Owners may review the determination made on their unit and may submit additional information or make improvements to the unit that will enable the Housing Authority to establish a higher value.

The owner must certify the rents charged for other units. By accepting the housing assistance payment each month the owner is certifying that the rent to owner is not more than the rent charged by the owner for comparable unassisted units in the premises.

11.4 MAXIMUM SUBSIDY

The Fair Market Rent (FMR) published by HUD or the exception payment standard rent (requested by the New Albany Housing Authority and approved by HUD) determines the maximum subsidy for a family.

For the Voucher Program, the maximum payment standard will be 110% of the FMR without prior approval from HUD, or the exception payment standard approved by HUD.

For a voucher tenancy in an insured or noninsured 236 project, a 515 project of the Rural Development Administration, or a Section 221(d)(3) below market interest rate project the payment standard may not exceed the basic rent charged including the cost of tenant-paid utilities.

For manufactured home space rental, the maximum subsidy under any form of assistance is the Fair Market Rent for the space as outlined in 24 CFR 982.888.

11.4.1 SETTING THE PAYMENT STANDARD

HUD requires that the payment standard be set by the Housing Authority at between 90 and 110% of the FMR. The New Albany Housing Authority will review its determination of the payment standard annually after publication of the FMRs. The New Albany Housing Authority will consider vacancy rates and rents in the market area, size and quality of units leased under the program, rents for units leased under the program, success rates of voucher holders in finding units, and the percentage of annual income families are paying for rent under the Voucher Program. If it is determined that success rates will suffer or that families are having to rent low quality units or pay over 40% of income for rent, the payment standard may be raised to the level judged necessary to alleviate these hardships.

Payment standards will not be raised solely to allow the renting of luxury quality units.

If success levels are projected to be extremely high and rents are projected to be at or below 30% of income, the Housing Authority will reduce the payment standard. Payment standards for each bedroom size are evaluated separately so that the payment standard for one bedroom size may increase or decrease while another remains unchanged. The New Albany Housing Authority may consider adjusting payment standards at times other than the annual review when circumstances warrant.

The New Albany Housing Authority may establish a high payment standard within the basic range (90% - 110%) if required as a reasonable accommodation for a family that includes a person with disabilities.

Before increasing any payment standard, the Housing Authority will conduct a financial feasibility test to ensure that in using the higher standard, adequate funds will continue to be available to assist families in the program.

11.4.2 Selecting the Correct Payment Standard for a Family

- A. For the voucher tenancy, the payment standard for a family is the lower of:
 - 1. The payment standard for the family unit size; or
 - 3. The payment standard amount for the size of the dwelling unit rented by the family.
- B. If the unit rented by a family is located in an exception rent area, the Housing Authority will use the appropriate payment standard for the exception rent area.
- C. During the HAP contract term for a unit, the amount of the payment standard for a family is the higher of:

1. The initial payment standard (at the beginning of the lease term) minus any amount by which the initial rent to owner exceeds the current rent to owner; or
 2. The payment standard as determined at the most recent regular reexamination of family income and composition effective after the beginning of the HAP contract term.
- D. At the next annual reexamination following a change in family size or composition during the HAP contract term and for any reexamination thereafter, paragraph C above does not apply.
- E. If there is a change in family unit size resulting from a change in family size or composition, the new family unit size will be considered when determining the payment standard at the next annual reexamination.
- F. If the New Albany Housing Authority lowers its payment standard, the payment standard in effect on the effective date of the HAP contract will remain in effect until the family moves to another unit, has a change in its family size or composition, or until the second annual reexamination after the New Albany Housing Authority decreases its payment standard.
- G. Decreases in the applicable payment standard due to changes in family size or composition are effective as of the next (annual) reexamination following the change. At the time, the new family size will be used to determine the payment standard.

11.4.3 Area Exception Rents

In order to help families find housing outside areas of high poverty or when voucher holders are having trouble finding housing for lease under the program, the Housing Authority may request that HUD approve an exception payment standard rent for certain areas within its jurisdiction. The areas may be of any size, though generally not smaller than a census tract. The Housing Authority may request one such exception payment standard area or many. Exception payment standard rent authority may be requested for all or some unit sizes, or for all or some unit types.

When an exception payment standard rent has been approved and the FMR increases, the exception rent remains unchanged until such time as the Housing Authority requests and HUD approves a higher exception payment standard rent. If the FMR decreases, the exception payment standard rent authority automatically expires.

11.5 ASSISTANCE AND RENT FORMULAS

- A. Total Tenant Payment

The total tenant payment is equal to the highest of:

1. 10% of monthly income
2. 30% of adjusted monthly income
3. Minimum rent
4. The welfare rent (if applicable)

B. Minimum Rent.

The New Albany Housing Authority has set the minimum rent as \$ 50.00. However, if the family requests a hardship exemption, the New Albany Housing Authority will suspend the minimum rent for the family beginning the month following the family's hardship request. The suspension will continue until the Housing Authority can determine whether hardship exists and whether the hardship is of a temporary or long-term nature. During suspension, the family will not be required to pay a minimum rent and the Housing Assistance Payment will be increased accordingly.

1. A hardship exists in the following circumstances:
 - a. When the family has lost eligibility for or is awaiting an eligibility determination for a Federal, State or local assistance program;
 - b. When the family would be evicted as a result of the imposition of the minimum rent requirement;
 - c. When the income of the family has decreased because of changed circumstances, including loss of employment;
 - d. When the family has an increase in expenses because of changed circumstances, for medical costs, childcare, transportation, education, or similar items;
 - e. When a death has occurred in the family.
2. 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 to the Housing Authority for the time of suspension.
3. If the hardship is determined to be temporary, the minimum rent is suspended for a period of 990 days from the date of the family's request.

At the end of the 90-day period, the minimum rent is reinstated retroactively to the date of the suspension. The New Albany Housing Authority will offer to execute a reasonable repayment agreement to cover the minimum rent changes accumulated during the suspension period.

4. 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.
5. Appeals. The family may use the informal hearing procedure to appeal the Housing Authority's determination regarding the hardship. No escrow deposit will be required in order to access the informal hearing procedures.

C. Section 8 Housing Choice Vouchers

1. The payment standard is set by the Housing Authority between 90% and 110% of the FMR or higher or lower with HUD approval.
2. The participant pays the greater of the Total Tenant Payment or the minimum rent, plus the amount by which the gross rent exceeds the payment standard.
3. For new admissions and moves the total family contribution toward the gross rent of the unit shall not exceed 40% of the adjusted monthly income.

D. Section 8 Preservation Vouchers

1. Payment Standard

- a. A family that stays in the same unit and receives enhanced voucher assistance will receive a special payment standard. If the gross rent exceeds the New Albany Housing Authority's payment standard, the payment standard used to calculate the voucher payment is the gross rent of the unit (new rent to owner plus the applicable payment standard).
- b. Minimum rent will be the gross rent of the unit the tenant was paying at pre-payment.
- c. If the dwelling unit is located in an exception area, the New Albany Housing Authority will use the appropriate payment standard for the exception area.

- d. During the HAP contract term, the payment standard for the family is the higher of :
 - i. The initial payment standard (at the beginning of the HAP contract term), as determined in accordance with paragraph (1)(a) of this section, minus any amount by which the initial rent to the owner exceeds the current rent to the owner; or
 - ii. The payment standard as determined in accordance with paragraph (1)(a) of this section, as determined at the most recent regular reexamination of family income and composition effective after the beginning of the HAP contract term.
- e. At the next regular reexamination following a change in family composition that causes a change in family unit size during the HAP contract term, and for any examination thereafter during the term:
 - i. Paragraph (c) of this section does not apply; and
 - ii. The new family unit size must be used to determine the payment standard.
- 2. The New Albany Housing Authority will pay a monthly housing assistance payment on behalf of the family that equals the lesser of:
 - a. The payment standard minus the total tenant payment; or
 - b. The gross rent minus the total tenant payment.
- 3. Those funds received for this project but not utilized are converted to regular Housing Choice Vouchers with normal NAHA and HCV regulations applying instead of those specifically stated in PIH 2000-41 for those families staying at Valley Ridge or moving from Valley Ridge with the preservation voucher.

E. Manufactured Home Space Rental: Section 8 Vouchers

- 1. The payment standard for a participant renting a manufactured home space is the published FMR for rental of a manufactured home space.

2. The space rent is the sum of the following as determined by the Housing Authority:
 - a. Rent to the owner for the manufactured home space;
 - b. Owner maintenance and management charges for the space; and
 - c. Utility allowance for tenant paid utilities.
3. The participant pays the rent to owner less the HAP.
4. HAP equals the lesser of:
 - a. The payment standard minus the total tenant payment; or
 - b. The rent paid for rental of the real property on which the manufactured home owned by the family is located.

F. Rent for Families under the Non-citizen Rule

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

1. The family was receiving assistance on June 19, 1995;
2. The family was granted continuation of assistance before November 29, 1996;
3. The family's head or spouse has eligible immigration status; and
4. 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 years. If granted after that date, the maximum period of time for assistance under the provision is 18 months. The New Albany Housing Authority will grant each family a period of 6 months to find suitable affordable housing. If the family

cannot find suitable affordable housing, the New Albany 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:

1. Determine the gross rent of the unit.
2. Determine HAP, taking into consideration the income of all family members, regardless of their eligibility status.
3. Divide the number of eligible family members (citizens and those with eligible immigration status) by the total number of members in the household.
4. Multiply the HAP calculated in Step 2 by the number calculated in Step 3 to determine the family's eligible subsidy portion.
5. The amount of rent the family will pay will be the gross rent (step 1) less the prorated HAP calculated in Step 4.

G. SHARE VOUCHERS

The New Albany Housing Authority received 20 share vouchers effective 09/01/2000. All Housing Choice Vouchers program regulations apply.

H. DESIGNATED VOUCHERS

The New Albany Housing Authority received 200 Designated Vouchers effective November 1, 2000. These vouchers are specifically designated for non-elderly disabled families.

1. Eligible participants.
 - a. Only non-elderly disabled families that are income eligible under 24 CFR 982.201(b) and who live in public housing that has been designated for occupancy by the elderly, or non-elderly disabled families who are on the PHA's public housing waiting list, may receive a voucher awarded in conjunction with an approved designated housing plan. Such families need not be listed on NAHA's Section 8 waiting list in order to be offered and receive a Section 8 voucher. These families will be admitted to the Section 8 program as a special admission (24 CFR 982.203).

2. Voucher assistance requirements. NAHA will administer the Section 8 vouchers in accordance with HUD regulations and requirements governing the Section 8 Housing Choice Voucher Program, and the New Albany Housing Authority Administrative Plan.
3. Section 8 admission requirements. Section 8 assistance will be provided to eligible applicants in conformity with regulations and requirements governing the Section 8 Housing Choice Voucher Program and those listed in NAHA's administrative plan.
4. When a voucher becomes available for re-issuance, the rental assistance may be used only for another individual or family eligible for assistance under this section subject to appropriations for renewal funding, from the date the rental assistance is placed under the annual contributions contract (ACC).
5. NAHA responsibilities:
 - a. Where requested by an individual, assist participants to gain access to supportive services available within the community.
 - b. Identify public and private funding sources to assist participants with disabilities in covering the costs of structural alterations and other accessibility features that are needed as accommodations for their disabilities.
 - c. Not deny person who qualify for rental assistance under this program other housing opportunities, or otherwise restrict access to NAHA programs to eligible applicants who choose not to participate.
 - d. Provide Section 8 search assistance.
 - e. In accordance with regulatory guidance, provide higher rent to owners necessary for the provision of accessible units and structural modifications for persons with disabilities.
 - f. Provide technical assistance to owners for making reasonable accommodations or making units accessible to person with disabilities.

I. FAMILY UNIFICATION PROGRAM (FUP)

The New Albany Housing Authority received 50 FUP Vouchers effective January 1, 2001.

1. Families must meet the following criteria to be eligible for FUP:
 - a. The lack of adequate housing* is a primary reason for the imminent placement of a family's child or children in out-of-home care, or in the delay in reuniting a child(ren) who are in out-of-home care with the family - as determined by Child Welfare Agency (CWA); and,
 - b. The family qualifies for the Section 8 rental assistance as determined by the Housing Authority of the City of New Albany.

*Families facing a “lack of adequate housing” may be: living in substandard or dilapidated housing, homeless, or living in overcrowded conditions. They may also have been voluntarily or involuntarily displaced from their homes by domestic violence.

2. Procedures for administering the PHA Section 8 waiting list
 - a. The NAHA first reviews its waiting list for any CWA referred families; these families will be among the first served through FUP assistance, once they are determined to meet Section 8 criteria.
 - b. If the NAHA waiting list is closed, then NAHA will open the list for FUP eligible families only. These families must be referred by the CWA and placed on the Section 8 waiting list (assuming no FUP vouchers are available) and coded as FUP eligible. NAHA will then disburse FUP vouchers to families according to their rank order on the Section 8 waiting list.
 - c. If NAHA’s Section 8 waiting list is open, FUP families will be added to the waiting list (if no FUP units are available) and coded as FUP eligible. FUP families will then be served according to their rank and order on the waiting list.
3. FUP eligible families on the PHA Section 8 waiting list will be offered housing based on:
 - a. The availability of a Family Unification Program Section 8 Voucher; and
 - b. Their rank and order on the Section 8 waiting list.
4. Section 8/FUP grievance procedures
 - a. All persons applying for the Family Unification Program can request an informal Hearing from the PHA on their Section 8 application (per HUD 24CFR, Section 982.554).
 - b. NAHA will be responsible for defending its decisions pertaining to family’s eligibility for Section 8 rental assistance and will follow standard Section 8 informal hearing procedures, as set forth in this board approved administrative plan.
 - c. The Floyd County Division of Family and Children (DFC), Child Protective Services will be responsible for defending its FUP eligibility determinations.
5. NAHA Responsibilities:
 - a. Accept families certified by the Floyd County DFC CPS as eligible for FUP. NAHA, upon receipt of the DFC list of families currently in the DFC caseload, must compare the names with those of families already on NAHA’s Section 8 waiting list. Any family on NAHA’s Section 8 waiting list that matches with the DFC CPS list must be assisted in order of their position on the waiting list in accordance with PHA admission policies. Any family certified by the DFC CPS as eligible and not on the waiting list, will be added to the waiting. If NAHA has a closed Section 8 waiting list, NAHA will reopen the waiting list to accept the FUP applicant family who is not currently on NAHA’s Section 8 waiting list.

- b. Determine if any families with children on its waiting list are living in temporary shelters or on the street and may qualify for FUP, and refer such applicants to the Floyd County DFC CPS.
 - c. Determine if families referred by Floyd DFC CPS are eligible for Section 8 assistance and place eligible families on the Section 8 waiting list.
 - d. Amend the administrative plan in accordance with applicable program regulations and requirements.
 - e. Administer the vouchers in accordance with applicable program regulations and requirements.
 - f. Assure the quality of the evaluation that HUD intends to conduct on the FUP and cooperate with and provide requested data to the HUD office or HUD-approved contractor responsible for program evaluation.
 - g. NAHA will comply with all actions to be taken by NAHA as specified by the Memorandum of Understanding (MOU) between NAHA and the Floyd County Division of Family and Children, Child Protective Services.
6. Section 8 Voucher Assistance
- a. The FUP provides funding for rental assistance under the Section 8 Housing Choice Voucher Program. NAHA will administer this program in accordance with HUD's regulations governing the Section 8 Housing Choice Voucher Program. If a Section 8 voucher for a family under this program is terminated, the voucher will be reissued to another FUP eligible family for five years from the initial date of execution of the Annual Contributions Contract subject to the availability of renewal funding.

11.6 UTILITY ALLOWANCE

The Housing Authority maintains a utility allowance schedule for all tenant-paid utilities (except telephone), for cost of tenant-supplied refrigerators and ranges, and for other tenant-paid housing services (e.g., trash collection (disposal of waste and refuse)).

The utility allowance schedule is determined based on the typical cost of utilities and services paid by energy-conservative households that occupy housing of similar size and type in the same locality. In developing the schedule, the Housing Authority uses normal patterns of consumption for the community as a whole and current utility rates.

The Housing Authority reviews the utility allowance schedule annually and revises any allowance for a utility category if there has been a change of 10% or more in the utility rate since the last time the utility allowance schedule was revised. The Housing Authority maintains information supporting the annual review of utility allowances and any revisions made in its utility allowance schedule. Participants may review this information at any time by making an appointment with the **Section 8 Coordinator**.

The Housing Authority uses the appropriate utility allowance for the size of dwelling unit actually leased by the family (rather than the family unit size as determined under the Housing Authority subsidy standards).

At each annual reexamination, the Housing Authority applies the utility allowance from the most current utility allowance schedule.

The Housing Authority will approve a request for a utility allowance that is higher than the applicable amount on the utility allowance schedule if a higher utility allowance is needed as a reasonable accommodation to make the program accessible to and usable by the family member with a disability.

11.7 DISTRIBUTION OF HOUSING ASSISTANCE PAYMENT

The Housing Authority pays the owner the lesser of the housing assistance payment or the rent to owner. If payments are not made when due, the owner may charge the New Albany Housing Authority a late payment, agreed to in the Contract and in accordance with generally accepted practices in the New Albany/Floyd County jurisdiction.

11.8 CHANGE OF OWNERSHIP

The New Albany Housing Authority requires a written request by the owner who executed the HAP contract in order to make changes regarding who is to receive the New Albany Housing Authority's rent payment or the address as to where the rent payment should be sent.

In addition, the New Albany Housing Authority requires a written request from the new owner to process a change of ownership. The following documents must accompany the written request:

- A. Deed of Trust showing the transfer of title, or HUD Settlement Statement; and
- B. Tax Identification Number or Social Security Number.

New owners will be required to execute IRS form W-9, and Landlord Certification. The New Albany Housing Authority may withhold the rent payment until the taxpayer identification number is received.

12.0 INSPECTION POLICIES, HOUSING QUALITY STANDARDS, AND DAMAGE CLAIMS

The New Albany Housing Authority will inspect all units to ensure that they meet Housing Quality Standards (HQS). No unit will be initially placed on the Section 8 Housing Choice Voucher Program unless the HQS is met. Units will be inspected at least annually, and at other times as needed, to determine if the units meet HQS.

The New Albany Housing Authority must be allowed to inspect the dwelling unit at reasonable times with reasonable notice. The family and owner will be notified of the inspection appointment by first class mail. If the family can not be at home for the scheduled inspection appointment, the family must call and reschedule the inspection or make arrangements to enable the Housing Authority to enter the unit and complete the inspection.

If the family misses the scheduled inspection and fails to reschedule the inspection, the New Albany Housing Authority will only schedule one more inspection. If the family misses two inspections, the New Albany Housing Authority will consider the family to have violated a Family Obligation and their assistance will be terminated.

12.1 TYPES OF INSPECTIONS

There are seven types of inspections the New Albany Housing Authority will perform:

- A. Initial Inspection - An inspection that must take place to insure that the unit passes HQS before assistance can begin.
- B. Annual Inspection - An inspection to determine that the unit continues to meet HQS.
- C. Complaint Inspection - An inspection caused by the Authority receiving a complaint on the unit by anyone.
- D. Special Inspection - An inspection caused by a third party, i.e. HUD, needing to view the unit.
- E. Emergency - An inspection that takes place in the event of a perceived emergency. These will take precedence over all other inspections.
- F. Move Out Inspection (if applicable) - An inspection required for units in service before October 2, 1995, and optional after that date. These inspections document the condition of the unit at the time of the move-out.
- G. Quality Control Inspection – per SEMAP requirements the New Albany Housing Authority will conduct supervisory inspections of units based on the following formula: five inspections for the first 50; and one each for every 50 thereafter. Based on 408 vouchers NAHA will conduct a minimum of 13 inspections.

12.2 OWNER AND FAMILY RESPONSIBILITY

- A. Owner Responsibility for HQS

1. The owner must maintain the unit in accordance with HQS.
2. If the owner fails to maintain the dwelling unit in accordance with HQS, the New Albany Housing Authority will take prompt and vigorous action to enforce the owner obligations. The New Albany Housing Authority's remedies for such breach of the HQS include termination, or abatement of the HAP contract.
3. The New Albany Housing Authority will not make any housing assistance payments for a dwelling unit that fails to meet the HQS, unless the owner corrects the defect within the period specified by the New Albany Housing Authority and the New Albany Housing Authority verifies the correction. If a defect is life threatening, the owner must correct the defect within no more than 24 hours. For other defects the owner must correct the defect within no more than 30 calendar days (or any New Albany Housing Authority approved extension).
4. The owner is not responsible for a breach of the HQS that is not caused by the owner, and for which the family is responsible. Furthermore, the New Albany Housing Authority may terminate assistance to a family because of the HQS breach caused by the family.

B. Family Responsibility for HQS

1. The family is responsible for a breach of the HQS that is caused by any of the following:
 - a. The family fails to pay for any utilities that the owner is not required to pay for, but which are to be paid by the tenant;
 - b. The family fails to provide and maintain any appliances that the owner is not required to provide, but which are to be provided by the tenant; or
 - c. Any member of the household or a guest damages the dwelling unit or premises (damage beyond ordinary wear and tear).
2. If an HQS breach caused by the family is life threatening, the family must correct the defect within no more than 24 hours. For other family-caused defects, the family must correct the defect within no more than 30 calendar days (or any New Albany Housing Authority approved extension).

3. If the family has caused a breach of the HQS, the New Albany Housing Authority will take prompt and vigorous action to enforce the family obligations. The New Albany Housing Authority may terminate assistance for the family in accordance with 24 CFR 982.552.

12.3 HOUSING QUALITY STANDARDS (HQS) 24 CFR 982.401

This Section states performance and acceptability criteria for these key aspects of the following housing quality standards:

A. Sanitary Facilities

1. Performance Requirements

The dwelling unit must include sanitary facilities located in the unit. The sanitary facilities must be in proper operating condition and adequate for personal cleanliness and the disposal of human waste. The sanitary facilities must be usable in privacy.

2. Acceptability Criteria

- a. The bathroom must be located in a separate private room and have a flush toilet in proper operating condition.
- b. The dwelling unit must have a fixed basin in proper operating condition, with a sink trap and hot and cold running water.
- c. The dwelling unit must have a shower or a tub in proper operating condition with hot and cold running water.
- d. The facilities must utilize an approvable public or private disposal system (including a locally approvable septic system).

B. Food Preparation and Refuse Disposal

1. Performance Requirements

- a. The dwelling unit must have suitable space and equipment to store, prepare, and serve foods in a sanitary manner.
- b. There must be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage where necessary (e.g., garbage cans).

2. Acceptability Criteria

- a. The dwelling unit must have an oven, a stove or range, and a refrigerator of appropriate size for the family. All of the equipment must be in proper operating condition. Either the owner or the family may supply the equipment. A microwave oven may be substituted for a tenant-supplied oven and stove or range. A microwave oven may be substituted for an owner-supplied oven and stove or range if the tenant agrees and microwave ovens are furnished instead of an oven and stove or range to both subsidized and unsubsidized tenants in the building or premises.
- b. The dwelling unit must have a kitchen sink in proper operating condition, with a sink trap and hot and cold running water. The sink must drain into an approvable public or private system.
- c. The dwelling unit must have space for the storage, preparation, and serving of food.
- d. There must be facilities and services for the sanitary disposal of food waste and refuse, including temporary storage facilities where necessary (e.g., garbage cans).

C. Space and security

1. Performance Requirement

The dwelling unit must provide adequate space and security for the family.

2. Acceptability Criteria

- a. At a minimum, the dwelling unit must have a living room, a kitchen area, and a bathroom.
- b. The dwelling unit must have at least one bedroom or living/sleeping room for each two persons. Children of opposite sex may be eligible for separate rooms.
- c. Unit windows located on the first floor, at the basement level, on a fire escape, porch, or other outside space that can be reached from the ground and that are designed to be opened must have a locking device. (Windows with sills less than six feet off the ground are considered accessible). Traditional window locks, those provided by storm/screen combination windows, window pins, and nails are acceptable. Windows leading to a fire escape or required to meet ventilation requirements may not be nailed shut.

- d. Doors leading to the outside and common hallways, fire escapes, and porches or otherwise accessible from the ground must have locks. No specific type of lock is required.
 - (i) The presence of only a chain lock is not acceptable and will not permit the unit to pass.
 - (ii) A single bolt lock is not acceptable and is inadequate if it is the only lock on the only door.

D. Thermal Environment

1. Performance Requirement

The dwelling unit must have and be capable of maintaining a thermal environment healthy for the human body. From October 1 through May 1 the unit has to maintain a thermal environment of 68 degrees.

2. Acceptability Criteria

- a. There must be a safe system for heating the dwelling unit (and a safe cooling system, where present). The system must be in proper operating condition. The system must be able to provide adequate heat (or cooling if system present) either directly or indirectly, to each room, in order to assure a healthy living environment appropriate to the climate.
- b. The dwelling unit must not contain unvented room heaters that burn gas, oil, or kerosene. Electric heaters are acceptable.
- c. The tenant must be able to control the thermal environment, i.e., thermostat in the unit.

E. Illumination and Electricity

1. Performance Requirement

Each room must have adequate natural or artificial illumination to permit normal indoor activities and to support the health and safety of occupants. The dwelling unit must have sufficient electrical sources so occupants can use essential electrical appliances. The electrical fixtures and wiring must not pose a fire hazard.

2. Acceptability Criteria

- a. There must be at least one window in the living room and in each sleeping room.
- b. The kitchen area and the bathroom must have a permanent ceiling or wall light fixture in proper operating condition. The kitchen area must also have at least one electrical outlet in proper operating condition.
- c. The living room and each bedroom must have at least two electrical outlets in proper operating condition. Permanent overhead or wall-mounted light fixtures may count as one of the required electrical outlets.

F. Structure and Materials

1. Performance Requirement

The dwelling unit must be structurally sound. The structure must not present any threat to the health and safety of the occupants and must protect the occupants from the environment.

2. Acceptability Criteria

- a. Ceilings, walls, and floors must not have any serious defects such as severe bulging or leaning, large holes, loose surface materials, severe buckling, missing parts, or other serious damage.
- b. The roof must be structurally sound and weather proof.
- c. The foundation and exterior wall structure and surface must not have any serious defects such as serious leaning, buckling, sagging, large holes, or defects that may result in air infiltration or vermin infestation.
- d. The condition and equipment of interior and exterior stairs, halls, porches, walkways, etc., must not present a danger of tripping and falling. For example, broken or missing steps or loose boards are unacceptable.
- e. Elevators must be working safely. A current city or state inspection certificate suffices to determine working condition of the elevator.
- f. Handrails are required when four or more steps (risers) are present, and protective railings are required when porches, balconies, and

stoops are thirty inches off the ground.

- g. Manufactured homes must have proper tie-down devices capable of surviving wind loads common to the area.

G. Interior Air Quality

1. Performance Requirement

The dwelling unit must be free of air pollutant levels that threaten the occupant's health.

2. Acceptability Criteria

- a. The dwelling unit must be free from dangerous levels of air pollution from carbon monoxide, sewer gas, fuel gas, dust, and other harmful pollutants.
- b. There must be adequate air circulation in the dwelling unit. Air conditioning provides adequate circulation as do ceiling and vent fans.
- c. Bathroom areas must have one window that can be opened or other adequate exhaust ventilation. The ventilating fan must operate as intended.
- d. Any room used for sleeping must have at least one window. If the window was designed to be openable, it must in proper working order. Windows designed to open must not be painted or nailed shut.

H. Water Supply

1. Performance Requirements

The water supply must be free from contamination.

2. Acceptability Criteria

The dwelling unit must be served by an approvable public or private water supply that is sanitary and free from contamination.

I. Lead-based Paint

1. Definitions

- a. Chewable surface: Protruding painted surfaces up to five feet from the floor or ground that are readily accessible to children under six years of age; for example, protruding corners, window sills and frames, doors and frames, and other protruding woodwork.
- b. Component: An element of a residential structure identified by type and location, such as a bedroom wall, an exterior window sill, a baseboard in a living room, a kitchen floor, an interior window sill in a bathroom, a porch floor, stair treads in a common stairwell, or an exterior wall.
- c. Defective paint surface: A surface on which the paint is cracking, scaling, chipping, peeling, or loose.
- d. Elevated blood level (EBL): Excessive absorption of lead. Excessive absorption is a confirmed concentration of lead in whole blood of 20 ug/dl (micrograms of lead per deciliter) for a single test or of 15-19 ug/dl in two tests taken at least three months apart.
- e. HEPA: A high efficiency particle accumulator as used in lead abatement vacuum cleaners.
- f. Lead-based paint: A paint surface, whether or not defective, identified as having a lead content greater than or equal to 1 milligram per centimeter squared (mg/cm^2), or 0.5 % by weight or 5000 parts per million (PPM).

2. Performance Requirements

- a. The purpose of this paragraph of this section is to implement Section 302 of the Lead-Based Paint Poisoning Prevention Act, 42 U.S.C. 4822, by establishing procedures to eliminate as far as practicable the hazards of lead-based paint poisoning for units assisted under this part. This paragraph is issued under 24 CFR 35.24(b)(4) and supersedes, for all housing to which it applies, the requirements of subpart C of 24 CFR part 35.
- b. The requirements of this paragraph of this Section do not apply to 0-bedroom units, units that are certified by a qualified inspector to be free of lead-based paint, or units designated exclusively for the elderly. The requirements of subpart A of 24 CFR part 35 apply to all units constructed prior to 1978 covered by a HAP contract under part 982.

- c. If a dwelling unit constructed before 1978 is occupied by a family that includes a child under the age of six years, the initial and each periodic inspection (as required under this part), must include a visual inspection for defective paint surfaces. If defective paint surfaces are found, such surfaces must be treated in accordance with paragraph k of this Section.
- d. The Housing Authority may exempt from such treatment defective paint surfaces that are found in a report by a qualified lead-based paint inspector not to be lead-based paint, as defined in paragraph 1(f) of this Section. For purposes of this Section, a qualified lead-based paint inspector is a State or local health or housing agency, a lead-based paint inspector certified or regulated by a State or local health or housing agency, or an organization recognized by HUD.
- e. Treatment of defective paint surfaces required under this Section must be completed within 30 calendar days of Housing Authority notification to the owner. When weather conditions prevent treatment of the defective paint conditions on exterior surfaces within the 30-day period, treatment as required by paragraph k of this Section may be delayed for a reasonable time.
- f. The requirements in this paragraph apply to:
 - i. All painted interior surfaces within the unit (including ceilings but excluding furniture);
 - ii. The entrance and hallway providing access to a unit in a multi-unit building; and
 - iii. Exterior surfaces.
- g. In addition to the requirements of paragraph c of this Section, for a dwelling unit constructed before 1978 that is occupied by a family with a child under the age of six years with an identified EBL condition, the initial and each periodic inspection (as required under this part) must include a test for lead-based paint on chewable surfaces. Testing is not required if previous testing of chewable surfaces is negative for lead-based paint or if the chewable surfaces have already been treated.
- h. Testing must be conducted by a State or local health or housing agency, an inspector certified or regulated by a State or local health or housing agency, or an organization recognized by HUD. Lead

content must be tested by using an X-ray fluorescence analyzer (XRF) or by laboratory analysis of paint samples. Where lead-based paint on chewable surfaces is identified, treatment of the paint surface in accordance with paragraph k of this Section is required, and treatment shall be completed within the time limits in paragraph e of this Section.

- i. The requirements in paragraph g of this Section apply to all protruding painted surfaces:
 - i. Within the unit;
 - ii. The entrance and hallway providing access to a unit in a multi-unit building; and
 - iv. Exterior surfaces associated with the unit.
- j. In lieu of the procedures set forth in paragraph g of this Section, the housing authority may, at its discretion, waive the testing requirement and require the owner to treat all interior and exterior chewable surfaces in accordance with the methods set out in paragraph k of this Section.
- k. Treatment of defective paint surfaces and chewable surfaces must consist of covering or removal of the paint in accordance with the following requirements:
 - i. A defective paint surface shall be treated if the total area of defective paint on a component is:
 - (1) More than 20 square feet on an exterior wall;
 - (2) More than 2 square feet in any one room or space;
 - (3) More than 10% of the total surface area on an interior or exterior component with a small surface area, including, but not limited to, windowsills, baseboards and trim.
 - ii. Acceptable methods of treatment are the following: removal by wet scraping, wet sanding, chemical stripping on or off site, replacing painted components, scraping with infra-red or coil type heat gun with temperatures below 1100 degrees, HEPA vacuum sanding, HEPA vacuum needle gun, contained hydroblasting or high pressure wash

with HEPA vacuum, and abrasive sandblasting with HEPA vacuum. Surfaces must be covered with durable materials with joint edges sealed and caulked as needed to prevent the escape of lead contaminated dust.

- iii. Prohibited methods of removal are the following: open flame burning or torching, machine sanding or grinding without a HEPA exhaust, uncontained hydroblasting or high pressure wash, and dry scraping except around electrical outlets or except when treating defective paint spots no more than two square feet in any one interior room or space (hallway, pantry, etc.) or totaling no more than twenty square feet on exterior surfaces.
- iv. During exterior treatment soil and playground equipment must be protected from contamination.
- v. All treatment procedures must be concluded with a thorough cleaning of all surfaces in the room or area of treatment to remove fine dust particles. Cleanup must be accomplished by wet washing surfaces with a lead solubilizing detergent such as trisodium phosphate or an equivalent solution.
- vi. Waste and debris must be disposed of in accordance with all applicable Federal, State, and local laws.
- l. The owner must take appropriate action to protect residents and their belongings from hazards associated with treatment procedures. Residents must not enter spaces undergoing treatment until cleanup is completed. Personal belongings that are in work areas must be relocated or otherwise protected from contamination.
- m. Prior to execution of the HAP contract, the owner must inform the Housing Authority and the family of any knowledge of the presence of lead-based paint on the surfaces of the residential unit.
- n. The Housing Authority must attempt to obtain annually from local health agencies the names and addresses of children with identified EBLs and must annually match this information with the names and addresses of participants under this part. If a match occurs, the Housing Authority must determine whether local health officials have tested the unit for lead-based paint. If the unit has lead-based paint, the Housing Authority must require the owner to treat the lead-based paint. If the owner does not complete the corrective

actions required by this Section, the family must be issued a certificate or voucher to move.

- o. The Housing Authority must keep a copy of each inspection report for at least three years. If a dwelling unit requires testing, or if the dwelling unit requires treatment of chewable surfaces based on the testing, the Housing Authority must keep the test results indefinitely and, if applicable, the owner certification and treatment. The records must indicate which chewable surfaces in the dwelling units have been tested and which chewable surfaces were tested or tested and treated in accordance with the standards prescribed in this Section, such chewable surfaces do not have to be tested or treated at any subsequent time.

J. Access

1. Performance Requirements

The dwelling unit must be able to be used and maintained without unauthorized use of other private properties. The building must provide an alternate means of exit in case of fire (such as fire stairs or egress through windows).

2. Acceptability Criteria

- a. The unit must have private access.
- b. In case of fire, the building must contain an alternate means of exit such as fire stairs, or windows, including use of a ladder for windows above the second floor.

K. Site and Neighborhood

1. Performance Requirements

The site and neighborhood must be reasonably free from disturbing noises and reverberations and other dangers to the health, safety, and general welfare of the occupants.

2. Acceptability Criteria

The site and neighborhood may not be subject to serious adverse environmental conditions, natural or manmade, such as dangerous walks or steps; instability; flooding, poor drainage, septic tank back-ups or sewage hazards; mudslides; abnormal air pollution, smoke or dust; excessive noise, vibration or vehicular traffic; excessive accumulations of trash; vermin or rodent infestation; or fire hazards.

L. Sanitary Condition

1. Performance Requirements

The dwelling unit and its equipment must be in sanitary condition.

2. Acceptability Criteria

The dwelling unit and its equipment must be free of vermin and rodent infestation.

M. Smoke Detectors

1. Performance Requirements

- a. Except as provided in paragraph b below of this Section, each dwelling unit must have at least one battery-operated or hard-wired smoke detector, in proper operating condition, on each level of the dwelling unit, including basements but excepting crawl spaces and unfinished attics. Smoke detectors must be installed in accordance with and meet the requirements of the National Fire Protection Association Standard (NFPA) 74 (or its successor standards). If the dwelling unit is occupied by any hearing-impaired person, smoke detectors must have an alarm system, designed for hearing-impaired persons as specified in NFPA 74 (or successor standards).
- c. For units assisted prior to April 24, 1993, owners who installed battery-operated or hard-wired smoke detectors prior to April 24, 1993, in compliance with HUD's smoke detector requirements, including the regulations published on July 30, 1992, (57 FR 33846), will not be required subsequently to comply with any additional requirements mandated by NFPA 74 (i.e., the owner would not be required to install a smoke detector in a basement not used for living purposes, nor would the owner be required to change the location of the smoke detectors that have already been installed on the other floors of the unit).
- d. If a hearing impaired person is occupying the dwelling unit, the smoke detectors must have an alarm system designed for hearing impaired persons as specified in NFPA 74.

12.4 EXCEPTIONS TO THE HQS ACCEPTABILITY CRITERIA

The New Albany Housing Authority will utilize the acceptability criteria as outlined above with applicable State and local codes. Additionally, the New Albany Housing Authority has received HUD approval to require the following additional criteria:

- A. In each room, there will be at least one exterior window that can be opened and that contains a screen. This applies only to those units where there is no air conditioning provided, i.e., central air, or window units.
- B. Owners will be required to scrape peeling paint and repaint all surfaces cited for peeling paint with 2 coats of non-lead paint. An extension may be granted as a severe weather related item as defined below.
- C. Adequate heat shall be considered to be 68 degrees for the months of October 1 through May 1. The thermostat must be located in the tenant's unit.
- D. In units where the tenant must pay for utilities, each unit must have separate metering device(s) for measuring utility consumption.
- E. A ¾" overflow pipe must be present on the hot water heater safety valves and installed down to within 6 inches of the floor.

12.5 TIME FRAMES AND CORRECTIONS OF HQS FAIL ITEMS

- A. Correcting Initial HQS Fail Items

The New Albany Housing Authority will schedule a timely inspection of the unit on the date the owner indicates that the unit will be ready for inspection, or as soon as possible thereafter (within 5 working days) upon receipt of a Request for Tenancy Approval. The owner and participant will be notified in writing of the results of the inspection. If the unit fails HQS, the owner and the participant will be advised to notify the New Albany Housing Authority to reschedule a re-inspection when the repairs have been properly completed.

On an initial inspection, the owner will be given up to 30 days to correct the items noted as failed, depending on the extent of the repairs that are required to be made. No unit will be placed on the program until the unit meets the HQS requirements.

- B. HQS Fail Items for Units under Contract

The owner or participant will be given time to correct the failed items cited on the inspection report for a unit already under contract. If the failed items endanger the family's health or safety (using the emergency item list below), the owner or

participant will be given 24 hours to correct the violations. For less serious failures, the owner or participant will be given up to 30 days to correct the failed item(s).

If the owner fails to correct the HQS failed items after proper notification has been given, the New Albany Housing Authority will abate payment and terminate the contract in accordance with Sections 12.7 and 17.0(B)(3)(f)(i).

If the participant fails to correct the HQS failed items that are family-caused after proper notification has been given, the New Albany Housing Authority will terminate assistance for the family in accordance with Sections 12.2(B)(i)(c) and 17.0(B)(3).

C. Time Frames for Corrections

1. Emergency repair items must be repaired within 24 hours. See item 12.6 for emergency fail items.
2. Repair of refrigerators, range and oven, a major plumbing fixture supplied, by the owner, and no hot water, must be repaired within 72 hours. Gas and electric shut off during winter months is a 72 hours fix, otherwise they have to be turned on in 30 days.
3. For non-emergency items the owner will have up to 30 days to complete.

D. Extensions

At the sole discretion of the New Albany Housing Authority, extensions of up to 30 days may be granted to permit an owner to complete repairs if the owner has made a good faith effort to initiate repairs. If repairs are not completed within 30 days (60 days if a 30 day extension has been granted) after the initial inspection date, the New Albany Housing Authority will abate the rent and cancel the HAP contract for owner noncompliance. Appropriate extensions will be granted if a severe weather condition exists for such items as exterior painting and outside concrete work for porches, steps, and sidewalks.

12.6 EMERGENCY FAIL ITEMS

The following items are to be considered examples of emergency items that need to be abated within 24 hours:

- A. No water
- B. Major plumbing leak

- C. Natural gas leak
- D. Broken lock(s) on first floor doors or windows
- E. Broken windows that unduly allow weather elements into the unit
- F. Electrical outlet smoking or sparking
- G. Exposed electrical wires which could result in shock or fire
- H. Unusable toilet when only one toilet is present in the unit
- I. Security risks such as broken doors or windows that would allow intrusion
- J. Other conditions which pose an immediate threat to health or safety
- K. No smoke detector or improperly functioning smoke detector, if the smoke detector in question is the only smoke on its level of the unit.

12.7 ABATEMENT

When a unit fails to meet HQS and the owner has been given an opportunity to correct the deficiencies, but has failed to do so within in the required timeframe, the rent for the dwelling unit may be abated.

The initial abatement period will begin the first day of the month following the month the unit failed and will not exceed 7 days (e.g. unit fails May 14, the abatement will begin June 1). If the corrections of deficiencies are not made within the 7-day timeframe, the abatement will continue until the HAP contract is terminated. When the deficiencies are corrected, the New Albany Housing Authority will end the abatement the day the unit passes inspection. Rent will resume the following day and be paid the first day of the next month.

For tenant caused HQS deficiencies, the owner will not be held accountable and the rent will not be abated. The tenant is held to the same standard and timeframes for correction of deficiencies as owners. If repairs are not completed by the deadline, the New Albany Housing Authority will send a notice of termination to both the tenant and the owner.

13.0 OWNER CLAIMS FOR DAMAGES, UNPAID RENT, AND VACANCY LOSS AND PARTICIPANT'S INSURING RESPONSIBILITIES

This Section only applies to HAP contracts in effect before October 2, 1995. Vouchers have a provision for damages and unpaid rent. No vacancy loss is paid on vouchers. No Damage Claims will be processed unless the New Albany Housing Authority has performed a move-out inspection. Either the tenant or the owner can request the move-

out inspection. Ultimately, it is the owner's responsibility to request the move-out inspection if he/she believes there may be a claim.

Damage claims are limited in the following manner:

- A. In the Voucher Program, owners are allowed to claim up to one (1) month contract rent minus greater of the security deposit collected or the security deposit that should have been collected under the lease. There will be no payment for vacancy losses under the Housing Choice Voucher Program.
- B. No damage claims will be paid under either program effective on or after October 2, 1995.

13.1 OWNER CLAIMS FOR PRE-OCTOBER 2, 1995, UNITS

In accordance with the HAP contract, owners can make special claims for damages, unpaid rent, and vacancy loss (vacancy loss can not be claimed for vouchers) after the tenant has vacated or a proper eviction proceeding has been conducted.

Owner claims for damages, unpaid rent, and vacancy loss are reviewed for accuracy and completeness. Claims are then compared to the move-in and move-out inspections to determine if an actual claim is warranted. No claim will be paid for normal wear and tear. Unpaid utility bills are not an eligible claim item.

The New Albany Housing Authority will make payments to owners for approved claims. It should be noted that the tenant is ultimately responsible for any damages, unpaid rent, and vacancy loss paid to the owner and will be held responsible to repay the New Albany Housing Authority to remain eligible for the Section 8 Program.

Actual bills and receipts for repairs, materials, and labor must support claims for damages. The New Albany Housing Authority will develop a list of reasonable costs and charges for items routinely included on damage claims. This list will be used as a guide.

Owners can claim unpaid rent owned by the tenant up to the date of HAP termination.

13.2 PARTICIPANT RESPONSIBILITIES

If a damage claim has been paid to an owner, the participant is responsible for repaying the amount to the New Albany Housing Authority. This shall be done by either paying the full amount due immediately upon the New Albany Housing Authority requesting it or through a Repayment Agreement that is approved by the New Albany Housing Authority.

If the participant is not current on any Repayment Agreements or has unpaid claims on more than one unit, the participant shall be terminated from the program. The participant retains the right to request an informal hearing.

14.0 RECERTIFICATION

14.1 ANNUAL REEXAMINATION

At least annually the New Albany 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 subsidy is correct based on the family unit size.

The New Albany Housing Authority will send a notification letter to the family letting them know that it is time for their annual reexamination and scheduling an appointment. The letter includes 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 interview, the family will provide all information regarding household 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 or faxed to the sources that will verify the family circumstances.

Upon receipt of verification, the New Albany Housing Authority will determine the family's annual income and will calculate their family share.

14.1.1 Effective Date of Rent Changes for Annual Reexaminations

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

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

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

14.1.2 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 New Albany Housing Authority taking action to terminate the family's assistance.

14.2 INTERIM RE-EXAMINATIONS

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

Families are required to report the following changes to the New Albany Housing Authority between regular reexaminations. These changes will trigger an interim reexamination.

- 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.
- C. Families are required to report changes in income within ten days of the change. In case of employment the change will be reported within days of starting employment and not the first paycheck.

If the family fails to report an increase in income the family will be required to repay the resulting overpayment of assistance. If the family fails to sign a repayment agreement with the New Albany Housing Authority or fails to comply with its terms after signing the repayment agreement, the family's Section 8 assistance will be terminated. The family will be given the opportunity to appeal finding for unreported income, and the termination per the New Albany Housing Authority's appeal process outlined in Section 16.3.

- D. Family break-up

In circumstances of a family break-up, the New Albany Housing Authority will make a determination of which family member will retain the certificate or voucher, taking into consideration the following factors:

1. To whom the voucher was issued.

2. The interest of minor children or of ill, elderly, or disabled family members.
3. Whether the assistance should remain with the family members remaining in the unit.
4. Whether family members were forced to leave the unit as a result of actual or threatened physical violence by a spouse or other member(s) of the household.

If a court determines the disposition of property between members of the assisted family in a divorce or separation under a settlement of judicial decree, the New Albany Housing Authority will be bound by the court's determination of which family members continue to receive assistance in the program.

Because of the number of possible different circumstances in which a determination will have to be made, the New Albany Housing Authority will make determinations on a case by case basis.

The New Albany Housing Authority will issue a determination within 10 business days of the request for a determination. The family member requesting the determination may request an informal hearing in compliance with the informal hearings in Section 16.3.

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 New Albany Housing Authority will determine the eligibility of the individual before allowing them to be added 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, the New Albany Housing Authority will grant approval to add their name to the lease. At the same time, the family's annual income will be recalculated taking into account the income and circumstances of the new family member. The effective date of the new rent will be in accordance with paragraph below 14.2.2.

14.2.1 Special Reexaminations

If the family declares zero income NAHA will conduct special re-examinations quarterly.

14.2.2 Effective Date of Rent Changes Due to Interim or Special Reexaminations

Unless there is a delay in interim 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.

14.3. Unreported Income and Repayment Agreements

A. If the family fails to report an increase in income the family will be required to repay the resulting overpayment of assistance. If the family fails to sign a repayment agreement with the New Albany Housing Authority or fails to comply with its terms after signing the repayment agreement, after a reasonable period of time as defined in 14.3.A.1, the family's Section 8 assistance will be terminated. The family will be given the opportunity to appeal the finding for unreported income, and the termination per the New Albany Housing Authority's appeal process outlined in Section 16.3.

1. The family will not be allowed to exceed two missed payments. Missed payments can be either consecutively or non-consecutively missed payments during the term of the repayment agreement. After two missed payments the family will be terminated. The Housing Authority reserves the right to either make the family pay off the repayment agreement in full or catch up on the missed payments.
2. If the appeal process results in final termination of the family for non-payment of the repayment agreement and the family owes a debt to the Housing Authority, the family will be turned over to the New Albany Housing Authority attorney for further legal action to collect the debt.

15.0 TERMINATION OF ASSISTANCE TO THE FAMILY BY THE NEW ALBANY HOUSING AUTHORITY

The Housing Authority may at any time terminate program assistance for a participant, because of any of the actions or inaction by the household:

- A. If the family violates any family obligations under the program.
- B. If a family member fails to sign and submit consent forms.
- C. If a family fails to establish citizenship or eligible immigrant status and is not eligible for or does not elect continuation of assistance, pro-ration of assistance, or temporary deferral of assistance. If the New Albany Housing Authority determines that a family member has knowingly permitted an ineligible non-citizen (other than any ineligible non-citizens listed on the lease) to permanently reside in their Section 8 unit, the family's assistance will be terminated. Such family will not be eligible to be readmitted to Section 8 for a period of 24 months from the date of termination.
- D. If any member of the family has ever been evicted from federally assisted housing in the last three years.
- E. If the New Albany Housing Authority or any other housing authority has ever terminated assistance under the Certificate or Voucher Program for any member of the family.
- F. If any member of the family commits drug-related criminal activity, or violent criminal activity.
- G. If any member of the family commits fraud, bribery or any other corrupt or criminal act in connection with any Federal housing program.
- H. If the family currently owes rent or other amounts to the New Albany Housing Authority or to another Housing Authority in connection with Section 8 or public housing assistance under the 1937 Act.
- I. If the family has not reimbursed any Housing Authority 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 (Damage or vacancy claims).
- J. If the family breaches an agreement with the Housing Authority to pay amounts owed to the Housing Authority.
- K. If a family participating in the FSS program fails to comply, without good cause, with the family's FSS contract of participation.
- L. If the family has engaged in or threatened abusive or violent behavior toward Housing Authority personnel.

- M. If any household member is subject to a lifetime registration requirement under a State sex offender registration program.
- N. If a household member's illegal use (or pattern of illegal use) of a controlled substance, or whose abuse (or pattern of abuse) of alcohol, is determined by the New Albany Housing Authority to interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.
- O. If any member of the household has ever been convicted of drug-related criminal activity for the manufacture or production of methamphetamine on the premises of federally assisted housing.
- P. If any member of the household is fleeing to avoid prosecution, custody, or confinement other conviction, for a crime or an attempt to commit a crime that is a felony.
- Q. If a family member is violating a condition of probation or parole imposed under federal or state law.
- R. NAHA may terminate assistance for criminal activity by a household member under CFR 982.553(c) if NAHA determines, based on a preponderance of evidence, that the household member has engaged in the activity, regardless of whether the household member has been arrested or convicted for such activity.
- S. Criminal activity directly relating to domestic violence, dating, violence, or stalking shall not be considered cause for termination of assistance for any participant or immediate member of a participant's family who is a victim of the domestic violence, dating violence, or stalking.

16.0 Prohibited Basis for termination of Assistance

16.1 VICTIMS OF DOMESTIC VIOLENCE

Criminal activity directly relating to domestic violence, dating violence or stalking shall not be considered cause for termination of assistance for any participant or immediate member of a participant's family who is a victim of the domestic violence, dating violence, or stalking.

- A. NAHA may terminate assistance or an owner/manager may bifurcate the lease to terminate assistance to remove a lawful occupant or tenant who engages in criminal acts of violence to family members or other with terminating assistance of victimized occupants.
- B. NAHA can still terminate assistance for other good cause unrelated to the incident or incidents or domestic violence.

- C. If NAHA can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property, including NAHA employees that person or family can be terminated.
- D. NAHA will not terminate or deny portable voucher assistance to a tenant who is otherwise in 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 reasonably believed he or she was imminently threatened by harm from further violence if he or she remained in the assisted dwelling unit.

One of the three below will be required to certify his or her status as a victim of domestic violence, dating violence, or stalking:

1. HUD-Approved Certification form when promulgated by HUD.
2. Provide NAHA 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 of the abuse, in which the professional attests under penalty of perjury 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.
3. Producing a Federal, State, tribal territorial, or local police or court record.

The individual shall provide certification within 14 business days after NAHA requests the certification in writing. If the certification is not received within 14 business days of the request, NAHA may terminate assistance. NAHA may extend the 14 day deadline at its discretion.

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.

17.0 COMPLAINTS, INFORMAL REVIEWS FOR APPLICANTS, INFORMAL HEARINGS FOR PARTICIPANTS

17.1 COMPLAINTS

The New Albany Housing Authority will investigate and respond to complaints by participant families, owners, and the general public. The New Albany Housing Authority may require that complaints other than HQS violations be put in writing. Anonymous complaints are investigated whenever possible.

17.2 INFORMAL REVIEW FOR THE APPLICANT

A. Informal Review for the Applicant

The New Albany Housing Authority will give an applicant for participation in the Section 8 Housing Choice Voucher Program prompt notice of a decision denying assistance to the applicant. The notice will contain a brief statement of the reasons for the New Albany Housing Authority decision. The notice will state that the applicant may request an informal review within ten days of the denial and will describe how to obtain the informal review.

B. When an Informal Review is not required

The New Albany Housing Authority will not provide the applicant an opportunity for an informal review for any of the following reasons:

1. A determination of the unit size under the New Albany Housing Authority subsidy standards.
2. A New Albany Housing Authority determination not to approve an extension or suspension of a voucher term.
3. A New Albany Housing Authority determination not to grant approval to lease a unit under the program or to approve a proposed lease.
4. A New Albany Housing Authority determination that a unit selected by the applicant is not in compliance with HQS.
5. A New Albany Housing Authority determination that the unit is not in accordance with HQS because of family size or composition.
6. General policy issues or class grievances.
7. Discretionary administrative determinations by the New Albany Housing Authority.
8. How the New Albany Housing Authority established its utility allowances.

C. Informal Review Process

The New Albany Housing Authority will give an applicant an opportunity for an informal review of the New Albany Housing Authority decision denying assistance to the applicant. The procedure is as follows:

1. The review will be conducted by any person or persons designated (Director of Security or Director of Human Resources and Communications) by the New Albany Housing Authority other than the person who made or approved the decision under review or a subordinate of this person.
2. The applicant will be given an opportunity to present written or oral objections to the New Albany Housing Authority decision.
3. The New Albany Housing Authority will notify the applicant of the New Albany Housing Authority decision after the informal review within 14 calendar days. The notification will include a brief statement of the reasons for the final decision.

D. Considering Circumstances

In deciding whether to terminate assistance because of action or inaction by members of the family, the Housing Authority may consider all of the circumstances in each case, including the seriousness of the case, the extent of participation or culpability of individual family members, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure.

The Housing Authority 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 Housing Authority may permit the other members of a participant family to continue receiving assistance.

If the Housing Authority seeks to terminate assistance because of illegal use, or possession for personal use, of a controlled substance, or pattern of abuse of alcohol, such use or possession or pattern of abuse must have occurred within three years before the date that the Housing Authority provides notice to the family of the Housing Authority determination to deny or terminate assistance. In determining whether to terminate assistance for these reasons the New Albany Housing Authority will consider evidence of whether the household member:

1. Has successfully completed a supervised drug or alcohol rehabilitation program (as applicable) and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol;
2. Has otherwise been rehabilitated successfully and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol; or

3. Is participating in a supervised drug or alcohol rehabilitation program and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol.
- E. Informal Review Procedures for Denial of Assistance on the Basis of Ineligible Immigration Status

The applicant family may request that the New Albany Housing Authority provide for an informal review after the family has notification of the INS decision on appeal, or in lieu of request of appeal to the INS. This request must be made by the applicant 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 applicant families, the Informal Review Process above will be utilized with the exception that the applicant family will have up to 30 days of receipt of the *Notice of Denial or Termination of Assistance*, or of the INS appeal decision to request the review.

17.3 INFORMAL HEARINGS FOR PARTICIPANTS

A. When a Hearing is Required

1. The New Albany Housing Authority will give a participant family an opportunity for an informal hearing to consider whether the following New Albany Housing Authority decisions relating to the individual circumstances of a participant family are in accordance with the law, HUD regulations, and New Albany Housing Authority policies:
 - a. Determination of the family's annual or adjusted income.
 - b. Calculation of total tenant payment.
 - c. Determination of appropriate utility allowance from the PHA's utility allowance schedule.
 - d. Termination of assistance.
 - e. Determination of unit size for participants under the New Albany Housing Authority subsidy standards.
 - f. Denial of a hardship exemption to the minimum rent requirement.
2. In cases described in paragraphs 16.3(A)(1), of this Section, the New Albany Housing Authority will give the opportunity for an informal

hearing before the New Albany Housing Authority terminates housing assistance payments for the family under an outstanding HAP contract.

B. When a Hearing is not Required

The New Albany Housing Authority will not provide a participant family an opportunity for an informal hearing for any of the following reasons:

1. Discretionary administrative determinations by the New Albany Housing Authority.
2. General policy issues or class grievances.
3. Establishment of the New Albany Housing Authority schedule of utility allowances for families in the program.
4. A New Albany Housing Authority determination not to approve an extension or suspension of voucher term.
5. A New Albany Housing Authority determination not to approve a unit or lease.
6. A New Albany Housing Authority determination that an assisted unit is not in compliance with HQS. (However, the New Albany Housing Authority will provide the opportunity for an informal hearing for a decision to terminate assistance for a breach of the HQS caused by the family.)
7. A New Albany Housing Authority determination that the unit is not in accordance with HQS because of the family size.
8. A determination to exercise or not to exercise any rights or remedies against the owner.

C. Notice to the Family

1. In the cases described in paragraphs 16.3(A)(1)(a), (b), and (c), of this Section, the New Albany Housing Authority will notify the family that the family may ask for an explanation of the basis of the New Albany Housing Authority's determination, and that if the family does not agree with the determination, the family may request an informal hearing on the decision.
2. In the cases described in paragraphs 16.3(A)(1)(d), and (e), of this Section, the New Albany Housing Authority will give the family prompt written

notice that the family may request a hearing within 10 business days of the notification. The notice will:

- a. Contain a brief statement of the reasons for the decision; and
- b. State that if the family does not agree with the decision, the family may request an informal hearing on the decision within 10 days of the notification.

D. Hearing Procedures

The New Albany Housing Authority and participants will adhere to the following procedures:

1. Discovery

- a. The family will be given the opportunity to examine before the hearing any New Albany Housing Authority documents that are directly relevant to the hearing. The family will be allowed to copy any such document at the family's expense. If the New Albany Housing Authority does not make the document(s) available for examination on request of the family, the New Albany Housing Authority may not rely on the document at the hearing.
- b. The New Albany Housing Authority will be given the opportunity to examine, at the New Albany Housing Authority's offices before the hearing, any family documents that are directly relevant to the hearing. The New Albany Housing Authority will be allowed to copy any such document at the New Albany Housing Authority's expense. If the family does not make the document(s) available for examination on request of the New Albany Housing Authority, the family may not rely on the document at the hearing.

Note: The term **document** includes records and regulations.

2. Representation of the Family

At its own expense, a lawyer or other representative may represent the family.

3. Hearing Officer

- a. The hearing will be conducted by any person or persons (Director of Security or Director of Human Resources and Communications) designated by the New Albany Housing Authority, other than a

person who made or approved the decision under review or a subordinate of this person.

- b. The person who conducts the hearing will regulate the conduct of the hearing in accordance with the New Albany Housing Authority hearing procedures.

4. Evidence

The New Albany Housing Authority and the family must have the opportunity to present evidence and may question any witnesses. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

5. Issuance of Decision

The person who conducts the hearing must issue a written decision within 14 calendar days from the date of the hearing, stating briefly the reasons for the decision. Factual determinations relating to the individual circumstances of the family shall be based on a preponderance of the evidence presented at the hearing.

6. Effect of the Decision

The New Albany Housing Authority is not bound by a hearing decision:

- a. Concerning a matter for which the New Albany Housing Authority is not required to provide an opportunity for an informal hearing under this Section, or that otherwise exceeds the authority of the person conducting the hearing under the New Albany Housing Authority hearing procedures.
- b. Contrary to HUD regulations or requirements, or otherwise contrary to Federal, State, or local law.
- c. If the New Albany Housing Authority determines that it is not bound by a hearing decision, the New Albany Housing Authority will notify the family within 14 calendar days of the determination, and of the reasons for the determination.

E. Considering Circumstances

In deciding whether to terminate assistance because of action or inaction by members of the family, the Housing Authority may consider all of the circumstances in each case, including the seriousness of the case, the extent of

participation or culpability of individual family members, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure.

The Housing Authority 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 Housing Authority may permit the other members of a participant family to continue receiving assistance.

If the Housing Authority seeks to terminate assistance because of illegal use, or possession for personal use, of a controlled substance, or pattern of abuse of alcohol, such use or possession or pattern of abuse must have occurred within three years before the date that the Housing Authority provides notice to the family of the Housing Authority determination to deny or terminate assistance. In determining whether to terminate assistance for these reasons the New Albany Housing Authority will consider evidence of whether the household member:

1. Has successfully completed a supervised drug or alcohol rehabilitation program (as applicable) and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol;
2. Has otherwise been rehabilitated successfully and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol; or
3. Is participating in a supervised drug or alcohol rehabilitation program and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol.

F. Informal Hearing Procedures for Denial of Assistance on the Basis of Ineligible Immigration Status

The participant family may request that the New Albany Housing Authority provide for an informal hearing after the family has notification of the INS decision on appeal, or in lieu of request of appeal to the INS. 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.

18.0 TERMINATION OF THE LEASE AND CONTRACT

The term of the lease and the term of the HAP contract are the same. They begin on the same date and they end on the same date. The lease may be terminated by the owner, by the tenant, or by the mutual agreement of both. The owner may only terminate the contract by terminating the lease. The HAP contract may be terminated by the New Albany Housing Authority. Under some circumstances the contract automatically terminates.

A. Termination of the lease

1. By the family

The family may terminate the lease without cause upon proper notice to the owner and to the New Albany Housing Authority after the first year of the lease. The length of the notice that is required cannot be less than 30 days.

2. By the owner.

a. During the term of the lease (the initial term of the lease or any extension term), the owner may only terminate the tenancy because of:

i. Serious or repeated violations of the terms or conditions of the lease, including but not limited to failure to pay rent or other amounts due under the lease;

ii. Violation of Federal, State, or local law that impose obligations on the tenant in connection with the occupancy or use of the unit and its premises;

iii. Criminal activity by the household, a guest, or another person under the control of the household that threatens the health, safety, or right to peaceful enjoyment of the premises by other persons residing in the immediate vicinity of the premises;

iv. Any drug-related criminal activity on or near the premises;

v. Other good cause. During the initial lease term, or during any extension, other good cause includes:

(1) Disturbance of neighbors;

(2) Destruction of property;

(3) Living or housekeeping habits that cause damage to the unit or premises.

vi. After the initial lease term such good cause includes:

(1) Failure by the family to accept the offer of a new lease;

(2) The owner's desire to utilize the unit for personal or family use or for a purpose other than use as a residential rental unit;

(3) A business or economic reason such as sale of the property, renovation of the unit, desire to rent at a higher rental amount.

b. During the first year the owner may not terminate tenancy for other good cause unless the reason is because of something the household did or failed to do.

c. The owner may only evict the tenant by instituting court action. The owner must give the New Albany Housing Authority a copy of any owner eviction notice to the tenant at the same time that the owner gives the notice to the tenant.

d. The owner may terminate the contract at the end of the initial lease term or any extension of the lease term without cause by providing notice to the family that the lease term will not be renewed.

3. Termination of the Lease by mutual agreement

The family and the owner may at any time mutually agree to terminate the lease. The family and owner will meet with Section 8 staff to agree on a date and sign a Mutual Termination terminating the lease and contract on the agreed upon date

B. Termination of the Contract

1. Automatic termination of the Contract

a. If the New Albany Housing Authority terminates assistance to the family, the contract terminates automatically.

- b. If the family moves out of the unit, the contract terminates automatically.
- c. The owner or family terminates the lease.
- d. The owner evicts the family.
- e. The contract terminates automatically 180 calendar days after the last housing assistance payment to the owner.

2. Termination of the contract by the owner

The owner may only terminate tenancy in accordance with lease and State and local law.

3. Termination of the HAP contract by the New Albany Housing Authority

The Housing Authority may terminate the HAP contract because:

- a. The Housing Authority has terminated assistance to the family.
- b. The unit does not meet HQS space standards because of an increase in family size or change in family composition.
- c. The unit is larger than appropriate for the family size or composition under the regular Voucher Program.
- d. When the family breaks up and the New Albany Housing Authority determines that the family members who move from the unit will continue to receive the assistance.
- e. The New Albany Housing Authority determines that there is insufficient funding in their contract with HUD to support continued assistance for families in the program.
- f. The owner has breached the contract in any of the following ways:
 - i. If the owner has violated any obligation under the HAP contract for the dwelling unit, including the owner's obligation to maintain the unit in accordance with the HQS.
 - ii. If the owner has violated any obligation under any other housing assistance payments contract under Section 8 of the 1937.

- iii. If the owner has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program.
- iv. For projects with mortgages insured by HUD or loans made by HUD, if the owner has failed to comply with the regulations for the applicable mortgage insurance or loan program, with the mortgage or mortgage note, or with the regulatory agreement;
- v. If the owner has engaged in drug trafficking.

4. Final HAP payment to owner

The HAP payment stops when the lease terminates. The owner may keep the payment for the month in which the family moves out. If the owner has begun eviction proceedings and the family continues to occupy the unit, the Housing Authority will continue to make payments until the owner obtains a judgment or the family moves out.

19.0 CHARGES AGAINST THE SECTION 8 ADMINISTRATIVE FEE RESERVE

Occasionally, it is necessary for the New Albany Housing Authority to spend money of its Section 8 Administrative Fee Reserve to meet unseen or extraordinary expenditures or for its other housing related purposes consistent with State law.

The New Albany Housing Authority Board of Commissioners authorizes the Executive Director to expend without prior Board approval up to **\$10,000.00** for authorized expenditures.

Any item(s) exceeding **\$10,000.00** will require prior Board of Commissioner approval before any charge is made against the Section 8 Administrative Fee Reserve.

20.0 INTELLECTUAL PROPERTY RIGHTS

No program receipts may be used to indemnify contractors or subcontractors of the New Albany Housing Authority against costs associated with any judgment of infringement of intellectual property rights.

21.0 TRANSITION TO THE NEW HOUSING CHOICE VOUCHER PROGRAM

Since 1994 the New Albany Housing Authority has administered a voucher program that consisted of 50 vouchers. This rental assistance program did not consist of any other type of Section 8 rental assistance, e.g. certificates.

All vouchers will be converted to Housing Choice Vouchers in accordance with the Quality Work and Housing Responsibility Act of 1998. Presently the Section 8 rental assistance program consists of 408 Housing Choice Vouchers.

22.0 FAMILY SELF-SUFFICIENCY

22.1 SELECTION POLICIES

Families using our section 8 housing vouchers are eligible for voluntary participation in the Family Self-Sufficiency Program. They must be a current resident section 8 family with a NAHA voucher and head of household [unless the Head of Household is disabled and a waiver is granted for another household member who wishes to participate.](#)

Participants must agree to seek and maintain suitable employment.

Participation in the program will be on a first-come, first-serve basis.

NAHA will make reasonable accommodation for participants with disabilities.

Section 8 participants who do not wish to participate in the FSS Program will not lose their housing assistance because of their decision.

22.2 NON-DISCRIMINATION POLICIES

The Housing Authority of the City of New Albany exercises a non-discrimination policy, in compliance with the rules and regulations governing the Fair Housing Act. NAHA shall not deny any family the opportunity to participate in the FSS program on the basis of race, color, sex, religion, creed, national or ethnic origin, age, family or marital status, physical ability, disability or sexual orientation.

22.3 DENIAL OF PARTICIPATION

The Housing Authority of the City of New Albany may deny a family participation in the FSS Program if they previously participated in the FSS Program and did not meet their obligations and were terminated. A family may also be denied if the applicant owes NAHA or another housing authority money in connection with section 8 assistance.

22.4 TERMINATION FROM THE FSS PROGRAM

NAHA may terminate a FSS contract for non-compliance with the contract. The FSS Contract of Participation may also be terminated for the following reasons: mutual consent, failure of family to meet contract obligations without good cause, family withdrawal from the FSS Program, other act(s) deemed inconsistent with the purpose of the FSS Program, operation of law or failure of the family to remain in good standing by way of lease violation of the NAHA One Strike policy. [If a section 8 participant fails to](#)

report income within the allotted amount of time, they will automatically be terminated from the Family Self-Sufficiency Program and forfeit any amount of accrued escrow.

22.5 TERMINATION OF SERVICES

If NAHA decides to terminate FSS supportive services, the FSS Contract, or Section 8 Assistance because the family failed to comply with its FSS Contract, NAHA will offer the family the opportunity for an informal hearing.

NAHA may terminate section 8 assistance as a consequence of not completing the obligations of the FSS Contract. The family may continue to receive section 8 assistance after termination of participation in the section 8 FSS program. NAHA will review the circumstances of the noncompliance to determine the appropriate remedy.

If a family drops out of the FSS program or if the contract expires and NAHA does not terminate assistance, the family will continue to receive section 8 assistance.

22.6 WITHHOLDING SUPPORT SERVICES

NAHA may withhold support services for any participant who is in noncompliance with their contract. NAHA will review the circumstances of the noncompliance to determine the appropriate remedy.

Former FSS families who have completed their contracts, still receiving housing assistance and whose head of household is employed may be offered FSS supportive services to help continue toward self-sufficiency for up to one year.

22.7 HEARING PROCEDURES FOR FSS FAMILIES

NAHA hearing procedures are in this Administrative Plan. All families terminated from the program will be afforded an opportunity to request an informal hearing for a determination of the appropriateness of the termination or withholding of supportive services placed on a participant family.

22.8 ESCROW POLICIES

FSS families pay rent in accordance with their incomes. NAHA will deposit all escrowed funds into a depository account located at Obelisk Federal Credit Union. The monthly amount deposited is determined by increases in earned income. If the rent is paid late, the family will not receive a deposit for that month. *(If family rent becomes less than at enrollment, there is no escrow credit).*

NAHA will report annually to each FSS family with an escrow account: the balance at the beginning of the report period, all deposits made during the report period, any deductions made from the account during the reporting period, the amount of interest

earned on the account during the year, the total in the account at the end of the reporting period.

Interim disbursements will be at the sole discretion of NAHA. Interim withdrawals will be allowed if the family has fulfilled some of their interim contract goals, is working towards self-sufficiency and needs a portion of the FSS account funds for purposes consistent with the Contract such as: school tuition or other school costs, job training expenses, business start-up expenses, car or car repair when public transportation is unavailable or inaccessible to the family, or credit clean-up, fees for a home loan, etc.

Participants will not be allowed to draw more than 50% of their total escrow account and can only withdraw one time per NAHA fiscal year that runs from April 1 of one year to March 31 of the next year.

To receive the entire balance earned in the FSS escrow account, the family must have completed all obligations set forth in the Contract of Participation. Completion occurs when the family has fulfilled goals in the Individual Training and Services Plan and has remained free of welfare assistance, excluding housing assistance, for 12 months prior to the expiration date of the contract, or if 30% of their monthly adjusted income equals or exceeds the fair market rent/payment standard for the voucher size of the family.

The Family Support Services Director will determine fulfillment of goals.

Families will receive their escrow money within forty five days of the completion of the contract.

There will be a one-year waiting period for families that have received their escrow account and want to reapply.

Amounts in the FSS account will be forfeited if: the Contract of Participation is terminated or declared null and void, or, the Contract of Participation is completed but the family is receiving welfare cash assistance when the contract expires, including extensions. If families have not paid their portion of rent to the Section 8 homeowner, if the head of household dies and the remaining family members choose not to participate in the program, or, if the head of household leaves the family unit and the remaining family members choose not to participate in the program, or if the family does not comply with the terms of the lease agreement.

Section 8 FSS Escrow Accounts and Portability: Clients wishing to exercise portability rights will be handled in accordance with the section 8 Administrative Plan. If a Section 8 participant who has an escrow account relocates, the escrow will be forfeited as NAHA chooses not to participate in the forwarding of escrow accounts.

Procedure for requesting an interim disbursement: the participant must complete and sign the Request for Interim Disbursement Form, complete a Federal Form 1099, provide a

copy of their driver's license and social security card, and provide supporting documentation such as estimates, receipts, letter from credit counselors, lending institutions, etc. to justify the request as a need in order to complete the FSS goals.

Clients are required to report any changes in their income within 10 days. Failure to report an increase in income constitutes fraud and may lead to termination from the FSS program and / or the section 8 rental assistance program.

If the client owes money to the Section 8 program upon completion of the program, the amount will be subtracted from their escrow account upon withdrawal.

Amounts in the FSS Escrow Account will be forfeited if: the resident moves to another section 8 program, the Contract of Participation is terminated, the Contract is completed, but the family is receiving welfare assistance when the contract expires, if the head of the family dies and the remaining members of the family choose not to participate in the program, or for nonpayment of rent.

23.0 Housing Choice Voucher Homeownership Option

The New Albany Housing Authority (NAHA) hereby establishes a Section 8 tenant-based homeownership option in New Albany pursuant to the U.S. Department of Housing and Urban Development's (HUD) final rule dated October 12, 2000 and by Section 555 of the Quality Housing and Work Responsibility Act of 1998 under Section 8(y) Homeownership Option.

Participant Qualifications

To be eligible for homeownership assistance, the family must satisfy all of the following initial requirements at the commencement of homeownership assistance:

- A) A family assisted under the homeownership option must be a qualified existing participant who has been receiving housing assistance, either section 8 or public housing, from the New Albany Housing Authority for a minimum of one year.
 - 1. The family must have successfully complied with all rental program requirements and lease requirements for a minimum of one-year prior to application for the homeownership program.
 - 2. Program participants shall be ineligible for the homeownership program if any debt remains owed to the New Albany Housing Authority or any other housing authority.

- B) First-time homeowner requirements. At commencement of homeownership assistance for the family, the family must be any of the following:
 - 1. A family of which no member owned any ownership interest in a residence during the three years before commencement of homeownership

assistance for the family. The term first-time homeowner includes a single parent or displaced homemaker who, while married owned a home with his or her spouse, or resided in a home owned by his or her spouse.

2. A cooperative member, defined as a family of which one or more members owns membership shares in a cooperative (housing owned by a corporation or association, where a member has the right to reside in a particular unit, and to participate in management of the housing).
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.

C) Minimum Income Requirements:

1. At commencement of homeownership assistance the family must demonstrate that the annual gross income, as determined by the New Albany Housing Authority in accordance with 24 CFR 5.609, of the adult family members who will own the home when homeownership assistance begins is not less than the Federal minimum hourly wage multiplied by 2000 hours.
 - a. In the case of disabled families, the monthly Federal Supplemental Security Income (SSI) benefit for an individual living alone multiplied by twelve.
2. Except in the case of an elderly or disabled family, the New Albany Housing Authority will not count any welfare assistance received by the family in determining minimum annual income under this section.
 - a. Welfare assistance is defined as welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State or local governments.
 - b. The disregard of welfare assistance income only affects the determination of minimum annual income used to determine if a family initially qualifies for commencement of homeownership assistance, but does not affect:
 - i. The determination of income-eligibility for admission to the voucher program;
 - ii. Calculation of the amount of the family's total tenant payment (gross family contribution);

- iii. Calculation of the amount of homeownership assistance payments on behalf of the family.
 - c. In case of an elderly or disabled family, the New Albany Housing Authority will count welfare assistance in determining minimum annual income.
- D) Employment Requirement:
 - 1. The family must demonstrate that one or more adult family members who will own the home at commencement of homeownership assistance:
 - a. Is currently employed on a full-time basis, defined as not less than an average of 30 hours per week; and
 - b. Has been continuously employed for one year prior to commencement of homeownership assistance for the family.
 - i. Successive employment during the year may be counted.
 - ii. Self-employment in a business may be counted.
 - c. This 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 New Albany Housing Authority will grant an exception from the employment requirement if the New Albany Housing Authority determines that an exemption is needed as a reasonable accommodation so that the program is readily accessible to and usable by a person with disabilities.
- E) Homeownership assistance will not be provided 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.

Application Procedure for Homeownership Option

To apply for a homeownership voucher, the family must complete a Homeownership Option Application. Section 8 staff will review the homeownership application to determine initial eligibility. Information provided in the application must be verified according to the verification procedures outlined in Chapter 3 of this Administrative Plan. The applicant will be notified in writing when a determination of initial eligibility is made. If the family is determined to be eligible, an appointment will be scheduled with Section 8 staff to review the information provided in the application and determine final eligibility.

Upon determination of final eligibility, the appropriate Section 8 staff will refer the family for a homebuyer readiness assessment.

Prior to purchase of a home, the family must complete a homebuyer readiness assessment and a comprehensive homeownership education program including classroom or workshop training and individual counseling.

Time Frame for Utilization

Upon approval for the program, a family shall have a term of eight months to execute and close on a proposed sales agreement with the requisite components to the New Albany Housing as long as within four months of the briefing the client has obtained a good faith estimate from a participating lender. During a participant’s search for a home to purchase, rental assistance shall continue pursuant to a New Albany Housing Authority rental program.

A family may request one additional term of four months for an overall total of one year. In order to request the final extension, a client must at least have obtained an approval letter from a participating lender. An update appointment and eligibility determination is required before the additional term is granted. The client should make the extension request at least thirty (30) days before the current Homeownership voucher expires.

If a participant is unable to purchase the home within the time permitted, the New Albany Housing Authority shall continue the family’s participation in a New Albany Housing Authority rental program.

Additional time shall be granted to a disabled family as a reasonable accommodation if justified by the family’s actions and/or market place conditions.

Portability and Moves with Continued Assistance

Families that are determined eligible for homeownership assistance may exercise the homeownership option outside of the New Albany Housing Authority's jurisdiction if the receiving public housing authority is administering a Section 8 homeownership program and is accepting new families into its Section 8 homeownership program. All other portability procedures as described in Chapter 8 of this Administrative Plan apply to the homeownership option, except those referring to lease or tenancy.

If the family ports in and the New Albany Housing Authority is the receiving PHA then the family must attend the briefing and counseling sessions required by the New Albany Housing Authority. The New Albany Housing Authority will determine whether the financing for, and the physical condition of the unit are acceptable. The New Albany Housing Authority will promptly notify the initial PHA if the family has purchased an eligible unit, or if the family is unable to purchase a home within the maximum time established.

A family receiving homeownership assistance may move to a new unit with either voucher rental assistance or voucher homeownership assistance. The New Albany Housing Authority will not commence continued tenant-based assistance for occupancy of the new unit so long as any family member owns any title or other interest in the prior home.

The New Albany Housing Authority prohibits more than one move by the family in a one-year period for those assisted under homeownership option.

Eligible Units

The New Albany Housing Authority will determine that the unit satisfies all of the following requirements:

- A) In order to be eligible for assistance, the unit cannot be:
 - 1. A public housing or Indian housing unit;
 - 2. A unit receiving project-based assistance;
 - 3. Nursing homes, board and care homes, or facilities providing continual psychiatric, medical, or nursing services;
 - 4. College or other school dormitories;
 - 5. Units on the grounds of penal, reformatory, medical, mental, and similar or private institutions;
 - 6. Homeownership will not 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:
 - a. The home is located on a permanent foundation; and
 - b. The family has the right to occupy the home site for at least forty years.
- B) The unit is either under construction or already existing at the time the family enters into the contract of sale.
- C) The unit is either a one-unit property or a single dwelling unit in a cooperative or condominium.

Contract for Sale, Inspection, Disapproval of an Owner

- A) Participants in the homeownership program must initially complete a purchase agreement with the owner of the property to be purchased. The purchase agreement must contain the following:

1. Specify the price and other terms of sale by the seller to the purchaser:
 2. The purchase agreement must contain the following seller certification:
"The seller certifies that they are not debarred, suspended, or subject to a limited denial of participation under 24 CFR part 24."
 3. Provide that the purchaser will arrange for a pre-purchase inspection of the dwelling unit by an independent inspector selected by the purchaser.
 4. Provide that the purchaser is not obligated to purchase the unit unless the inspection is satisfactory to the purchaser.
 5. Provide that the purchaser is not obligated to pay for any necessary repairs.
- B) The New Albany Housing Authority must inspect the unit and determine that the unit passes HQS.
- C) The unit must be inspected by an independent professional inspector selected by and paid for by the family. This inspection will only occur after the HQS inspection has passed.
1. An American Society of Home Inspectors (ASHI) or a NAHI regular member must conduct the independent inspection. 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.
 2. The New Albany Housing Authority will not require the family to use an inspector selected by the New Albany Housing Authority. The independent inspector may not be a New Albany Housing Authority employee or contractor.
 3. The inspector must provide a copy of the inspection report to both the family and the New Albany Housing Authority. Homeownership assistance will not begin until the New Albany Housing Authority has reviewed the report. The New Albany Housing Authority retains the right to disqualify the unit for inclusion in the homeownership program based on either the HQS inspection or the professional inspection report.
- D) The seller has not been debarred, suspended, or subject to a limited denial of participation under 24 CFR part 24.

Financing and other related information

Mortgage instruments must meet all of the following criteria:

- A) The family is solely responsible for obtaining financing. All loans must meet FHA mortgage insurance credit underwriting requirements. The New Albany Housing Authority will review lender qualifications, loan terms, or other debt to determine that the debt is affordable.
- B) The New Albany Housing Authority establishes a minimum homeowner down payment requirement of at least three percent of the purchase price for a participant in its Section 8 homeownership program, and requires that at least two percent (2%) of the purchase price come from the family's personal resources.
- C) There is no prohibition against using local or State Community Development Block Grant (CDBG) or other subsidized financing in conjunction with the homeownership program.
- D) The New Albany Housing Authority prohibits:
 - 1. Owner financing;
 - 2. Balloon payment mortgages.
 - 3. Adjustable Rate Mortgages (ARM)
- E) Voucher payments are not guaranteed. Payment may be terminated because of insufficient funds from HUD to continue the program. Voucher payments may also be terminated for failure to meet New Albany Housing Authority and HUD regulations.
- F) The New Albany Housing Authority will file the necessary documentation to require loan servicers of these loans to inform the New Albany Housing Authority of any late payments and missed payments as soon as they occur. Lenders are also required to inform the New Albany Housing Authority of any changes in servicing institutions or purchase of loan by another institution.
- G) Families must obtain specific approval for the use of a voucher for a mortgage payment based on documents submitted:
 - 1. Copy of signed purchase agreement;
 - 2. Copy of good faith estimate from first mortgage lender;
 - 3. Copy of HUD universal mortgage loan application from first mortgage lender;
 - 4. Copy of independent inspection report;
 - 5. Copy of required home inspections and verification that any deficiencies found in the home have been noted and arrangements negotiated to correct the deficiencies;

6. Copy of first three pages of Appraisal;
7. Copy of Disclosure Statement.

The New Albany Housing Authority will then issue a letter of intent, a copy of which will be sent to the lender to confirm that the proposed financing package has been approved.

- H) Families and lenders must submit copies of specific documents prior to the New Albany Housing Authority preparation of its lien document for closing:
1. Settlement statement;
 2. Copy of Title Report;
 3. Written verification that deficiencies in the home have been corrected in compliance with HUD regulations, signed by contractor or person who completed the work.
 4. Signed HQS inspection from New Albany Housing Authority verifying that the home meets the HQS standards.
- I) Families and lenders must submit copies of specific documents to initiate the payment of the homeownership assistance:
1. A copy of the signed, filed New Albany Housing Authority lien must be filed with the New Albany Housing Authority after closing. This will authorize the payment of homeownership assistance.

Length and Continuation of Assistance

Section 8 assistance will only be provided for the months the family is in residence in the home. Except for families that are elderly or disabled, the maximum length of time a family may receive homeownership assistance is 15 years if the initial mortgage incurred is 20 years or longer. In all other cases, the maximum length of time is ten years.

Continued Assistance Requirements and Family Obligations

Homeownership assistance may only be paid while the family is residing in the home. If the family moves out of the home, the New Albany Housing Authority may not continue assistance after the month the family moves out. The family is not required to refund to the New Albany Housing Authority the homeownership assistance for the month when the family moves out.

- A) Family Obligations:
1. The family must comply with the terms of any mortgage securing debt incurred to purchase the home (or any refinancing of the debt):
 - a. The family must notify the New Albany Housing Authority within ten days of missing a mortgage payment, or any debt incurred to purchase the home.

- b. The family must attend foreclosure counseling within 30 days of missing a mortgage payment or homeownership assistance may terminate.
2. The family must reside in the unit, and must be the family's only residence. The family must provide any information or certification requested by the New Albany Housing Authority to verify that the family is living in the unit, and must notify the New Albany Housing Authority, in writing of any absence from the unit longer than 30 days. The family must cooperate with the New Albany Authority for the purpose of verifying that the family resides in the unit.
3. The family must supply required information necessary in the administration of the program to the New Albany Housing Authority, including social security numbers, release of information forms, evidence of citizenship or eligible immigration status. The family must comply with requirements for annual or interim reexamination of family income or family composition, and provide any information required for verification.
4. In addition, the family must supply any information required by the New Albany Housing Authority concerning:
 - a. Any mortgage or other debt incurred to purchase the home, and any refinancing of debt (including information needed to determine whether the family has defaulted on the debt, and the nature of any such default), and information on any satisfaction or payment of the mortgage debt;
 - b. Any sale or other transfer of any interest in the home; or
 - c. The family's homeownership expenses.
5. The composition of the assisted family residing in the unit must be approved by the New Albany Housing Authority. The family must promptly inform the New Albany Housing Authority of the birth, adoption or court-awarded custody of a child. The family must request NAHA approval to add any other family member as an occupant of the unit. No other person may reside in the unit (except for a foster child or live-in aid). The family must notify NAHA if any family member no longer resides in the unit within 10 days of the change.
6. 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.
7. The family must not sublease or let the unit.

8. The family must not assign or transfer the unit.
9. The members of the family must not commit fraud, bribery or any other corrupt or criminal act in connection with the programs.
10. The members of the family 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 or the premises.
11. 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.
12. An assisted family, or members of the family, may not receive Section 8 homeownership assistance while receiving another housing subsidy, for the same unit or for a different unit, under any duplicative federal, state or local housing assistance program.
14. During the time the family receives homeownership assistance, no family member may have any ownership in any other residential property.
15. Before commencement of homeownership assistance, the family must execute a statement of family obligations agreeing to comply with all family obligations under this option.

Homeownership Assistance Payment

After the homeownership housing assistance payments begin, NAHA will perform annual reexaminations, and interim adjustments (when family income decreases) in accordance with the policies set forth in the rental voucher portion of the Section 8 administrative plan.

- A) While the family is residing in the home, NAHA 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.
- B) The payment standard for the family shall be the lower of:
 1. The payment standard for the family unit size;
 2. The standard for the size of the home.
- C) The payment standard for the family is the greater of:

1. The payment standard at the commencement of homeownership assistance for occupancy of the home; or
 2. The payment standard at the most recent regular reexamination of family income and composition since the commencement of homeownership assistance for the occupancy of the home.
- D) NAHA will use the same payment standard schedule, payment standard amounts, and subsidy standards for the homeownership option as for the rental voucher program.
- E) Homeownership expenses will include:
1. Principal and interest on initial mortgage debt, any refinancing of such debt, and any mortgage insurance premium incurred to finance purchase of the home.
 2. Real estate property taxes and public assessments on the home.
 3. Home insurance.
 4. The New Albany Housing Authority utility allowance schedule.
 5. The New Albany Housing Authority allowance for maintenance, major repairs and replacements equal to 3% of the amount of the monthly mortgage payment; and
 6. 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 make the home accessible for that person, if NAHA determines that allowance of such costs is needed as a reasonable accommodation so that the homeownership option is readily accessible to and usable by such person.
- F) At the discretion of the New Albany Housing Authority, homeownership payments will be paid either to a lender on behalf of the family, or directly to the family.
- G) Homeownership assistance for a family terminates automatically 180 calendar days after the last homeownership assistance payment on behalf of the family.

Down payment assistance grant

If approved by HUD and the family chooses to take the single down payment assistance grant they will not be eligible for the monthly assistance payment from the New Albany Housing Authority.

To be eligible to receive the down payment assistance grant, the family must meet all eligibility requirements for the homeownership option and must have been receiving tenant-based rental assistance for one-year prior to receiving the down payment grant.

The maximum down payment grant "May not exceed the amount that is equal to the sum of the assistance payments that would be made during the first year of assistance on behalf of the family, based on the income of the family at the time the grant is to be made." The amount paid by the New Albany Housing Authority on behalf of the family will not exceed 12 times the payment standard minus the total tenant payment (TTP). Homeownership expense will not be considered in making this determination. The down payment assistance grant will be paid at the time of closing on a home and must be applied toward the purchase price of the home.

A family that has received a down payment assistance grant may apply for and receive tenant-based rental assistance, in accordance with program requirements and the requirements set forth in the rental voucher portion of this administrative plan. However, the New Albany Housing Authority will not commence rental assistance so long as any member of the family owns any title or other interest in the home purchased with homeownership assistance. Further, 18 months must have passed since the family's receipt of the down payment assistance grant.

Lease-to-Purchase

Lease-to-Purchase agreements are considered rental property and subject to the normal tenant-based Section 8 rental rules. All regulations of the homeownership program will be in effect at the time that the family opts to exercise the purchase.

Denial or Termination of Assistance

At any time, the New Albany Housing Authority may deny or terminate homeownership assistance in accordance with policies set forth in Chapter 15 of this Administrative Plan.

The New Albany Housing Authority may deny or terminate assistance for violation of family obligations as set forth in **Continued Assistance Requirements and Family Obligations**.

The New Albany Housing Authority will terminate assistance for any family member receiving homeownership assistance that is dispossessed from the home pursuant to a judgment or order of foreclosure on any mortgage securing debt incurred to purchase the home, or any refinancing of such debt. The New Albany Housing Authority, at its discretion, may permit the family to move to a new unit with continued voucher rental assistance. However, such permission will be denied if:

- A) The family defaulted on an FHA-insured mortgage; and
- B) The family fails to demonstrate that:
 - 1. The family has conveyed, or will convey, title to the home, as required by HUD, to HUD or HUD's designee; and
 - 2. The family has moved, or will move, from the home within the period established or approved by HUD.

Informal Hearings

The New Albany Housing Authority will provide the opportunity, for an informal hearing to program participants who are being terminated from the program because of the family's action or failure to act. NAHA will:

1. Send a written notice as to the reason(s) for the action; and
2. Inform the participant that he or she may request an informal hearing, in writing, within ten days of the notice. If the participant requests a hearing, the assistance will not be terminated until the final decision is made.

When a participant requests a hearing, NAHA will schedule the hearing promptly and notify the participant of the date and time of the hearing. Prior to the hearings the participant will be given an opportunity to examine and copy the documents pertinent to the family's termination. NAHA must be given the same opportunity to examine any family documents that are directly related to the hearing, and to copy them at its own expense.

A hearing officer, as designed in Chapter 17 of this Administrative Plan, will conduct the hearing. The hearing officer will be someone other than the person who made the decision to terminate or a subordinate of this person. A lawyer or other representative, at the family's expense may represent the family. The family will be given opportunity to present evidence, and to question any witnesses. The hearing officer will issue a written decision within ten days, stating reasons for the decision.

GLOSSARY

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

Absorption: In portability, the point at which a receiving housing authority stops billing the initial housing authority for assistance on behalf of a portable family. [24 CFR 982.4]

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

Administrative fee: Fee paid by HUD to the housing authority for the administration of the program.

Administrative Plan: The plan that describes housing authority policies for the administration of the tenant-based programs.

Admission: The point when the family becomes a participant in the program. In a tenant-based program, the date used for this purpose is the effective date of the first HAP Contract for a family (first day of initial lease term).

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.

Amortization Payment: In a manufactured home space rental: The monthly debt service payment by the family to amortize the purchase price of the manufactured home.

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.

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.
- d. Annual Income also includes amounts derived (during the 12-month period) from assets to which any member of the family has access.

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

Assets: see net family assets.

Asset Income: Income received from assets held by household 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.

Assisted lease (lease): A written agreement between an owner and a family for the leasing of a dwelling unit to the family. The lease establishes the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP contract between the owner and the housing authority.

Certification: The examination of a household's income, expenses, and family composition to determine the household's eligibility for program participation and to calculate the household's rent for the following 12 months.

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.

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 childcare. In the case of childcare necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income.

Citizen: A citizen or national of the United States.

Common space: In shared housing: Space available for use by the assisted family and other occupants of the unit.

Congregate housing: Housing for elderly or persons with disabilities that meets the HQS for congregate housing.

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.

Contiguous MSA: In portability, an MSA that shares a common boundary with the MSA in which the jurisdiction of the initial housing authority is located.

Continuously assisted: An applicant is continuously assisted under the 1937 Housing Act if the family is already receiving assistance under any 1937 Housing Act program when the family is admitted to the Voucher Program.

Cooperative: Housing owned by a non-profit corporation or association, and where a member of the corporation or association has the right to reside in a particular apartment, and to participate in management of the housing.

Domicile: The legal residence of the household head or spouse as determined in accordance with State and local law.

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.

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.

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.

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

Disabled person: See "person with disabilities."

Displaced 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.

Displaced person: 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.

Drug related criminal activity: Illegal use or personal use of a controlled substance, and the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use, of a controlled substance.

Drug trafficking: The illegal manufacture, sale, or distribution, or the possession with intent to manufacture, sell, or distribute, of a controlled substance.

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

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

Evidence of citizenship or eligible status: The documents that must be submitted to evidence citizenship or eligible immigration status.

Exception rent: An amount that exceeds 110% of the published fair market rent.

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.).

Fair market rent (FMR): The rent, including the cost of utilities (except telephone), as established by HUD for units of varying sizes (by number of bedrooms), that must be paid in the housing market area to rent privately owned, existing, decent, safe and sanitary rental housing of modest (non-luxury) nature with suitable amenities. FMRs are published periodically in the Federal Register.

Family includes but is not limited to:

- a. A family with or without children (the temporary absence of a child from the home due to placement in foster care shall not be considered in determining family composition and family size);
- b. An elderly family;
- c. A near-elderly family;
- d. A disabled family;
- e. A displaced family;
- f. The remaining member of a tenant family; and
- g. A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family.

Family members: include all household members except 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 HUD-50058.

Family self-sufficiency program (FSS program): The program established by a housing authority to promote self-sufficiency of assisted families, including the coordination of supportive services (42 U.S.C. 1437u).

Family share: The portion of rent and utilities paid by the family.

Family unit size: The appropriate number of bedrooms for a family as determined by the housing authority under the housing authority's subsidy standards.

50058 Form: The HUD form that Housing Authority's 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.

FMR/exception rent limit: The Section 8 existing housing fair market rent published by HUD headquarters, or any exception rent. For a tenancy in the Voucher Program, the housing authority may adopt a payment standard up to the FMR/exception rent limit.

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

Gross rent: The sum of the rent to the owner plus any utilities.

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

Head of household: The adult member of the family who is the head of the household for purposes of determining income eligibility and rent.

Household members: include all individuals who reside or will reside in the unit and who are listed on the lease, including live-in aides, foster children and foster adults.

Housing Assistance Payment (HAP): The monthly assistance by a housing authority, which includes (1) a payment to the owner for rent to the owner under the family's lease, and (2) an additional payment to the family if the total assistance payment exceeds the rent to owner.

Housing quality standards (HQS): The HUD minimum quality standards for housing assisted under the Section 8 program.

Housing Choice Voucher: A document issued by a housing authority to a family selected for admission to the Voucher Program. This document describes the program and the procedures for housing authority approval of a unit selected by the family. The voucher also states the obligations of the family under the program.

Housing Choice Voucher holder: A family that has an unexpired housing voucher.

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 in determining annual income.

Income category: Designates a family's income range. There are three categories: low income, very low income and extremely low-income.

Incremental income: The increased portion of income between the total amount of welfare and earnings of a family member prior to enrollment in a training program and welfare and earnings of the family member after enrollment in the training program. All other amounts, increases and decreases, are treated in the usual manner in determining annual income.

Initial Housing Authority: In portability, both: (1) a housing authority that originally selected a family that later decides to move out of the jurisdiction of the selecting housing authority; and (2) a housing authority that absorbed a family that later decides to move out of the jurisdiction of the absorbing housing authority.

Initial payment standard: The payment standard at the beginning of the HAP contract term.

Initial rent to owner: The rent to owner at the beginning of the initial lease term.

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

Jurisdiction: The area in which the housing authority has authority under State and local law to administer the program.

Lease: A written agreement between an owner and tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP Contract between the owner and the housing authority.

Live-in aide: A person who resides with one or more elderly persons, or 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.

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. [1937Act)

Manufactured home: A manufactured structure that is built on a permanent chassis, is designed for use as a principal place of residence, and meets the HQS.

Manufacture home space: In manufactured home space rental: A space leased by an owner to a family. A manufactured home owned and occupied by the family is located on the space.

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

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

Moderate rehabilitation: Rehabilitation involving a minimum expenditure of \$1000 for a unit, including its prorated share of work to be accomplished on common areas or systems, to:

- a. upgrade to decent, safe and sanitary condition to comply with the Housing Quality Standards or other standards approved by HUD, from a condition below these standards (improvements being of a modest nature and other than routine maintenance; or
- b. repair or replace major building systems or components in danger of failure.

Monthly adjusted income: One twelfth of adjusted income.

Monthly income: One twelfth of annual income.

Mutual housing is included in the definition of "cooperative".

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

Near-elderly family: A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62; or two or more persons, who are at least 50 years of age but below the age of 62, living together; or one or more persons who are at least 50 years of age but below the age of 62 living with one or more live-in aides.

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.

Non-citizen: A person who is neither a citizen nor national of the United States.

Notice Of Funding Availability (NOFA): For budget authority that HUD distributes by competitive process, the Federal Register document that invites applications for funding. This document explains how to apply for assistance, and the criteria for awarding the funding.

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

Owner: Any person or entity, including a cooperative, having the legal right to lease or sublease existing housing.

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

Payment standard: In a voucher tenancy, the maximum monthly assistance payment for a family (before deducting the total tenant payment by family contribution). For a voucher tenancy, the housing authority sets a payment standard in the range from 90% to 110% of the current FMR.

Person with disabilities: A person who:

- a. Has a disability as defined in Section 223 of the Social Security Act,

"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 of the Developmental Disabilities Assistance and Bill of Rights Act.

"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.

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

Portability: Renting a dwelling unit with Section 8 tenant-based assistance outside the jurisdiction of the initial housing authority.

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

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

Preservation: This program encourages owners of eligible multifamily housing projects to preserve low-income housing affordability and availability while reducing the long-term cost of providing rental assistance. The program offers several approaches to restructuring the debt of properties developed with project-based Section 8 assistance whose HAP contracts are about to expire.

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.

Public Housing Agency: A State, county, municipality or other governmental entity or public body (or agency or instrumentality thereof) authorized to engage in or assist in the development or operation of low-income housing.

Reasonable rent: A rent to owner that is not more than charged: (a) for comparable units in the private unassisted market; and (b) for a comparable unassisted unit in the premises.

Receiving Housing Authority: In portability, a housing authority that receives a family selected for participation in the tenant-based program of another housing authority. The receiving housing authority issues a voucher, and provides program assistance to the family.

Re-certification: A reexamination of a household's income, expenses, and family composition to determine the household's rent for the following 12 months.

Remaining member of a tenant family: A member of the family listed on the lease who continues to live in an assisted household after all other family members have left.

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

Set-up charges: In a manufactured home space rental, charges payable by the family for assembly, skirting and anchoring the manufactured home.

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

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 person, a person with disabilities, a displaced person, or the remaining member of a tenant family.

Single room occupancy housing (SRO): A unit for occupancy by a single eligible individual capable of independent living that contains no sanitary facilities or food preparation facilities, or contains either, but not both, types of facilities.

Special admission: Admission of an applicant that is not on the housing authority waiting list, or without considering the applicant's waiting list position.

Special housing types: Special housing types include: SRO housing, congregate housing, group homes, shared housing, cooperatives (including mutual housing), and manufactured homes (including manufactured home space rental).

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.

Statement of family responsibility: An agreement in the form prescribed by HUD, between the housing authority and a Family to be assisted under the Moderate Rehabilitation Program, stating the obligations and responsibilities of the family.

Subsidy standards: Standards established by a housing authority to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

Suspension: Stopping the clock on the term of a family's voucher, for such period as determined by the housing authority, from the time when the family submits a request for housing authority approval to lease a unit, until the time when the housing authority approves or denies the request. Also referred to as tolling.

Tenant: The person or persons (other than a live-in aide) who executes the lease as lessee of the dwelling unit.

Tenant rent: The amount payable monthly by the family as rent to the owner minus any utility allowance.

Third-party (verification): Oral or written confirmation of a household's income, expenses, or household composition provided by a source outside the household, such as an employer, doctor, school official, etc.

Tolling: see suspension.

Total tenant payment (TTP):

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

30% of the family's monthly adjusted income;

10% of the family's monthly income;

Minimum rent; or

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.

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 or approved by a housing authority or HUD of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.

Utility hook-up charge: In a manufactured home space rental, costs payable by a family for connecting the manufactured home to utilities such as water, gas, electrical and sewer lines.

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.

Verification:

- a. The process of obtaining statements from individuals who can attest to the accuracy of the amounts of income, expenses, or household member status (e.g., employers, public assistance agency staff, doctors).
- b. The three types of verification are:
 - (1) Third-party verification, either written or oral, obtained from employers, public assistance agencies, schools, etc.)
 - (2) Documentation, such as a copy of a birth certificate or bank statement
 - (3) Family certification or declaration (only used when third-party or documentation verification is not available)

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. *[1937 Act]*

Violence Against Women Act: Title VI of this law requires that public housing agencies and property owners renting to families with Section 8 Housing Vouchers to not deny access or evict victims of domestic violence related to their being abused; increase victim confidentiality, and

require public entities to consider the needs of victims of domestic violence in their housing policies.

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

Voucher (rental voucher): A document issued by a housing authority to a family selected for admission to the Housing Choice Voucher Program. This document describes the program and the procedures for housing authority approval of a unit selected by the family and states the obligations of the family under the program.

Voucher holder: A family holding a voucher with unexpired search time.

Waiting list admission: An admission from the housing authority waiting list. *[24 CFR 982.4]*

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
CACC	Consolidated Annual Contributions Contract
CFR	Code of Federal Regulations
CPS	Child Protective Services
CWA	Child Welfare Agency
FMR	Fair Market Rent
FSS	Family Self Sufficiency (program)
HA	Housing Authority
HAP	Housing Assistance Payment
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
PBC Project-Based Certificate (program)
QHWRA Quality Housing and Work Responsibility Act of 1998
PHA Public Housing Agency
TTP Total Tenant Payment
VAWA Violence Against Womens Act

New Albany Housing Authority
FFY 2010-FFY2014
Agency Strategic Five-Year Plan, Annual Plan 2011

This third Five-Year Strategic Plan analyzes the agency strengths and weaknesses following the implementation of Asset Management during NAHA Fiscal Years 2008 and 2009. Following in-depth conversations with the Board of Commissioners, Community leaders, and Residents, NAHA has revised some of the long term goals of the agency to invest some of the resources on several main items.

This Five Year Plan will concentrate on the following areas:

1. Resident Empowerment
2. Support Service to People and Family Self-Sufficiency
3. Housing: Renovation, Demolition or Disposition
4. Neighborhood Safety and Security
5. Positive Perception of NAHA
6. Organizational/Systems Improvement
7. Financial Stability/growth

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

- PHA Goal: Expand the supply of assisted housing
Objectives:
 - Apply for additional rental vouchers: NAHA will apply in years 1-5 for available vouchers to the limit available measured by # of applications for vouchers. *Staff Responsibility: Finance Department and Section 8 Department*
Update 2010: NAHA applied for 20 additional housing choice vouchers under the Family Unification Program. If awarded NAHA would provide \$201,000 in voucher subsidy to youth aging out of foster care. NAHA was awarded 15 Veterans Assistance & Supportive Housing (VASH) vouchers to serve veterans who are homeless or at-risk of homelessness.
 - Reduce public housing vacancies: NAHA will reduce vacancy average by 1 units each year for years 1-5.
Staff Responsibility: Occupancy Department and Maintenance Department
Update 2010: NAHA has achieved occupancy rate of over 99% for the past calendar year. Goal achieved.
 - Leverage private or other public funds to create additional housing opportunities:
Staff Responsibility: Finance Department

NAHA will make one application per year for years 1-5 for additional private or public funds to create additional housing opportunities.

Update 2010: NAHA was awarded \$2,142,124 in Formula Recovery Funds. NAHA was competitively awarded \$590,000 for ADA related community space improvements at AMP 1 (Beechwood and Riverside developments; \$350,000 for ADA related community space improvements at AMP 2 (Vance Court and Parkview Towers); \$1,105,000 for renovation of 24 units to meet ADA requirements at AMP 3 (Parkview and Broadmeade Terraces); and, \$662,000 for ADA related community space improvements at AMP 4 (Riverview and Mark Elrod Towers.)

Other (list below)

Work with the City of New Albany to implement the Neighborhood Stabilization Program during Calendar year 2009 to reduce the number of blighted and vacant properties adjacent to NAHA sites.
Staff Responsibility: Finance Department

Update 2010: NAHA was not part of city designated as blighted by the City of New Albany and therefore did not apply.

PHA Goal: Improve the quality of assisted housing
Objectives:

Improve public housing management: (PHAS score) 87
NAHA will improve PHAS score by one point per year for years 1-5.
Staff Responsibility: All Departments

Update 2010: PHAS scores deferred during transition year. NAHA has reviewed scoring protocol for implementation of new protocol and each AMP has defined goals to reach minimum score of 90 at each site. Finance Department (Financial and Capital Fund) will maintain current high performance scores.)

Continue High-Performer voucher management: (SEMAP score) 100
Staff Responsibility: Section 8 Department and Finance Department

Update 2010: Section 8 maintains current High-Performer status.

Improve and/or increase the marketability of NAHA properties through increased emphasis on customer satisfaction.

1. Site managers will provide one strategy for improved performance in the market in each of years 1-5.

Update 2010: Each AMP was provided an allowance of Capital Fund Management Improvement funds in the fall of 2009. Each manager is reviewing property status to spend funds.

2. Site managers will provide a management improvement plan for use of capital funds during Year 1.

Update 2010: Plans due January 21, 2010. Plan delayed by late distribution of Capital Fund 109 by HUD due to Recovery Fund implementation.



Concentrate on efforts to improve specific management functions: (list; e.g., public housing finance; voucher unit inspections)

1. Will improve the efficiency of occupancy department as a result improved job descriptions and performance goals.

Staff Responsibility: Central Office Cost Center

Update 2010: Job descriptions are being reviewed.

Request for Qualifications for consulting services to do compensation, staffing, and job description review in 2010.

RFQ will be released by March 1, 2010.

2. Will maintain occupancy rate of 97% in years 1-5.

Staff Responsibility: Asset Management Property staff.

Update 2010: Goal met, will be maintained.

3. Will increase housekeeping inspections by 10% in each of years 1-5.

Staff Responsibility: Occupancy Department

Update 2010: Goal not met, will renew efforts in 2010.

4. Will promote the use of online application process to reduce Intake Staff data entry

Staff Responsibility: Intake Staff

Will increase the total percentage of applications entered by applicants by 10% in each of years 1-5

Update 2010: Goal not met, will review marketing of online applications and renew efforts..

5. Will reduce tenant accounts receivable by 5% in each of years 1-5

Staff Responsibility: Occupancy Department and Finance Department

Update 2010: Goal not met. Current instability and distress in economy has resulted in increase of approximately 10% in Tenant Accounts Receivable. NAHA is implement corrective action and reviewing policies to improve rent collection and eviction process.

6. All staff will become knowledgeable regarding the new PHAS indicators for all departments in public housing during year 1.

Staff Responsibility: All staff

:Update 2010: Goal met, NAHA COCC conducted detailed training during staff retreat on the new PHAS indicators including estimation of scoring using new tool. Staff will train and measure progress on an ongoing basis.

7. Will decrease average vacant unit turnaround average days by 2% in each of years 1-5.

Staff Responsibility: All Staff

Update 2010: Goal met. Vacant unit turnaround has decreased on agency average by more than 10%.

8. Will increase the MASS indicator score by 3 points by year 5.

Staff Responsibility: All Departments

Update 2010: Goal deferred pending final release of new Management Indicators by HUD.

9. Will complete decentralization of all warehouse facilities by end of Year 1.

Staff Responsibility: All Departments

Update 2010: Goal met. Warehouses now decentralized.

10. Will improve the management of Valley View Court by decreasing annual vacancy months by 5% in each of years 1-5.

Staff Responsibility: AMP 2 Site Staff

Update 2010: Goal met. Valley View Court has averaged over 99% occupancy for past year.



Renovate or modernize public housing units:

1. Will complete energy performance contractor selection for renovation and energy conservation with energy and savings corporation (in process) during year 1.

Staff Responsibility: Finance Department

Update 2010: Goal met. Contract signed, energy conservation measures 95% installed.

2. Will complete scope of work and initiate construction for performance contracting during year 2.

Staff Responsibility: Finance Department and Maintenance Department

Update 2010: Goal exceeded. Contract signed, energy conservation measures 95% installed.

3. Will complete 95% of construction by end of year 3.

Staff Responsibility: Finance Department and Maintenance Department

Update 2010: Goal exceeded. Contract signed, energy conservation measures 95% installed.

4. Will use cost savings for additional work by end of year 5.
Staff Responsibility: Finance Department and Maintenance Department

Demolish or dispose of obsolete public housing:
Staff Responsibility: Finance Department, All staff
Update 2010: NAHA is reviewing performance of all AMPs for future possible HOPE VI application.

Provide replacement vouchers as part of effectiveness review in year as needed.
Staff Responsibility: Finance Department

PHA Goal: Increase assisted housing choices

Objectives:

Provide voucher mobility counseling:
Staff Responsibility: Section 8 Department
Update 2010: Goal met.

Conduct outreach efforts to potential voucher landlords
Will participate in 2 fair housing events and have 1 landlord outreach effort in years 1 through 5.
Update 2010: Goal not met. Will renew efforts in FY11.

Implement voucher homeownership program:
New homeownership plan is part of this plan. Will be initiated during year 1 of this plan.
Staff Responsibility: Section 8 Department
Update 2010: Section 8 Department has implemented Homeownership Program. January 2010 saw first homeowner.

Implement public housing or other homeownership programs:
Staff Responsibility: Finance Department and Section 8 Department
Update 2010: Section 8 Department has implemented Homeownership Program.

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

- ☒ PHA Goal: Provide an improved living environment
- Objectives:
- ☒ Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments:
Staff Responsibility: Finance Department
This goal is being reviewed pending the published Final Rule Streamlining Public Housing Initiative, Final Rule during 2009.
Update 2010: Final rule still pending.
- ☒ Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments:
See deconcentration comments above.
Staff Responsibility: Finance Department
Update 2010: NAHA has implemented actions to increase income mixing at AMP 3.
- ☒ Implement public housing security improvements:
1. *Will increase remote surveillance activities in years 1 through 5.*
Staff Responsibility: Safety and Security Department
Update 2010: NAHA has implemented new surveillance capabilities throughout NAHA sites.
 2. *Will complete plan to have PHA security watch in year 1.*
Staff Responsibility: Safety and Security Department
Update 2010: Goal deferred due to staff changes.
 3. *Will analyze results of PHA security vs. contract police patrols in year 1.*
Staff Responsibility: Safety and Security Department and Finance Department
Update 2010: Goal deferred due to staff changes.
 4. *Will continue extra security efforts based on analysis of security patrol in year 2 during year 3.*
Staff Responsibility: Safety and Security Department and Finance Department
Update 2010: NAHA is currently assessing effectiveness of current security efforts and realigning all security and safety efforts.
 5. *Will continue to implement effective screening for appropriate housing of applicants during years 1 through 5.*
Staff Responsibility: Safety and Security Department and Occupancy Department

Update 2010: NAHA will release Request for Proposal for new tenant screening contractor to improve screening during calendar year 2010.

- Designate developments or buildings for particular resident groups (elderly, persons with disabilities)
Staff Responsibility: Finance Department
After review of vacancy rates at sites, Parkview Towers was not re-designated as elderly only, but reverted to mixed population. Riverview Towers was designated as elderly/near elderly due to continuing vacancy problems and need for one-bedroom apartments for near-elderly and disabled residents based on analysis of needs demonstrated by NAHA waiting list analysis.

- Other: (list below)

1. Will make decision regarding possible conversion of public housing units during year 3.
Staff Responsibility: All Staff
2. If needed, will begin conversion process.
Staff Responsibility: All Departments
3. Will complete process of computerized access at all high rises.
Staff Responsibility: Finance Department and Maintenance Department
Update 2010: Goal met. New access system installed.
4. Will provide amenities to 5% of housing units each year during years 1 through 5.
Staff Responsibility: All Staff
Update 2010: NAHA installed new bathrooms at 725 family units(67%).

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

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

Objectives:

- Increase the number and percentage of employed persons in assisted families:
Staff Responsibility: Family Self Sufficiency and Supportive Services
 1. Will increase % of employed persons in assisted families by 2% in each of years 1 through 5.

- Provide or attract supportive services to improve assistance recipients' employability:
Will seek out 1 additional supportive service in each of years 1 through 5.
Staff Responsibility: Family Self Sufficiency and Supportive Services
Update 2010: NAHA applied for 1 Section 8 case manager position (renewal) and 2 Public Housing Case manager positions.

- Provide or attract supportive services to increase independence for the elderly or families with disabilities.
 1. Will provide a community service brochure for each elderly/disabled person residing in public housing.
Staff Responsibility: Family Self Sufficiency and Supportive Services
Update 2010: Goal not met.

 2. Will seek 2 additional partnerships by year 2
Staff Responsibility: Family Self Sufficiency and Supportive Services
Update 2010: NAHA has increased partnerships with IUS and NAFC Parks and Recreation Departments.

 3. Will apply for additional grant funding when available in years 1 through 5.
Staff Responsibility: Contractor or inhouse staff
Update 2010: Goal met.

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

- PHA Goal: Ensure equal opportunity and affirmatively further fair housing Objectives:
 - Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability:
 Will participate annually in Fair Housing Fair and/or participate in training annually to insure all staff are aware of responsibility in enforcing Fair Housing requirements.
Staff Responsibility: All Staff
Update 2010: Goal not met.

 - 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.

Update 2010: Goal met. Marketing efforts include above issues.

1. Will market PHAs mobility-impaired, vision-impaired, and hearing-impaired units.
Staff Responsibility: AMP managers
 2. Will market to Hispanic community more aggressively since it is the fastest growing ethnic group in Southern Indiana.
Staff Responsibility: AMP managers
 3. Will continue to participate in ethnic and minority outreach symposia, fairs, consortia.
Staff Responsibility: All Staff
- Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required:
Have completed large number of ADA compliant units. Will conduct outreach efforts during years 1 through 5.
Staff Responsibility: All Departments
Year 2-5 Update: Outreach is ongoing.

Other PHA Goals and Objectives: (list below)

- To Improve the overall management strategies of New Albany Housing Authority.**
- Improve the purchase order system by requiring mandatory purchase orders for all goods and services.
Staff Responsibility: Finance Department
Update 2010: Goal met. Purchase order system fully implemented within finance department operations.
- Review and improve communication technology systems within NAHA. Annual provide technology plan to all staff for review and comments.
Staff Responsibility: Finance Department
Update 2010: Goal met. NAHA implemented new administrative cell phones. Will deploy to entire staff in year 2.
- Implement enhanced attendance system to complement PTO policy during year 1.
Staff Responsibility: Finance Department and Human Resources

Update 2010: Goal met. New time and attendance system implemented.

- ☒ Improve the reporting function of all departments to increase the ability to track and analyze department functions. Each department will present a management plan to improve key indicators in HUD Form 5834 when released.

Staff Responsibility: All Departments

Update 2010: Goal deferred pending release of HUD 5834 and PHAs transitional scoring protocol.

- ☒ Develop a safety program residents of NAHA.
Staff Responsibility: Safety and Security Department, Occupancy Department, and Resident Initiatives Department

Update 2010: Goal deferred due to staff changes.

- ☒ Improve the system of costing maintenance jobs during Year 1.

Staff Responsibility: Finance Department and AMP managers.

Update 2010: Goal met. Maintenance costs are now captured within work-order system.

- ☒ Continue to develop enhanced personnel policies and procedures manual

Staff Responsibility: Human Resources

Update 2010: Goal met. Current policies are being reviewed for additional enhancements.

- ☒ Develop a procedures for systematic management and reporting for all departments when Final PHAS rule is released

Staff Responsibility: All Departments

Update 2010: Goal deferred pending final rule.

- ☒ Increase accountability for all staff: Directors, Coordinators, Line staff. During Calendar Year 2009, NAHA will release a Request for Proposal for a comprehensive independent assessment of salaries, benefits, organizational policies, job descriptions, and staffing ratios.

Staff Responsibility: Central Office Cost Center

Update 2010: Goal met. RFP will be released by March 2010.

- ☒ **To improve the overall positive perception of New Albany Housing Authority.**

- Develop Community Outreach presentations that demonstrate the functions of New Albany Housing Authority and each of its departments
Staff Responsibility: All Departments
Update 2010: Goal met. New presentations being developed. Have engaged a consultant for marketing plan.
- Develop outreach articles and newsletters to present a picture of NAHA as an agency striving to improve
Staff Responsibility: Human Resources and Communications Department
Update 2010: Goal met and ongoing.
- Develop a safety program for residents of NAHA.
Staff Responsibility: Maintenance Department and Human Resources and Communications Department
Update 2010: Goal deferred due to staff changes..
- Develop an agency wide customer friendly attitude through annual customer service training and/or awareness day.
Staff Responsibility: All Departments
Update 2010: Goal not met.
- Develop programs for special at-risk populations by submitting proposals for grant funding or creating partnerships to assist at-risk populations on an annual basis.
Staff Responsibility: Family Self Sufficiency and Supportive Services Department
Update 2010: Goal met. FSS program continuously develops new programs to meet needs of at-risk populations of all ages. New mentoring program developed during 2009.

Case Fund Program—Five-Year Action Plan

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 Expires 4/30/2011

Part I: Summary

PHA Name/Number	New Albany HA IN012	Locality City of New Albany, Floyd Co., Indiana			
A. Development Number and Name	Work Statement for Year 1 FFY 2010	Work Statement for Year 2 FFY 2011	Work Statement for Year 3 FFY 2012	<input type="checkbox"/> Original 5-Year Plan Work Statement for Year 4 FFY 2013	<input checked="" type="checkbox"/> Revision No. 2 Work Statement for Year 5 FFY 2014
B. Physical Improvements Subtotal	576,600	576,600	1,615,050	2,269,000	1,336,300
C. Management Improvements					
D. PHA-Wide Non-dwelling Structures and Equipment	156,000	156,000	156,000	156,000	156,000
E. Administration					
F. Other	160,000	160,000	160,000	160,000	160,000
G. Operations					
H. Demolition	270,000	270,000	270,000	270,000	270,000
I. Development					
J. Capital Fund Financing - Debt Service					
K. Total CFP Funds					
L. Total Non-CFP Funds	6,352,000		2,201,050	1,692,000	1,922,300
M. Grand Total					

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Part III: Supporting Pages – Management Needs Work Statement(s)

Work Statement for Year 1 FFY	Work Statement for Year 2 FFY 2011		Work Statement for Year: 3 FFY 2012	
	Development Number/Name General Description of Major Work Categories	Estimated Cost	Development Number/Name General Description of Major Work Categories	Estimated Cost
	IN012000001, 2, 3, 4 1406 tons	270,000	IN012000001, 2, 3, 4 1406 tons	270,000
	IN012000001, 2, 3, 4 1408 FSS	18,000	IN012000001, 2, 3, 4 1408 FSS	18,000
	IN012000001, 2, 3, 4 1408 Parks	28,000	IN012000001, 2, 3, 4 1408 Parks	28,000
	IN012000001, 2, 3, 4 1408 Technology	75,000	IN012000001, 2, 3, 4 1408 Technology	75,000
	IN012000001, 2, 3, 4 1408 Training and Travel	30,000	IN012000001, 2, 3, 4 1408 Training and Travel	30,000
	IN012000001, 2, 3, 4 Dues & Pubs	5,000	IN012000001, 2, 3, 4 Dues & Pubs	5,000
	IN012000001, 2, 3, 4 1430 A&E	56,000	IN012000001, 2, 3, 4 1430 A&E	56,000
	COCC	160,000	COCC	160,000
	1410 Administration		1410 Administration	
	IN012000001, 2, 3, 4	8,000	IN012000001, 2, 3, 4	8,000
	1411 Audit		1411 Audit	
	Subtotal of Estimated Cost	\$ 650,000	Subtotal of Estimated Cost	\$ 650,000

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Part III: Supporting Pages – Management Needs Work Statement(s)

Work Statement for Year 1 FFY	Work Statement for Year 4 FFY 2013	Work Statement for Year 5 FFY 2014	
Development Number/Name	Estimated Cost	Development Number/Name	Estimated Cost
General Description of Major Work Categories		General Description of Major Work Categories	
IN012000001, 2, 3, 4	270,000	IN012000001, 2, 3, 4	270,000
1406 tions		1406 tions	
IN012000001, 2, 3, 4	18,000	IN012000001, 2, 3, 4	18,000
1408 FSS		1408 FSS	
IN012000001, 2, 3, 4	28,000	IN012000001, 2, 3, 4	28,000
1408 Parks		1408 Parks	
IN012000001, 2, 3, 4	75,000	IN012000001, 2, 3, 4	75,000
1408 Technology		1408 Technology	
IN012000001, 2, 3, 4	30,000	IN012000001, 2, 3, 4	30,000
1408 Training and Travel		1408 Training and Travel	
IN012000001, 2, 3, 4	5,000	IN012000001, 2, 3, 4	5,000
Dues & Pubs		Dues & Pubs	
IN012000001, 2, 3, 4	56,000	IN012000001, 2, 3, 4	56,000
1430 A&E		1430 A&E	
COCC		COCC	
1410 Administration	160,000	1410 Administration	160,000
IN012000001, 2, 3, 4	8,000	IN012000001, 2, 3, 4	8,000
1411 Audit		1411 Audit	
Subtotal of Estimated Cost	\$ 650,000	Subtotal of Estimated Cost	\$ 650,000

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Family Support Services Center
Family Self-Sufficiency Program Action Plan
For Residents of Public Housing and Section 8 Voucher
Tenants
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**Family Self-Sufficiency Program Action Plan
For Residents of Public Housing and Section 8 Voucher Tenants**

GENERAL

The Housing Authority of the City of New Albany has submitted this update to our Action Plan in accordance with 24 CFR Part 950. It has been developed with the Chief Operating Officer of our local government and the Program Coordinating Committee.

Initial submission was in January of 2001. An update was submitted January 2004 and January 2005, January 2006. & January 2009. This revision is for January 2010 to reflect policy changes.

The Housing Authority of the City of New Albany Family Self-Sufficiency Program represents a community based approach to the organization and delivery of locally available services. The goal is to help eligible families become economically independent and self-sufficient. The program is designed to identify the needs of participating families, and to deliver a comprehensive coordinated set of services that are individually focused to facilitate self-sufficiency.

The NAHA FSS Program is structured upon the following principles:

- Local communities have the capacity for identifying and developing effective solutions to community problems.
- Public and private resources can be made more effective through a coordinated approach to service delivery.
- The self-sufficiency goal requires a package of services that are tailored to local circumstances and individual needs.
- Leadership and communication.

This Action Plan represents in procedure the principals that form the basis for our program. It provides a guide to the key policies and administrative issues involved in the implementation of FSS. We will continue to assure that this document accurately reflects current policies and procedures and will be responsible for implementation and maintenance of this plan.



New Albany Housing

215 Erni Avenue

New Albany, Indiana 47150

Phone: (812)206-2050,

Fax: (812)206-4570

Email: Idonohue@nahain.com

Promoting Self-Sufficiency for Our Families

Family Support Services Center

THE HOUSING AUTHORITY OF THE CITY OF NEW ALBANY,
INDIANA
P.O. BOX 11
NEW ALBANY, INDIANA 47151-0011

January, 2001

Revised January, 2004

Revised January, 2005

Revised January, 2006

Revised January, 2009

Revised January, 2010

Submitted for HUD approval by:
Bob Lane, Executive Director,
The Housing Authority of the City of New Albany

NAHA

POLICIES AND PROCEDURES FOR OPERATION OF THE LOCAL FSS PROGRAM

SELECTION POLICIES:

- Families living in NAHA public housing or using section 8 vouchers administered by NAHA are eligible for voluntary participation in the FSS program. They must be a current resident of NAHA public housing and head of household or; a current section 8 family with a NAHA voucher and head of household.
- Participants must agree to seek and maintain suitable employment.
- Participation in the program will be determined on a first-come, first-serve basis.
- NAHA will make reasonable accommodation for participants with disabilities.
- Note that current public housing and/or section 8 residents who do not wish to participate in the FSS program will not lose their housing assistance because of their decision.

NON-DISCRIMINATION POLICIES:

- NAHA exercises a non-discrimination policy, in compliance with the rules and regulations governing the Fair Housing Act. NAHA shall not deny any family the opportunity to participate in the FSS program on the basis of race, color, sex, religion, creed, national or ethnic origin, age, family or marital status, physical ability, disability or sexual orientation.

DENIAL OF PARTICIPATION:

- NAHA may deny a family participation in the FSS program if they previously participated in the FSS program and did not meet their obligations and were terminated.
- NAHA may deny participation in the program if the applicant owes NAHA or another PHA money in connection with Section 8 or public housing assistance.

TERMINATION FROM THE FSS PROGRAM:

- NAHA may terminate a FSS contract for non-compliance with the contract.
- The FSS contract is automatically terminated if the section 8 assistance is terminated.
- The contract may also be terminated for the following reasons:
 - Mutual consent
 - Failure of family to meet contract obligations without good cause

- Family withdrawal from the FSS program
- Other act(s) deemed inconsistent with the purpose of the FSS program
- Operation of law or failure of the family to remain in good standing by way of lease violation or by violation of NAHA One Strike policy.

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Family Self-Sufficiency Program Action Plan For Residents of Public Housing and Section 8 Voucher Tenants

TERMINATION OF SERVICES:

If NAHA decides to terminate the FSS supportive services, the FSS contract, or section 8 assistance because the family failed to comply with its FSS contract, NAHA will offer the family the opportunity for an informal hearing.

In public housing, the family is entitled to present a grievance in accordance with NAHA's existing grievance procedures.

NAHA may terminate section 8 assistance as a consequence of not completing the obligations of the FSS Contract. The family may continue to receive Section 8 assistance after termination of participation in the section 8 FSS program. NAHA will review the circumstances of the noncompliance to determine the appropriate remedy.

If a family drops out of the FSS program or if the contract expires and NAHA does not terminate assistance, the family will continue to receive section 8 assistance.

Any FSS participant who commits fraud is an automatic FSS Program termination.

NAHA does not evict public housing residents if they do not meet their FSS obligations.

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ESTIMATE OF PARTICIPATING FAMILIES

At any given time, approximately 376 households in public housing and 221 households in section eight are in need of our services. We expect that the continued outreach response to the program will be favorable and that more than 199 families will express an interest. It is anticipated that all of seventy five (75%) percent of them will sign a Contract of Participation and receive a coordinated set of supportive services needed to facilitate their effort to achieve and maintain economic self-sufficiency.

FSS FAMILY SELECTION PROCEDURES

Both Section 8 and Public Housing families are eligible for voluntary participation in the Family Self-Sufficiency Program. They must be a current resident and Head of Household except when a waiver is granted if the head of household is disabled and another adult in the household wishes to participate in the program. Participants must agree to seek and maintain suitable employment. Participation in the program is on a first

come, first serve basis. NAHA will make reasonable accommodation for participants with disabilities. Public housing and Section 8 families who do not wish to participate in the FSS Program will not lose their housing assistance because of their decision.

INCENTIVES TO ENCOURAGE PARTICIPATION

The Housing Authority of the City of New Albany offers Escrow Accounts to encourage client participation in the FSS program in accordance with the requirements set forth in Section 950.3025. We have also developed some in-house incentives. Some of those include a computer lab for them to use for education, looking up personal issues that could be causes of challenges in their lives such as parenting issues, and for job searches and career preparation. We keep a snack room for them to take breaks during their work periods. We offer a computer “give-a-way” monthly for those working on computer technology courses on-line. We have a “Dress for Success” Program for those all important interview suits. They receive a full outfit for free including accessories and shoes. We offer job readiness training and personal job placement services. We have guest speakers, counseling available on-site, parenting programs, intensive case management, we write and distribute a monthly newsletter which has items of interest for those who are working towards self-sufficiency, we use brag boards to promote pride in their accomplishments as well as publish success stories in our newsletter, participants are often invited to participate in activities such as small business workshops that relate specifically to their individualized plan, and more.

Family Self-Sufficiency Program Action Plan For Residents of Public Housing and Section 8 Voucher Tenants

CERTIFICATION OF COORDINATION

The Housing Authority of the City of New Albany’s Family Self-Sufficiency Program is organized around a Program Coordinating Committee. The PCC is made up of representatives of the public and private sectors who serve in organizations that support or complement the concept of family self-sufficiency. Members of the PCC serve in a voluntary capacity. The size of the PCC has not been limited in order to allow for the recruitment of new members as either current members drop out or the need arises for representation by a particular organization or organizations. Currently the PCC is made up from the following agencies:

City of New Albany, Blue River Services, Center for Women and Families, Families First, Healthy Families, FSSA/Floyd County Office of Families and Children, Floyd Memorial Hospital and Health Services, Floyd County Probation Office, Counseling Associates of Southern Indiana, Floyd County Health Department, Bridgepointe, Community Action of Southern Indiana, Catholic Charities, Clark County Youth Shelter, Counseling and Mediation Services, Family Health Center of Floyd County, Floyd County Community Corrections, Floyd County Head Start, Floyd County Prosecutor’s Office, Floyd County Sheriff’s Office, Floyd County Youth Shelter, New Directions, Governor’s Commission on Youth for Christ, and of course, one section 8 participant and one public housing participant.

The Family Support Services Director acts as the Chairperson for the segment with the PCC. The PCC meets on a monthly basis. It is scheduled as an addendum to the local Step Ahead Council's Case Management Consortium. The meetings are announced in advance by e-mail notification along with notification of the local Step Ahead Council.

SUPPORTIVE SERVICES:

NAHA may withhold support services for any participant who is in noncompliance with their contract. NAHA will review the circumstances of the noncompliance to determine the appropriate remedy.

Former FSS families who have completed their contracts, still receiving housing assistance and whose head is employed, may be offered FSS supportive services to help continue toward self-sufficiency for up to one year.

HEARING PROCEDURES FOR FSS FAMILIES:

NAHA hearing procedures are contained in the Administrative Plan. All families terminated from the program will be afforded an opportunity to request an informal hearing for a determination of the appropriateness of the termination or withholding of supportive services placed on a participant family.

ASSURANCES OF NONINTERFERENCE WITH RIGHTS OF NONPARTICIPATING FAMILIES

The Housing Authority of the City of New Albany assures that a family's election not to participate in the FSS program will not affect the family's admission to housing or the family's right to occupancy in accordance with its lease.

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Family Self-Sufficiency Program Action Plan For Residents of Public Housing and Section 8 Voucher Tenants

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ESCROW POLICIES:

FSS families pay rent in accordance with their incomes. NAHA will deposit all escrowed funds into a depository account located at Centra Federal Credit Union. The monthly amount deposited is determined by increases in earned income. If the rent is paid late, the family will not receive a deposit for that month. *(If family rent becomes less than at enrollment, there is no escrow credit)*

NAHA will report annually to each FSS family with an escrow account:

- The balance at the beginning of the report period
- All deposits made during the report period

- Any deductions made from the account during the reporting period
- The amount of interest earned on the account during the year
- The total in the account at the end of the reporting period.

Interim Disbursements will be at the sole discretion of NAHA. Interim withdrawals will be allowed if the family has fulfilled some of their interim contract goals, is working towards self-sufficiency and needs a portion of the FSS account funds for purposes consistent with the Contract such as:

- School tuition or other school costs, job training expenses, business start-up expenses, car or car repair when public transportation is unavailable or inaccessible to the family, or credit clean-up, fees for a home loan, etc.

Participants will not be allowed to draw more than 50% of their total escrow account and can only withdraw one time per NAHA fiscal year which runs from April 1 of one year to March 31 of the next year.

To receive the entire balance earned in the FSS escrow account, the family must have completed all obligations set forth in the Contract of Participation. Completion occurs when the family has fulfilled goals in the Individual Training and Services Plan and has remained free of welfare assistance, excluding housing assistance, for 12 months prior to the expiration date of the contract, or if 30% of their monthly adjusted income equals or exceeds the fair market rent/payment standard for the voucher size of the family.

The Family Support Services Director will determine fulfillment of goals.

Families will receive their escrow money within forty-five days of the completion of the contract.

There will be a one-year waiting period for families that have received their escrow account and want to reapply.

Amounts in the FSS account will be forfeited if:

- The Contract of Participation is terminated or declared null and void, or
- The Contract of Participation is completed but the family is receiving welfare cash assistance when the contract expires, including extensions. If families have not paid their portion of rent to the Housing Authority or the Section 8 homeowner.
- If the head of household dies and the remaining family members choose not to participate in the program, or
- If the head of household leaves the family unit and the remaining family members choose not to participate in the program, or
- If the family does not comply with the terms of the lease agreement.

Section 8 FSS Escrow Accounts and Portability

- Clients wishing to exercise portability rights will be handled in accordance with the

Section 8 Administrative Plan.

- If a Section 8 participant who has an escrow account relocates, there will be only one escrow account. The housing authority that is responsible to pay their housing assistance will maintain the escrow account .

Procedure for Requesting an Interim Disbursement:

- The participant must complete and sign the Request for Interim Disbursement Form;
- Complete a Federal 1099 Form Information and provide a copy of their driver's license and social security card;
- Provide supporting documentation such as estimates, receipts, letter from credit counselors, lending institutions, etc. to justify the request as a need in order to complete the FSS goals.

Clients are required to report any changes in their income within 10 days. Failure to report an increase in income constitutes fraud and may lead to termination from the FSS program and/or the Section 8 rental assistance program.

If clients owe money to the housing authority or to the Section 8 program or to the Section 8 landlord upon completion of the program, the amount will be subtracted from their escrow account upon withdrawal.

Family Self-Sufficiency Program Action Plan For Residents of Public Housing and Section 8 Voucher Tenants

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The Housing Authority of the City of New Albany is responsible for 1,085 units in Public Housing and approximately 409 Section 8 Housing Choice Vouchers. In Public Housing, twenty seven percent (27%) of the households are African American, one and a half percent (1.5%) are of Hispanic origin, point one percent are American Indian (.1%), point four percent (.4%) are Asian / Pacific Islander, and seventy two percent (72%) Caucasian. Eighty percent of all households are headed by females. The total number of people is 2,106. The oldest resident is 97 and 103 or 5% are from the age of 0 to 1 year. Average monthly income is approximately \$594.81. Most income comes from social security, SSI, and TANF. Average household size is two. In Section 8, fifteen percent (15%) of the families are African American, eighty four percent (84%) are Caucasian, point 2% are American Indian, and point two percent (.2%) are Other, point nine percent (.9%) are of Hispanic origin. Within these groups, the majority of participants are female heads of household, seventy eight percent, (78%). The estimated average household size is two. There are 999 household members in section 8. Supportive Service Needs include: transportation, child care, education, vocational training, asset development, job readiness training, job search and placement, job retention tracking, intensive case management, health services, homeownership counseling, and life skills training.

ESTIMATE OF PARTICIPATING FAMILIES

At any given time, approximately 376 households in public housing and 221 households in section eight are in need of our services. We expect that the continued outreach response to the program will be favorable and that more than 199 families will express an interest. It is anticipated that seventy five (75%) percent of them will sign a Contract of Participation and receive a coordinated set of supportive services needed to facilitate their effort to achieve and maintain economic self-sufficiency.

FSS FAMILY SELECTION PROCEDURES

Both Section 8 and Public Housing families are eligible for voluntary participation in the Family Self-Sufficiency Program. They must be a current resident and Head of Household except when a waiver is granted if the head of household is disabled and another adult in the household wishes to participate in the program. Participants must agree to seek and maintain suitable employment. Participation in the program is on a first come, first serve basis. NAHA will make reasonable accommodation for participants with disabilities. Public housing and Section 8 families who do not wish to participate in the FSS Program will not lose their housing assistance because of their decision. The Housing Authority of the City of New Albany exercises a non-discriminatory policy, in compliance with the rules and regulations governing the Fair Housing Act. NAHA shall not deny any family the opportunity to participate in the FSS program on the basis of race, color, sex, religion, creed, national or ethnic origin, age family or marital status, physical disability, disability or sexual orientation.

INCENTIVES TO ENCOURAGE PARTICIPATION AND OUTREACH EFFORTS

In order to notify and recruit participants from among eligible families, our Family Support Specialists put together a monthly newsletter that is mailed to each of the families in Public Housing, as well as our Section 8 residents. The newsletter highlights accomplishments and upcoming events and activities. All of these efforts together assure that both minority and non minority groups are informed.

The Housing Authority of the City of New Albany offers Escrow Accounts to encourage client participation in the FSS program in accordance with the requirements set forth in Section 950.3025. We have also developed some in-house incentives. Some of those include a computer lab for them to use for education, looking up personal issues that could be causes of challenges in their lives such as parenting issues, and for job searches and career preparation. We offer a computer “give-a-way” for those working on computer technology courses on-line. We have a “Dress for Success” Program for those all important interview suits. They receive a full outfit for free including accessories and shoes. We offer extensive community referrals to services that can assist clients with fulfilling their individual career and educational goals. We have guest speakers, counseling referrals available, parenting programs, intensive case management, we use brag boards to promote pride in participant accomplishments as well as publish success stories in our monthly board reports, participants are often invited to participate in activities such as small business workshops that relate specifically to their individualized plan, and more. Anytime special outreach functions are held, the entire population of public housing and section 8 are mailed or given flyers in their doors.

CERTIFICATION OF COORDINATION

The Housing Authority of the City of New Albany’s Family Self-Sufficiency Program has

developed services and activities that have been coordinated with Work One, Kentuckiana College Access Center, Community Action of Southern Indiana, the Division of Family Resources' Impact Program, River Valley Resources child care program, Transit Authority of River City for transportation, local colleges and training sources for job training and educational efforts, and others to assure that implementation will continue to be coordinated to avoid duplication of services and activities.

ACTIVITIES AND SUPPORT SERVICES IDENTIFIED AND PROVIDED

The following pages describe only a sample of our current supportive services. We used a variety of ways to identify and deliver support services according to the needs of the FSS families. We started with survey instruments and then used our applications for services and our daily intake logs to identify what services the residents need. We also attend Resident Organization meetings and use publications on best practices in other areas of the country.

In addition to those services, we offer a wealth of resources through referrals and partnerships with other local organizations. We have approximately 90 agencies with whom we work and are listed as partners. Floyd County is unique in the wealth of resources available. We operate by tailoring our services for the client with a holistic plan developed with them to provide services uniquely for them. The following are examples of services and or referrals for services we do not provide directly:

- Dress for Success
- Job Readiness skills and resume prep for those who are not Impact mandatory
- Domestic violence counseling
- On-site homeownership counseling
- On-site nutritional counseling
- Smoking Cessation guidance, information and referrals
- Special Trainings by group for office skills through C.A.S.I. United Way and Ivy Tech

FAMILY DEMOGRAPHICS

Services Offered: **ROSS Service Coordinator**

Description: **Program designed to provide referrals in the community that already exist to assist with transition to self-sufficiency. Referrals with community partners for education, job training counseling, financial literacy, child care, IDA's and any service tailored to each individual as needed**

Estimated Size: **Estimate 50 clients served during contract year**

Allocation Method: **Voluntary Program by application**

Access: Family Support Services Center
P.O. Box 11
New Albany, Indiana 47151
(812) 206-2050
Fax (812) 206-4570
ldonohue@nahain.com

Eligibility: Current residents of New Albany Housing Authority

Program Name: Resident Opportunities Self-Sufficiency – Elderly and Disabled

Description: A program designed to deliver needed resources to elderly and disabled families to help them remain independent and self-sufficient

Estimated Size: Average assisting 7 people per day of the year

Allocation Method: Voluntary Program by Application

Access: Ms. Brenda Mikeska, ROSS Program Coordinator
P.O. Box 11
New Albany, Indiana 47151-0011
(812) 206-2051
Fax (812) 206-4571
bmikeska@nahain.com

Eligibility: Current residents of New Albany Housing Authority

Program Name: Section 8 Family Self-Sufficiency Program

Description: A program designed to promote economic self-sufficiency among participating families by providing job training programs, basic skills training, financial and household management, life skills, apprenticeship programs, on the job training, employment counseling, computer training, work placement, education programs, child care referrals, medical referrals, substance abuse referrals, mental health referrals, and other services to promote self-sufficiency.

Estimated Size: Currently 24 Participants

Allocation Method: Voluntary Program by Application

Access: Family Support Services Center
P.O. Box 11
New Albany, Indiana 47151-0011
(812) 206-2065
Fax (812) 206-4628
aherbst@nahain.com

Eligibility: Current residents in the Section 8 Program of the
New Albany Housing Authority

Program Name: Public Housing Family Self-Sufficiency Program

Description: A program designed to promote economic self-sufficiency among participating families by providing job training programs, basic skills training, financial and household management, life skills, apprenticeship programs, on the job training, employment counseling, computer training, work placement, education programs, child care referrals, medical referrals, substance abuse referrals, mental health referrals, and other services to promote self-sufficiency.

Estimated Size: Currently 50 Participants

Allocation Method: Voluntary Program by Application

Access: Family Support Services Center
P.O. Box 11
New Albany, Indiana 47151-0011
(812) 206-2049
Fax (812) 206-4551
lbaumann@nahain.com

Eligibility: Current residents of New Albany Housing Authority
Services Offered: Life Skills

Description: Resources offered in the computer lab and our audio / visual library to assist clients in many topics such as money management, parenting, healthy relationships, career development, job preparation, etc...

Estimated Size: Open Enrollment

Allocation Method: Voluntary

Access: Family Support Services Center
P.O. Box 11
New Albany, Indiana 47151-0011
(812) 206-2050
Fax (812) 206-4570
Idonohue@nahain.com

Eligibility: Current residents of New Albany Housing Authority and NAHA's Section 8 participants

Services Offered: Basic Education Skills Training

Description: Computer programs that are designed to assist in development of job skills needed and wanted by today's employers which assist individuals in raising their abilities in Math, Language, Reading, etc. Key Train program.

Estimated Size: Currently 300 per year

Allocation Method: Voluntary Program by Participation

Access: Family Support Services Center
P.O. Box 11
New Albany, Indiana 47151-0011
(812) 206-2050
Fax (812) 206-4570
Idonohue@nahain.com

Eligibility: Current residents of New Albany/Floyd County

Services Offered: ROSS Grant for Youth and Homeownership

Description: Youth Services Program for youth between the ages of 0 and 19 to promote education, culture, arts, asset development, physical education and sports and vocation, economic self-sufficiency and asset development for our future workforce and homeownership activities for public housing residents.

Estimated Size: Estimate 350 participants for the contract year

Allocation Method: Voluntary Program by Participation

Access: Family Support Services Center
P.O. Box 11
New Albany, Indiana 47151-0011
(812) 206-3571
Fax (812) 206-4627
jwitten@nahain.com

Eligibility: Current residents of New Albany Public Housing and
Section 8
Services Offered: Resident Initiatives

Description: Services offered to residents for community
leadership in resident organizations and
management of those organizations as well as
services for resident education and vocation

Estimated Size: Currently 92 Participants

Allocation Method: Voluntary Program by Application

Access: Resident Manager of each Public Housing Site or
Family Support Services Center
P.O. Box 11
New Albany, Indiana 47151-0011
(812) 206-2050
Fax (812) 206-4570
ldonohue@nahain.com

Eligibility: Current residents of New Albany Housing Authority

Services Offered: Choices

Description: A Program designed in partnership with the Southern
Seven Workforce Investment Board to do assessments
for client's to assist them in making decisions about jobs
and career goals for case planning.

Estimated Size: Open

Allocation Method: Voluntary

Access: Family Support Services Center
P.O. Box 11
New Albany, Indiana 47151-0011
(812) 206-2050

Fax (812) 206-4570
Idonohue@nahain.com

Eligibility: Current residents of New Albany

Services Offered: GED Program

Description: A Program designed in partnership with New Albany / Floyd County School Corporation at their Continuing Education Center

Estimated Size: Open Enrollment

Allocation Method: Referred by client goals

Access: Family Support Services Center
P.O. Box 11
New Albany, Indiana 47151-0011
(812) 206-2050
Fax (812) 206-4570
Idonohue@nahain.com

Eligibility: Current residents of New Albany

Services Offered: On-Line Diploma Program

Description: A Program designed to allow participants to access a diploma program from our public housing site. Developed in partnership with New Albany / Floyd County Consolidated School Corporation and the Continuing Education Center. Allows current high school students to earn extra credits towards a diploma or for drop outs to earn their diploma.

Estimated Size: Open

Allocation Method: Voluntary

Access: Family Support Services Center
215 Erni Avenue
New Albany, Indiana 47150
(812) 206-2050
Fax (812) 206-4570
Idonohue@nahain.com

Eligibility: Current residents of New Albany

Services Offered: Homeownership Counseling Programs

Description: Programs developed with The Housing Partnership Inc., the local CHODO, and others who support our efforts such as realtors and banks.

Estimated Size: Open

Allocation Method: Voluntary

Access: Family Support Services Center
P.O. Box 11
New Albany, Indiana 47151-0011
(812) 206-2050
Fax (812) 206-4570
Idonohue@nahain.com

Eligibility: Current participants of New Albany Housing Authority's public housing and Section 8 Programs

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ADMISSIONS AND CONTINUED OCCUPANCY POLICY

This Admissions and Continued Occupancy Policy defines the New Albany 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 New Albany Housing Authority to fully comply with all Federal, State and local nondiscrimination laws; the Americans with Disabilities Act; and the United States 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 New Albany Housing Authority's programs.

To further its commitment to full compliance with applicable Civil Rights laws, the New Albany 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 New Albany Housing Authority office. In addition, all written information and advertisements will contain the appropriate Equal Opportunity language and logo.

The New Albany Housing Authority will assist any family who believes they have suffered illegal discrimination by providing them copies of the appropriate housing discrimination forms and/or access to the online Fair Housing reporting system. The New Albany Housing Authority will also assist them in completing the forms if requested, and will provide them with the address of the nearest HUD office of Fair Housing and Equal Opportunity.

2.0 REASONABLE ACCOMODATION

Sometimes people with disabilities may need a reasonable accommodation in order to take full advantage of the New Albany 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 New Albany Housing Authority will follow in determining whether it is reasonable to provide a requested accommodation. Because disabilities are not always apparent, the New Albany Housing Authority will ensure that all applicants/tenants are aware of the opportunity to request reasonable accommodations.

2.1 COMMUNICATION

Anyone requesting will receive a Request for Reasonable Accommodation form.

Notifications of reexamination will include information about requesting a reasonable accommodation. All requests for accommodation must be in writing unless the disabling condition prevents written communication. All decisions granting, requesting additional information or denying requests for reasonable accommodations will be in writing within 10 days of requests

2.2 QUESTIONS TO ASK IN GRANTING THE ACCOMMODATION

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

A person with a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. (The disability may not be apparent to others, i.e., a heart condition).

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

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

the requested accommodation enables the individual to access or use the New Albany Housing Authority's programs or services.

If more than one accommodation is equally effective in providing access to the New Albany Housing Authority's programs and services, the New Albany 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 New Albany Housing Authority if there is no one else willing to pay for the modifications. If another party pays for the modification, the New Albany 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 New Albany Housing Authority will review and generally approve such request if it does not violate codes or affect the structural integrity of the unit. All requests for such an accommodation must be in writing.

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.

The New Albany Housing Authority is permitted to transfer a resident with disabilities who needs an accessible unit to an appropriate available accessible unit or an appropriate accessible unit that can be modified in lieu of modifying the tenant's current inaccessible unit.

The New Albany Housing Authority recognizes that in most cases the appropriate accommodation would be a transfer to an existing modified unit and in such cases it is the policy of the New Albany Housing Authority to waive transfer fees.

3.0 SERVICES FOR NON-ENGLISH SPEAKING APPLICANTS AND RESIDENTS

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

Spanish

4.0 FAMILY OUTREACH

The New Albany 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 newspaper; the New Albany 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 New Albany Housing Authority will also try to utilize public service announcements.

The New Albany 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 obtained 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 New Albany 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. 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
- L. Any current New Albany Housing Authority Notices

7.0 TAKING APPLICATIONS

Families wishing to apply for the Public Housing Program will be required to complete an application for housing assistance.

Application packets for public housing may be obtained from the office at 300 Erni Avenue, New Albany, Indiana. Applicants will be advised of documents they will need to bring in when completing the office visit. Applications will be taken on a first come first served basis on weekdays, between the hours of 8:30 a.m. – 11:30 a.m. at the office at 300 Erni Avenue.

Application packets for Section 8 (Housing Choice Voucher) Program may be obtained from the office at 213 Erni Avenue, New Albany, Indiana. Applicants are encouraged to call the Section 8 program prior to traveling to the office due to the length of the waiting list and the possibility that the waiting list is closed. The phone number for the administrative office is 812 206-2053.

Online applications for public housing and Section 8 are available at www.nahain.org for open waiting lists. Applicants who apply online will not be placed on the waiting list until the signed application is received in the administrative offices of New Albany Housing Authority. Once the application is received the placement on the waiting list will reflect the time and date of the online application. If a signed application is not received within 10 days of online application, the authority will make the determination that the applicant is no longer interested in applying for admission and the incomplete application will be deleted from the system.

NAHA provides applicants as part of their application for housing, the option to include information on an individual or organization that may be contacted to assist in providing any delivery of services or special care to applicants who become tenants and to assist with resolving any tenancy issues arising during tenancy. This supplementary information is captured on Form HUD-92006, Supplement to Application for Federally Assisted Housing.

During the office visit, the applicant will be given a letter advising them of additional documents they need to provide and a time limit to return with them. The application will be dated and time stamped and the family will be placed on the waiting list.

If the additional documents have not been returned within the allotted time, a letter will be sent to the applicant advising them they have ten (10) days to bring the needed items. Applicants will be removed from the waiting list if the required documentation is not received or a reasonable explanation of the delay is not given.

The applicant must report changes in their applicant status including changes in family composition, income, or preference factors. The New Albany Housing Authority will annotate the applicant's files and will update their application. Changes may be verified by NAHA.

The New Albany Housing Authority will ensure that verification of all preferences, eligibility, suitability and selection factors are current in order to determine the family's eligibility for admission into the Public Housing Program.

If the New Albany Housing Authority determines the family to be ineligible, a notice will be sent stating the reasons therefore and will offer the family the opportunity of an informal review of the determination.

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

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 New Albany Housing Authority screening/suitability criteria in order to be admitted to public housing.

8.2 ELIGIBILITY CRITERIA

A. Family status.

1. A **family with or without children**. Such a family is defined as a group of people related by blood, marriage, adoption or affinity that live together in a stable family relationship.
 - a. Children temporarily absent from the home due to placement in foster care are considered family members.
 - 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 50 years of age but below the age of 62;
 - b. Two or more persons, who are at least 50 years of age but below the age of 62, living together; or
 - c. One or more persons, who are at least 50 years of age but below the age of 62, living with one or more live-in aides.
- 4. A **disabled family**, which is:
 - a. A family whose head, spouse, or sole member is a person with disabilities;
 - b. Two or more persons with disabilities living together; or
 - c. One or more persons with disabilities living with one or more live-in aides.
- 5. A **displaced family**, which is a family in which each member, or whose sole member, has been displaced by governmental action, or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.
- 6. A **remaining member of a tenant family**.
- 7. A **single person** who is not an elderly or displaced person, a person with disabilities, or the remaining member of a tenant family.
- 8. Eligibility of **Student-** No Public Housing assistance shall be

provided per 24 CFR 5.612 to any individual who:

- a. Is under 24 years of age;
- b. Is enrolled as a student at an institution of higher learning;
- c. Is not a veteran of the United States military;
- d. Is unmarried;
- e. Does not have a dependent child;
- f. Is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible on the basis of income to receive public housing assistance.

If the student under the age of 24 who is not a veteran, is unmarried, does not have a dependent child and is applying for public housing assistance may otherwise be eligible for public housing if the student and the parents (the parents individually and jointly) are both income eligible. If it is determined that the parents are not income eligible, the student is ineligible to receive public housing assistance.

A student under the age of 24 may be income eligible for public housing assistance where the student can demonstrate the absence of, or his or her independence from, parents. These practices and criteria include but are not limited to consideration of all of the following:

1. The individual must be of legal contract age under state law.
2. The individual must have established a household separate from parents or legal guardians for at least one year prior to application for occupancy or meets the U.S. Department of Education's definition of an independent student:
 - a. Be at least 24 years old by December 31 of the award year for which aid is sought;
 - b. Be an orphan or a ward of the court through the age of 18;
 - c. Be a veteran of the U.S. Armed Forces;

- d. Have legal dependents other than a spouse (for example, dependent children or an elderly dependent parent);
 - e. Be a graduate or professional student; or
 - f. Be married.
3. The individual must not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations.
 4. The individual must obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.

NAHA will verify a student's independence from his or her parents by taking into consideration the following:

1. Reviewing and verify previous address information to determine evidence of a separate household, or verifying the student meets the definition of an "independent student" as noted previously.
2. Reviewing prior year income tax returns to verify if a parent or guardian has claimed the student a dependent.
3. Verifying income provided by a parent by requiring a written certification from the individual providing the support. Certification is also required if the parent is providing no support to the student. Financial assistance that is provided by persons not living in the unit is part of annual income.
 - a. NAHA will accept a declaration and certification of income from parents that includes a penalty of perjury.
 - b. NAHA reserves the right to request and review supporting documentation when it fills the declaration, certification, or eligibility of the parents is in question. Supporting documentation includes but is not limited to: Internal Revenue Services (IRS) tax returns, consecutive and original pay stubs, bank statements, pension benefit statements, TANF award letters, Social Security award letters, other official and authentic documents from a Federal, State or local agency.

This HUD requirement only affects those students applying for Public housing assistance and those students who are already residing in a Public Housing unit without his or her parents. It does not apply to students residing in a public housing assisted unit with his or her parents or who reside with parents who are applying to receive public housing assistance.

For the purposes of determining eligibility of the student under the age of 24 who is not a veteran, is unmarried, does not have a dependent child, any financial assistance (in excess of amounts received for tuition) that the student receives shall be considered income to that individual. This does not include the student over the age of 23 with dependent children.

1. Financial assistance does not include loan proceeds.
2. The financial assistance of a student residing with his or her parents will continue to be excluded from annual income.

All student applicants for Public Housing assistance must meet all other HUD requirements that determine eligibility for assistance.

A student under the age of 24 who is not a veteran, unmarried, does not have a dependent child and who is currently receiving Public Housing assistance, if at re-certification is determined to be ineligible, will have his or her assistance terminated.

Upon notification or denial or termination of assistance, the household is entitled to request an informal hearing to discuss the reasons for the denial or termination. The request for appeal must be in writing and received within ten days of the date of the original notification.

B. Income eligibility.

1. Income limits apply only at admission and are not applicable for continued occupancy. The family's Annual Income at the time of admission may not exceed the income limits established by HUD, posted in the PHA office.
2. 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 New Albany Housing Authority.

3. If the New Albany 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.
4. Income limit restrictions do not apply to families transferring within our Public Housing Program.

C. Citizenship/Eligibility Status

1. To be eligible each member of the family must be a citizen, national, or a non-citizen who has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980 (see 42 U.S.C. 1436a(a)).
2. Family eligibility for assistance.
 - a. A family shall not be eligible for assistance unless every member of the family residing in the unit is determined to have eligible status, with the exception noted below.
 - b. Despite the ineligibility of one or more family members, a mixed family may be eligible for one of three types of assistance. (See Section 13.6 for calculating rents under the non-citizen rule)
 - c. A family without any eligible members and receiving assistance on June 19, 1995 may be eligible for temporary deferral of termination of assistance.

D. Social Security Number Documentation

To be eligible, all family members 6 years of age and older must provide a Social Security number. Households who have a family member less than 6 years of age who lack a valid SSN must obtain the SSN no more than 90 days after admission.

NOTE:

Failure to provide SSN will result in loss of tenancy for all household members with the adoption of the January 30, 2010 "Rent Refinement Rule." New Albany Housing Authority will provide additional clarification in the Neighborhoods newsletter when the new rule is effective.

This applies to existing households who have certified that the household member has never applied nor held a valid Social Security number at the next reexamination. New Albany Housing Authority will attempt to advise all current households with residents who are eligible for Social Security numbers in advance of annual reexamination.

E. Signing Consent Forms

3. 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.
4. The consent form must contain, at a minimum, the following:
 - a. A provision authorizing HUD or the New Albany 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,
 - c. A provision authorizing HUD or the New Albany Housing Authority to verify with previous or current employers income information pertinent to the family's eligibility for or level of assistance;
 - d. 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;
 - e. and 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. Must meet applicant selection (suitability) described in

Section 8.3.

8.3 SUITABILITY

- A. The applicant's ability and willingness to comply with the essential lease requirements will be evaluated and documented in accordance with New Albany Housing Authority's procedure on applicant screening. The screening shall assess the conduct to determine whether, based on their recent behavior, such behavior could reasonably be expected to result in noncompliance with the public housing lease. The New Albany 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, New Albany Housing Authority employees, or other people residing in the immediate vicinity of the property. Otherwise eligible families will be denied admission if they fail to meet the suitability criteria.

The lease establishes standards for each resident with respect to the amount of rent and other charges due and timeliness of payment. It also has standards for the conduct that is required in order to maintain a safe and healthy environment, allowing all residents peaceful enjoyment of their home as well as maintaining housekeeping standards stated in the housekeeping inspection. We require the names and addresses of all landlords for the past three years. PHA will send landlord verification forms to each of these landlords.

- B. The New Albany Housing Authority will consider objective and reasonable aspects of the family's background, including the following:
1. History of meeting financial obligations, especially rent; and electric. Each resident in the family units is required to pay personal electric, therefore, an outstanding bill to Duke Energy would make a person ineligible for public housing until verified that it was paid in full. Section 8 applicants must be able to obtain all utilities included in the utility allowance as part of the utility reimbursement.

2. As part of the financial obligations screening, a former PHA tenant or Section 8 participant who owes a balance in either program or to any PHA is ineligible for housing. No repayment agreements will be accepted. Outstanding rent and damage charges owed to private landlords will be evaluated and disregarded if verifiable mitigating circumstances are proven.
3. Ability to maintain (or with assistance would have the ability to maintain) their housing in a decent and safe condition based on living or housekeeping habits and whether such habits could adversely affect the health, safety, or welfare of other tenants;
4. 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;
5. Applicants with a record of allowing persons other than those on the lease to live in the unit, damaging or vandalizing of common areas, creating physical or social hazards to the unit or other residents, or interfering with the rights and quiet enjoyment of the neighbors are all criteria that will be screened. A continuing record of these behaviors will result in denial of housing, unless applicant can prove that there is substantial reason to believe that this behavior is no longer being indulged in.
6. 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
7. History of abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment by others.

- C. The New Albany Housing Authority will ask applicants to provide information demonstrating their ability to comply with the essential elements of the lease. The New Albany 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 check of all adult family members;
 3. A criminal background check must be obtained by applicant 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 six months. Where the individual has lived outside the local area, the New Albany Housing Authority may contact law enforcement agencies where the individual had lived or pursue further verification of lack of criminal status where indicated;
 4. 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.

Screening applicants who claim mitigating circumstances:

If negative information is received about an applicant, PHA 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.

Mitigating circumstances are facts relating to the applicant's negative rental history or 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.

If the applicant asserts that mitigating circumstances relate to a change in disability, medical condition or treatment, PHA shall refer such information to persons qualified to evaluate the evidence and verify the mitigating circumstance. PHA 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.

8.4 GROUNDINGS FOR DENIAL

The New Albany 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, do not complete the basic application;
- C. Have failed to respond to a written request for information or a request to declare their continued interest in the program within the stated timeframe for each request;
- D. Have a history of not meeting financial obligations, especially rent and electric;
- E. Do not have the ability to maintain (with assistance) their housing in a decent and safe condition where such habits could adversely affect the health, safety, or welfare of other tenants;
- F. Have a history of criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well being of other tenants or staff or cause damage to the property;

- G. Have a history of disturbing neighbors or destruction of property;
- H. Currently owes rent or other amounts to any housing authority in connection with their public housing or Section 8 programs;
- I. Have committed fraud, bribery or any other corruption in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from;
- J. Were evicted from assisted housing within 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 New Albany Housing Authority may waive this requirement if:
 - 1. The person demonstrates to the New Albany 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
 - 4. Is participating in a supervised drug or alcohol rehabilitation program.

- M. Have engaged in or threatened abusive or violent behavior towards any New Albany Housing Authority staff or residents;
- P. **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;
- Q. **Denied for Life:** Has a lifetime registration under a State sex offender registration program or violent offender registration.
- R. Any applicant whose less than lifetime registration has not expired.

8.5 INFORMAL REVIEW

- A. If the New Albany Housing Authority determines that an applicant does not meet the criteria for receiving public housing assistance, the New Albany 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 New Albany Housing Authority will describe how to obtain the informal review.

The informal review may be conducted by a person designated by the New Albany 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 New Albany Housing Authority's decision. The New Albany Housing Authority will document the hearing so that there is a record. Decisions may be verbal to the applicant. Written decisions will follow any verbal decision and form part of the permanent tenant file.

- B. The participant family may request that the New Albany 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. The participant family must

make the request within 30 days of receipt of the Notice of Denial or Termination of Assistance, or within 30 days of receipt of the INS appeal decision.

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.

New Albany Housing Authority uses the on-line SAVE system established by the Immigration and Naturalization Service. In the event the SAVE system is unavailable the authority will use the most expeditious form of verification available at the time of application.

Due to HUD regulations on those that are denied for life; conviction of manufacturing or producing methamphetamine (speed) in a public housing development or in a Section 8 assisted property; or those who have a lifetime registration under a State sex offender registration program will not be given hearings on the application denial.

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 or Section 8. 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 New Albany Housing Authority and the applicant will be documented in the applicant file.

9.3 FAMILIES NEARING THE TOP OF THE WAITING LIST

When a family appears to be near the time of being offered a unit, the family's verification process will be reviewed.

9.4 PURGING THE WAITING LIST

The New Albany Housing Authority will update and purge its waiting list at least every three months to ensure that the pool of applicants reasonably represents the interested families for whom the New Albany 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 New Albany Housing Authority will not remove an applicant's name from the waiting list unless:

- A. The applicant requests that the name be removed;

- B. The applicant fails to respond within 10 days to a written request for information or a request to declare their continued interest in the program; or
- C. The applicant does not meet either the eligibility or suitability criteria for the program.
- D. The applicant rejects 2 offers of housing without good reason.

If an applicant is removed from the waiting list for non-response, the applicant may be reinstated with good cause within 6 months of application.

9.6 MISSED APPOINTMENTS

Missed appointments will be rescheduled at the convenience of the staff member.

9.7 NOTIFICATION OF NEGATIVE ACTIONS

Any applicant whose name is being removed from the waiting list will be notified by the New Albany 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 New Albany 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 New Albany Housing Authority will verify that there is in fact a disability and the disability caused the failure to respond, and provide a reasonable accommodation. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of the original application.

10.0 TENANT SELECTION AND ASSIGNMENT PLAN

10.1 PREFERENCES

The New Albany Housing Authority will select families based on the following preferences within each bedroom size category:

A. Substandard Housing/Homeless/Involuntarily Displaced (10 pts.)

Verification of Substandard housing must be a letter from a government agency. Homeless verification will be a written certification by a public or private facility providing shelter, the police or a social services agency the family has been continuously working with.

Prior to final processing of the application, the PHA may require a second certification from the same source that the applicant is not yet permanently housed and has been continuously homeless or temporarily housed since claiming the preference. Displaced verification will be a letter from a government agency.

B. Working Families (including those in Education/Job Training Programs) (12 pts.)

Verification for working preferences will be from an employer showing minimum of 30 hours per week; Education/Job Training verification must be considered "full time student" by the entity.

C. Elderly/Disabled (6 pts.)

Verification of Elderly will be taken from the birth certificate or from Social Security office; disabled verification from the Social Security/SSI award letter;

D. Families with Established Positive Rental Record (12 pts.)

Verification of rental record will be from completed landlord verifications.

E. Veterans (12 pt.)

Verification of Veteran status will be discharge or current enlistment status papers.

F. Floyd County residents (24 pts.)

Applicants who are established residents of Floyd County.

G. Indiana resident (8 pts.)

Applicants who are residents of Indiana counties other than Floyd County will receive this preference.

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

Buildings Designated as Elderly Only Housing: Riverview Tower, and Mark Elrod Tower have been approved by HUD as being designated for elderly only. In filling vacancies in this development, first priority will be given to elderly families. If there are not enough elderly families to occupy the units in a designated elderly development, the PHA may allow near-elderly families to occupy the units (24 CFR 945.303(c)(1)). Near-elderly family means a family whose head, spouse, or co-head is at least 50 years old, but is less than 62 (24 CFR 5.403).

Buildings Designated for Disabled Only Housing: The New Albany Housing Authority currently has no developments that have been approved by HUD as being designated for persons with disabilities only. In filling vacancies in any development that may be so designated in the future, first priority will be given to disabled families. If there are no disabled families on the list, next priority will be given to families who qualify for the appropriate bedroom size. Using these priorities, families will be selected from the waiting list using the preferences as outlined above.

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 written 30-day notice.

10.2 ASSIGNMENT OF BEDROOM SIZES

The following chart will be used as a guideline to 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

These standards are based on the assumption that each bedroom will accommodate no more than two (2) persons.

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

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

- A. Children of the same sex may share a bedroom. Consideration will be given to age differences and/or verifiable medical needs.
- B. Children of the opposite sex, both under the age of five (5) may share a bedroom.

- C. Adults and children will not be required to share a bedroom.
- D. Foster – adults and/or foster - children may but will not be required to share a bedroom with family members.
- H. 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 New Albany Housing Authority will allow the smaller size unit so long as generally no more than two (2) people per bedroom are assigned. In such situations, the family will sign a certification stating they understand they will be ineligible for a larger size unit for **3 years** or until the family size changes, whichever may occur first.
- B. Units larger than assigned through the above guidelines – A family may request a larger unit size than the guidelines allow. The New Albany 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. Currently New Albany Housing Authority has adopted this policy for new admissions and transfers at Parkview Terrace and Broadmeade Terrace.

10.3 SELECTION FROM THE WAITING LIST

The New Albany 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 New Albany 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.

New Albany Housing reviewed the weighted average income of all sites.

The following sites were used in the analysis or excluded from the analysis using the Final Rule for Deconcentration (December 2000)

Site	# of Units	Used/Excluded (Reason for exclusion)
Beechwood Court	106	Used
Crystal Court	18	Excluded: Less than 100 Units
Parkview Terrace	350	Used
Vance Court	48	Excluded: Less than 100 Units
Broadmeade Terrace	78	Excluded: Less than 100 Units
Parkview Towers	99	Excluded: Less than 100 Units
Riverview Towers	164	Excluded: Designated Elderly Hi-Rise
Riverside Terrace	120	Used
Mark Elrod Towers	101	Excluded: Designated Elderly Hi-Rise

Analysis of weighted average incomes determined the average income of tenants residing at Parkview Terrace were outside the allowable range

(85%-115% of site wide mean income.) The New Albany Housing Authority will initiate skipping families on the waiting list to reach families with a higher income. Procedures will be developed using software program to target families in a uniform and non-discriminatory manner.

Analysis of Income is included as an attachment to ACOP. At the time this ACOP was reviewed HUD had not established a deconcentration rule for Asset Management Projects (AMPs). At such time that rule is established New Albany Housing Authority will review the deconcentration rule and adopt an amended policy.

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

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

10.5 DECONCENTRATION INCENTIVES

None, at present.

10.6 OFFER OF A UNIT

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

The New Albany Housing Authority will contact the family first by telephone to make the unit offer. The family will be given one (1) business

days from the date the offer was made to contact the New Albany Housing Authority regarding the offer.

When an applicant comes to the top of the list and the necessary documentation is not in the file, the applicant will be notified. They will be advised that we will skip over them until such documentation is provided.

The family will be offered the opportunity to view the unit. After the opportunity to view the unit, the family will accept or reject the unit. This verbal offer and the family's decision must be documented in the tenant file.

A family that has been offered a unit in each site that has an appropriate apartment, and the family has rejected each offer without good cause, will be removed from the waiting list.

Anyone with a homeless preference who has been offered an apartment and rejected that apartment without good cause will no longer be given the homeless preference status.

10.7 REJECTION OF UNIT

If in making the offer to the family the New Albany 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 New Albany 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 non-homeless family will keep their preferences, but the date and time of application will be changed to the date and time the unit was rejected.

If the family rejects with good cause any unit offered, they will not lose their place on the waiting list. Good cause includes reasons related to health, proximity to work, school, and childcare (for those working or

going to school). The family will be offered the right to an informal review of the decision to alter their application status.

10.8 ACCEPTANCE OF UNIT

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

The applicant will be provided a copy of the lease, the Pet Policy application/agreement, a request for reasonable accommodation form, the overtime policy, smoke alarm policy, the HUD policy on Criminal Behavior, applicant designee form, lead base paint booklet, community service compliance certification and exemption forms, and a copy of the initial inspection of the unit, and a form providing information about those persons who might provide assistance to the applicant in providing information and being informed about NAHA policies and procedures. 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 retained 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 will be required to execute the lease prior to admission. Other adult family members will be required to execute the lease within 24 hours. One executed copy of the lease will be furnished to the head of household and the New Albany Housing Authority will retain the original executed lease in the tenant's file. A copy of the grievance procedure will be attached to the resident's copy of the lease.

The family will pay a security deposit at the time of lease signing. The security deposit will be equal to **the Total Tenant Payment or \$100.00**

whichever is greater.

In all situations, the New Albany Housing Authority a new resident must pay their security deposit in advance. Exceptions shall be at the sole discretion of the Housing Authority.

In the case of a transfer within public housing, the security deposit for the new unit will be equal to the Total Tenant Payment or \$100 which ever is greater. This amount must be paid by prior to approval of the transfer.

The agency's cost of cleaning and painting the original unit to make rent ready must be paid in advance of approval of transfer. This cost is in the schedule of maintenance charges for cleaning and painting and is updated annually.

Prior to approval of a transfer, New Albany Housing Authority will conduct both an annual and a housekeeping inspection to determine the appropriateness of the transfer prior to approval. All tenants must be in compliance with the standards set in the housekeeping inspection for one year prior to request for transfer.

In the event there are costs attributable to the family for bringing the first unit into condition for re-renting, the security deposit on the first unit will be used to pay for these charges. Additional damages will be billed to the resident and must be paid in full prior to initiating a move. If there are no damages, this security deposit will be refunded.

Excessive damages or poor housekeeping will be considered when decisions are made regarding transfers.

11.0 INCOME, EXCLUSIONS FROM INCOME, AND DEDUCTIONS FROM INCOME

To determine annual income, the New Albany 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 New Albany Housing Authority subtracts all allowable deductions (allowances) to determine the Total Tenant Payment.

11.1 INCOME

Beginning on January 30, 2010, HUD will implement a new "Rent Refinement Rule." This rule requires that the New Albany Housing Authority use Enterprise Income Verification (EIV) in its entirety. As of the review of this ACOP this final rule was not in place. New Albany will adopt all provisions of the final rule when published. Any changes to the procedures and policies of this agency will be reviewed for compliance and implemented by the Board of Commissioners by the adoption of amended policies where indicated. Procedures will be amended as indicated by new policies.

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.
- 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 lifetime 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;
5. Temporary, nonrecurring or sporadic income (including gifts); Income received by an applicant/tenant who is employed by a temporary service on an ongoing basis will not be considered as having temporary income.
6. 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;
7. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
8. Adoption assistance payments in excess of \$480 per adopted child;

9. 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.
10. 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 underemployed or 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.

(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.)

Exclusions due to this rule are limited to a total of 48 consecutive months from the initial starting date of the exclusion.

10. Deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts; 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; 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
11. 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

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- 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 sub marginal 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

- p. Additional income exclusions provided by and funded by the New Albany Housing Authority or by the Department of Housing and Urban Development.

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.
 - 4. Medical Expense deduction is a deduction of unreimbursed Medical Expenses anticipated for the period for which Annual

Income is computed.

Medical expenses include but are not limited to: services of physicians and other health care professionals, services of health care facilities, health insurance premiums (including the cost of Medicare), prescription and non-prescription medicines, transportation to and from treatment, dental expenses, eyeglasses, hearing aids and batteries, attendant care (unrelated to employment of family members), and payments on accumulated medical bills. To be considered by PHA for the purpose of determining a deduction from income, the expenses claimed must be verifiable.

E. Unreimbursed child-care expenses.

12.0 VERIFICATION

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

12.1 ACCEPTABLE METHODS OF VERIFICATION

Age, relationship, U.S. citizenship, and Social Security numbers will generally be verified with documentation provided by the family. 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.

NAHA will attempt to verify income through the Enterprise Income Verification method, if not available, 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. It may also be a report generated by a request from the New Albany 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 New Albany Housing Authority will accept documentation received from the applicant/tenant. If, after two attempts, documented by NAHA staff, the verification has not been obtained, NAHA staff will attempt oral third party verification documenting the date and time of contact. Hand-carried documentation will be accepted if the New Albany Housing Authority has been unable to obtain third party verification in a 4-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 New Albany Housing Authority will accept a notarized statement signed by the head, spouse or co-head. Such documents will be maintained in the file.

12.2 TYPES OF VERIFICATION

For Annual Reexaminations, NAHA will use the Enterprise Income Verification method. This is obtained via the Internet from the HUD.gov PIC website. The Enterprise Income Verifications will be viewed only by staff responsible for the processing of interim and annual reexaminations.

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 New Albany Housing Authority will send a

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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	3 rd 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.:TPQY from SS office	Proof of SSI or Social Security disability payments, Award letter
Full time student status (if >18)	Letter from school	N/A
Need for a live-in aide	Letter from doctor or other professional knowledgeable of condition	N/A
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, costs of Prescriptions from pharmacy, medical professional's letter stating assistance or a companion animal is needed	Dates of trips, mileage log, receipts for fares and tolls (for medical travel deduction)

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Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
Value of and Income from Assets		
Savings, checking accounts	Letter from institution	Passbook, most current statements
CDS, bonds, etc	Letter from institution	Tax return, information brochure from institution, the CD, the bond
Stocks	Letter from broker or holding company	Stock or most current statement, price in newspaper or through Internet
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
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	Multiple pay stubs
Self-employed	N/A	Tax return from prior year, books of accounts
Regular gifts and	Letter from source, letter from	Bank deposits, other

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Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
contributions	organization receiving gift (i.e., if grandmother pays day care provider, the day care provider could so state)	similar evidence
Alimony/child support	Court order, letter from source, letter from Human Services	Record of deposits, divorce decree, print out from court showing payments on your behalf
Periodic payments (i.e., social security, welfare, pensions, workers compensation, unemployment)	Letter or electronic reports from the source	Award letter, letter announcing change in amount of future payments
Training program participation	<p>Letter from program provider indicating whether enrolled or completed</p> <ul style="list-style-type: none"> - 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 	<p>N/A</p> <p>Evidence of job start</p>

12.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NONCITIZEN STATUS

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

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

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

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

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

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

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

The family's assistance will not be denied, delayed, reduced, or terminated because of a delay in the process of determining eligible

status under this section, except to the extent that the delay is caused by the family.

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

12.4 VERIFICATION OF SOCIAL SECURITY NUMBERS

Prior to admission, each family member must provide verification of their Social Security number. New family members must provide this verification prior to being added to the lease. Children less than 6 years of age in assisted households must provide this verification within 90 days of admission. Failure to provide a valid Social Security number will result in loss of tenancy for the entire household.

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

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.

Exemptions from valid Social Security is available only under the following circumstance: current residents who are 62 years of age on or before January 30, 2010. Other current residents will be required to provide a valid Social Security number on or before the date of their next re-examination.

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.

12.6 FREQUENCY OF OBTAINING VERIFICATION

For each family member, citizenship/eligible non-citizen 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 non-citizen status will be verified.

For each family member verification of Social Security number will be obtained only once. This verification will be accomplished prior to admission.

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. Family composition verification and lease signing will still be required yearly.
- 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 childcare, 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; or
- B. 30% of adjusted monthly income.

The family will pay the greater of the total tenant payment or the minimum rent of **\$50.00**.

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 New Albany Housing Authority has set the minimum rent at **\$50.00**. However if the family requests a hardship exemption, the New Albany 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 household.
- 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 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 New Albany 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 New Albany 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. Affected families will be given a 30-day notice of any rent change.

The New Albany 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. They are currently:

Zero Bedroom	\$226.00
One Bedroom	\$291.00
Two Bedroom	\$357.00
Three Bedroom	\$492.00
Four Bedroom	\$519.00

13.5 CEILING RENT

New Albany Housing Authority does not have a ceiling rent.

13.6 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 New Albany 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 New Albany 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 New Albany 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.

13.7 UTILITY ALLOWANCE

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

The utility allowance will be subtracted from the family's formula rent to determine the amount of the Tenant Rent. The Tenant Rent is the amount the family owes each month to the New Albany Housing Authority. The amount of the utility allowance is then still available to the family to pay the cost of their utilities. Any utility cost above the allowance is the responsibility of the tenant. Any savings resulting from utility costs below the amount of the allowance belongs to the tenant.

For New Albany Housing Authority paid utilities, the New Albany Housing Authority will monitor the utility consumption of each household. Any resident who commits waste of authority paid utilities shall be subject to a fee as established in the schedule of fees and fines by the Board of Commissioners.

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

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

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

The New Albany Housing Authority has entered into an Energy Performance Contract that establishes baseline levels of consumption based on energy conscious consumption by residents. The Board of Commissioners has established a policy that directs the staff to monitor waste of Housing Authority paid utilities, for instance, allowing faucets or toilets to run unnecessarily, leaving windows and doors open during cool or cold weather while heat is turned on in the unit, or not reporting utility related issues to maintenance for repair. When waste is committed in public housing, the resident will be fined according to the latest board approved schedule.

13.8 PAYING RENT

Rent and other charges are due and payable on the first day of the month. Rents can be paid at any site office, or mailed to:

New Albany Housing Authority, PO Box 11, New Albany, IN 47150

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

If the rent is not paid by the fifth of the month, a Notice to Vacate will be issued to the tenant. In addition, a \$25 late charge will be assessed to the tenant on the 6th working day of the month. 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 \$25 for processing costs.

Waiver of late fees is at the discretion of Managers.

New Albany Housing Authority will not accept checks from residents who incur more than one NSF in a rolling calendar year.

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) actively 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. Residents age 62 or older
- B. Residents with disabilities and certifies that, based on the disability, he or she cannot comply with the requirement.
- C. Caretakers of a person with disability who has certified that based on the disability, he or she cannot comply with the requirement.
- D. Residents who are exempt from work activity under part A Title IV of the Social Security Act or State Welfare programs, including the Welfare-to-Work program.

- E. Members of a family receiving benefits from a State Welfare Program in compliance with the program's requirements.
- F. Residents currently working at least 20 hours per week.
- G. Active FSS participants.
- H. Part-time or Full-time students (carrying at least 3 semester hours)
- I. Mothers with children 12 months old or younger.

Change from exempt status to non-exempt will require you to immediately begin participation in community service. Some examples include, but are not limited to, the following: loss of employment, closing of your TANF case, loss of disability status, loss of your active status in the FSS program.

14.3 NOTIFICATION OF THE REQUIREMENT

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

The New Albany 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 New Albany Housing Authority will require verification of 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 04/01/01. 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

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 New Albany 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 New Albany 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, 2001 and each annual reexamination thereafter, the New Albany 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. Managers or their delegate 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 manager or delegate will advise the New Albany 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 New Albany 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 New Albany Housing Authority will offer non-compliant resident(s) the opportunity to enter into an agreement prior to the anniversary of the lease renewal. The agreement shall state that the non-compliant resident(s) agrees to enter into an economic self-sufficiency program or agrees to perform the required number of community service hours needed to bring them into compliance. Additionally, the resident agrees to perform the required number of community service hours to remain in compliance with the current year's requirements. The first hours a resident earns shall go toward the current commitment until the current year's commitment is made.

Management will assist residents in identifying community opportunities

and will track their 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, the New Albany Housing Authority shall take action to terminate that families lease.

PROHIBITION AGAINST REPLACEMENT OF AGENCY EMPLOYEES

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

15.0 RECERTIFICATIONS

At least annually, the New Albany 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 New Albany Housing Authority will send a notification letter and self declaration 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 New Albany 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 may result in the New Albany Housing Authority assessing a penalty rental amount of \$50.00 more than the current flat rent rate for that size unit and/or taking eviction actions against the family.

15.3 FLAT RENTS

Each year prior to their anniversary date, New Albany Housing Authority will send a re-examination letter to the family offering the choice between a flat or formula rent. The opportunity to select the flat rent is available only at this time. 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. Family composition will be verified yearly with a self- declaration form.

- 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 childcare, 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 New Albany 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.

At the appointment, the New Albany 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 New Albany Housing Authority representative, they may make the selection on the form and return the form to the New Albany Housing Authority. In such case, the New Albany Housing Authority provides a new annual tenant lease.

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. Verifications will be sent prior to the appointment to previously known employers and income sources. If there have been changes NAHA is unaware of, verifications will be mailed after the initial interview.

Upon receipt of verification, the New Albany 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; or
- B. 30% of adjusted monthly income.

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

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

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

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

15.6 INTERIM REEXAMINATIONS

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

Families are required to report the following changes to the New Albany 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 and must verify their citizenship or eligible immigrant status. (Their housing may be delayed due to delays in verifying eligible immigrant status or lack of Social Security number or verification or other than delays caused by the family.) The new family member will go through the screening process similar to the process for applicants. The New Albany Housing Authority will determine the eligibility of the individual before adding them to the lease. If the individual is found to be ineligible or does not pass the screening criteria, they will be advised in writing and given the opportunity for an informal review. If they are found to be eligible and do pass the screening criteria, their name will be added to the lease. At the same time, if the family's rent is being determined under the 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.

C. Any change in household income. Increases in income may result in an increase in rent if the increase is due to other than a cost of living increase.

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 New Albany Housing Authority will take timely action to process the interim reexamination and recalculate the tenant's rent. Any reduction in tenant payment will take place the first of the month following recertification.

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 (zero income renters) or have a temporary decrease in income, the New Albany Housing Authority may schedule special reexaminations every thirty (30) 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 within 10 days of the change in income 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:

- 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.
- D. To facilitate relocation of families with inadequate housing accommodations.
- F. To provide an incentive for families to assist in meeting the New Albany Housing Authority's deconcentration goal.
- G. Discretionary transfers to improve resident satisfaction if appropriate units are available.

NOTE: All discretionary transfers are subject to a review of tenant record by receiving manager and management approval.

16.2 CATEGORIES OF TRANSFERS

Category A: 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. If a resident's unit has been damaged by fire or other cause(s) to such a degree that the unit is not habitable, provided that, although the damage was a result of the carelessness or negligence of the resident or a member of the

resident's household, the resident has, in writing accepted responsibility for such damage and has agreed to make restitution to the PHA for the expense of repairing such damage up to a ceiling cost of \$10,000. If the damages are caused by the resident's minor child, then the ceiling cost assessed will be \$5,000.

Category B: 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 C: Regular administrative transfers. These transfers are made to offer incentives to families willing to help meet certain New Albany 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 New Albany Housing Authority on a case-by-case basis when a transfer is the only or best way of solving a serious problem.

Category D: Resident requested transfers. When there is a request by the resident to move into a different unit or into a different development. This transfer will be made when the (1) resident pays in advance the cost of transfer as defined in section 16.6; (2) resident has been current in payments to the authority for the past 12 months; (3) resident has been in current unit for at least one-year; (4) resident has acceptable annual and housekeeping inspection; and, (5) manager of new AMP accepts the resident based on the information in tenant file.

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.

If your request is for a medical reason, you must have your doctor fill out the form, which is available at the Manager's office.

If your transfer request is due to safety issues, i.e. hate crimes, safety of witnesses to a crime, or a law enforcement matter particular to the

neighborhood, you will need to provide copies of substantiated police reports and/or requests from law enforcement/prosecutor's office.

If your request is due to change in family size, the following will be used to evaluate the request. You must have been a resident at your current address for at least 1 year. Your account must be current on all charges and no more than two late rental payments during the previous 12 months. There should be no complaints on your housekeeping inspections or problems with neighbors during the previous 12 months.

16.4 INCENTIVE TRANSFERS

Transfer requests will be encouraged and approved for families who live in a development where their income category (below or above 30% of area median) predominates and wish to move to a development where their income category does not predominate. Families approved for such transfers will meet the following eligibility criteria:

- A. Have been a tenant for three years;
- B. For a minimum of one year, at least one adult family member is enrolled in an economic self-sufficiency program or is working at least thirty-five (35) hours per week, the adult family members are 62 years of age or older or are disabled or are the primary care givers to others with disabilities;
- C. Adult members who are required to perform community service have been current in these responsibilities since the inception of the requirement or for one year which ever is less;
- D. The family is current in the payment of all charges owed the New Albany Housing Authority and has not paid late rent for at least one year;
- E. The family passes a current housekeeping inspection and does not have any record of housekeeping problems during the last year;
- F. The family has not materially violated the lease over the past two

years by disturbing the peaceful enjoyment of their neighbors, by engaging in criminal or drug-related activity, or by threatening the health or safety of tenants or Housing Authority staff.

16.5 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 A and B will be housed ahead of any other families, including those on the applicant waiting list. Transfers in category A will be housed ahead of transfers in category B.

Upon offer and acceptance of a unit, the family will execute all lease-up documents. The security deposit will be paid based on the Total Tenant Payment or \$100 whichever is greater prior to the move. The family will be allowed five (5) days to complete a transfer move. 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 beyond the 5 days. The prorated rent and other charges including work order charges must be paid prior to lease execution.

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

- A. If the family rejects with good cause any unit offered, they would not lose their place on the transfer waiting list.
- B. If the transfer is being made at the request of the New Albany Housing Authority and the family rejects two offers without good cause, the New Albany Housing Authority will take action to terminate their tenancy. If the reason for the transfer is that the current unit is too small to meet the New Albany 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 result in excessive damages to the unit.
- C. If the transfer is being made at the family's request and the rejected offer provides deconcentration incentives, the family will maintain

their place on the transfer list and will not otherwise be penalized.

- 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 that does not include deconcentration incentives. After turning down a second such offer without good cause, the family's name will be removed from the transfer list.

16.6 COST OF THE FAMILY'S MOVE

Cost of transfer may include the current make-ready cost for the unit being vacated. This includes painting, cleaning, and repairs. The charges for painting, cleaning and damages evident before the move will be paid before the transfer. Damages revealed after the move will be paid within three months.

The cost of the transfer generally will not be borne (except the cost of damages to the original unit) 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 New Albany Housing Authority in the following circumstances:

- A. When the transfer is need in order to carry out rehabilitation activities; or

- B. When action or inaction by the New Albany Housing Authority has caused the unit to be unsafe or inhabitable; or
- C. In the event of a transfer for reasonable accommodation the tenant is responsible for only the cost of damages to the original unit and security deposit at the receiving unit.

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

16.7 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 New Albany Housing Authority. This means the family must be in compliance with their lease, current in all payments to the Housing Authority, current in their community service requirement, and must pass a move-out inspection without excessive damages, and pass housekeeping inspection.

16.8 TRANSFER REQUESTS

A tenant may request a transfer at any time by completing a transfer request form. In considering the request, the New Albany Housing Authority may request a meeting with the tenant to better understand the need for transfer and to explore possible alternatives. The New Albany 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 New Albany 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.

16.9 RIGHT OF THE NEW ALBANY 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.

17.0 INSPECTIONS

An authorized representative of the New Albany 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 New Albany Housing Authority file and a copy given to the family member. An authorized New Albany Housing Authority representative will inspect the premises at the time the resident vacates and will furnish a statement of any charges to be made provided the resident turns in the proper notice under State law. The resident's security deposit can be used to offset against any New Albany Housing Authority damages to the unit or unpaid rent.

17.1 MOVE-IN INSPECTIONS

The New Albany 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 New Albany Housing Authority or designee of the authority will inspect each public housing unit annually to ensure that each unit meets the New Albany Housing Authority's housing standards (Uniform Physical Characteristics Standards). Work orders will be submitted and completed to correct any deficiencies. Any tenant caused damages will be billed to the tenant when corrected and will be due upon receipt of the bill.

17.3 PREVENTATIVE MAINTENANCE INSPECTIONS

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 New Albany Housing Authority.

17.5 HOUSEKEEPING INSPECTIONS

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

17.6 NOTICE OF INSPECTION

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

17.7 EMERGENCY INSPECTIONS

If any employee and/or agent of the New Albany 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 New Albany Housing Authority will offer to schedule a pre-move-out inspection with the family. The inspection allows the New Albany 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 New Albany Housing Authority to ready units more quickly for the future occupants.

17.9 MOVE-OUT INSPECTIONS

The New Albany Housing Authority conducts the move-out inspection to assess the condition of the unit and determine responsibility for any needed repairs. This inspection becomes the basis for any claims that may be assessed against the security deposit. If the tenant wishes to be present during this inspection, arrangements must be made with the Site Manager in advance.

18.0 PET POLICY

18.1 EXCLUSIONS

This policy does not apply to animals that are used to assist persons with disabilities. Certified assistance animals are allowed in all public housing facilities with no restrictions other than those imposed on all tenants to maintain their homes and associated facilities in a decent, safe, and sanitary manner and to refrain from disturbing their neighbors.

18.2 PETS IN PUBLIC HOUSING

The New Albany Housing Authority allows for ownership of birds and fish in all of its developments and for dogs and cats with the written pre-approval of the Housing Authority.

These designations apply to cats and dogs only. Other pets allowed by this policy may be kept in any home (subject to all rules). Residents are

responsible for any damage caused by their pet, including, but not limited to, the cost of fumigating or cleaning their home. In exchange for this right, residents assume full responsibility and liability for their pet and agree to hold the New Albany Housing Authority harmless from any claims caused by an action or inaction of the pet. New Albany Housing Authority staff is responsible for the enforcement of the NAHA pet policy and their determination(s) shall be final.

18.3 APPROVAL

Residents must have the written approval of the Housing Authority before moving a pet into to their home. Residents must request approval on the Pet Application/Agreement Form that must be fully completed before the Housing Authority will approve the request. Residents must give the Housing Authority a picture of the pet so it can be identified if it is running loose.

18.4 TYPES AND NUMBER OF PETS

The New Albany Housing Authority will allow only common household pets, defined as cats, dogs, goldfish or tropical fish and caged birds. No other types of pets will be allowed.

All dogs and cats must be spayed or neutered before they become six months old. The pet owner is required to provide the Housing Authority with verification from a licensed veterinarian.

Only one (1) pet per home will be allowed.

Any animal deemed to be potentially harmful to the health and/or safety of others, including, but not limited to attack or fight trained dogs, will not be allowed. No Rottweiler, Chow, Doberman Pinschers and Pit bull dogs, or any mix of their breeds are allowed on NAHA properties. No Reptiles or Rodents are allowed on NAHA property.

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

Any dog must be housebroken, neutered or spayed.

Any cat must be litter-trained, neutered or spayed.

There are no charges for birds in cages or fish in tanks on NAHA property. Fish tanks larger than 20 gallons will not be allowed in residential units due to potential for excessive damages to the unit in the event of leaks or damage.

18.5 INOCULATIONS

In order to be registered, pets must be appropriately inoculated against rabies, distemper and other conditions prescribed by state and/or local ordinances. They must comply with all other state and local public health, and anticruelty laws including a current New Albany/Floyd County Animal Control tag. A certification signed by a licensed veterinarian or state or local official shall be annually filed with the New Albany Housing Authority to attest to the inoculations.

18.6 PET DEPOSIT

A pet deposit totaling \$100.00 is required to register all cats and dogs with the Housing Authority. A minimum of \$50.00 is required at the time of registering a cat or dog, the balance to be paid the next month. The deposit is refundable when the pet or the family vacates the home, less any amounts owed due to damage beyond normal wear and tear.

18.7 FINANCIAL OBLIGATION OF RESIDENTS

Any resident who owns or keeps a pet in their dwelling unit will be required to pay for any damages caused by the pet. Also, any home that becomes insect infested and the cause of the infestation is pet-related will be the financial responsibility of the resident of that home. The New Albany Housing Authority reserves the right to exterminate and charge the resident for any and all cost related to extermination of the home.

Any resident who owns a dog or cat will be required to pay a \$15.00 per month pet ownership fee. The ownership fee is due on the 1st of every month and a \$5.00 late fee will be charged after the 5th of each month.

18.8 NUISANCE OR THREAT TO HEALTH OR SAFETY

The pet and its living quarters must be maintained in a manner to prevent odors and any other unsanitary conditions in the pet owner's home and surrounding areas. Pet owners must clean up after their pets immediately, at locations both inside tenant homes and in all outside neighborhood areas.

Repeated substantiated complaints by neighbors or the New Albany Housing Authority personnel regarding pets disturbing the peace of neighbors through noise, odor, animal waste, or other nuisance may result in the owner having to remove the pet from the premises. Refusal to remove the pet will be grounds for eviction.

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

18.9 DESIGNATION OF PET AREAS

Residents are not allowed to maintain pets outside of any home. Pets must be kept in the pet owner's home or on hand-held leash at all times when outside the home (no fences, doghouses, and/or outdoor cages may be constructed to maintain pets). Pets will be allowed only in the designated areas. Pet owners must clean up after their pets and are responsible for disposing of pet waste properly.

DOGS –At the elderly high-rises, dog waste deposited on Housing Authority property must be removed at once, placed in plastic bag, tightly closed, and deposited in the designated waste receptacle located near the picnic shelters. At Beechwood Court, Crystal/Vance Courts, Parkview/Broadmeade Terraces, and Riverside Terrace dog owners must exercise their pets for the purpose of waste deposit only in their own yard areas or off of Authority property. The waste must be removed at once, placed in a plastic bag, tightly closed and placed in the designated waste receptacle nearest their unit.

CATS – Cats must be litter trained. Clogged toilets due to cat litter are the financial responsibility of the resident. When changing litter, it must be placed in a tightly closed plastic bag and placed in a designated waste receptacle. Under no circumstance should cat litter be disposed of in a manner that causes odors to offend other residents. This is considered a violation of the peaceful enjoyment of a tenant unit and as such, a lease violation.

With the exception of certified assistive animals no pets shall be allowed in the community rooms, community room kitchens, laundry rooms, public bathrooms, lobbies, beauty shops, shelter areas, hallways or offices at any of our sites. Only one (1) animal should be on any elevator at any time.

18.10 MISCELLANEOUS RULES

Housing Authority personnel will not be required to enter any home where a cat or dog resides unless the resident is at home and has the pet under control.

Pets may not be left unattended in a home for over 24 hours. If the pet is left unattended for more than 24 hours, the Housing Authority shall have the right to enter the premises and take the uncared-for pet to the New Albany/Floyd County Animal Shelter and will assume no responsibility for the pet after the transfer.

Pet bedding shall not be washed in any NAHA laundry facility.

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

All dogs must wear a tag bearing the resident's name and phone number and the date of the latest rabies, distemper and other required inoculations, and a current New Albany/Floyd County Animal Control pet tag/license.

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

Residents owning cats shall maintain waterproof litter boxes for cat waste. Refuse from litter boxes shall not accumulate or become unsightly or unsanitary. Residents shall maintain litter boxes and waste from litter boxes in an odor-free manner so as to not interfere with the peaceful enjoyment of the facilities of New Albany Housing Authority including halls, neighboring units and outside areas. Litter shall be disposed of in an appropriate manner. See 18.8

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

In the event of an attack or any injury to a person(s) or other animal(s) the pet's owner shall be required to permanently remove the pet from the Housing Authority's property IMMEDIATELY upon receiving written notice from the Housing Authority. The pet owner will be subject to termination of his/ her dwelling lease. See 18.12

Any pet owner who violates any condition(s) of this policy may be required to remove his/her pet from the development within 5 calendar days of receiving written notice from the Housing Authority. The pet owner will be subject to termination of his/her dwelling lease. See 18.12

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

18.11 VISITING PETS

The New Albany Housing Authority does not allow visiting pets. The term pet does not apply to visiting certified assistive animals. No unauthorized pets/animals shall be allowed on New Albany Housing Authority property. Authorized pets are defined as pets that have been approved in accordance with section 18.3 of the New Albany Housing Authority Pet Policy.

18.12 REMOVAL OF PETS

The New Albany Housing Authority, or an appropriate community Authority, shall, require the removal of any pet from any complex, if the pet's conduct or conditions are determined to be a nuisance or a threat to the health and/or safety of other occupants of the complex and/or of other persons in the community where the complex is located.

In the event of illness or death of the pet owner, or in the case of an emergency which would prevent the pet owner from properly caring for the pet, the New Albany Housing Authority has permission to call the emergency caregiver designated by the pet owner or the New Albany/Floyd County Animal Control to take the pet and care for it until family or friends would claim the pet and assume responsibility for it. Any expenses incurred WILL BY THE RESPONSIBILITY OF THE PET OWNER. If the emergency caregiver fails to pick up the animal within 24 hours will the abandoned animal will be turned over to the proper enforcement agency.

Additionally, any animal that is the suspected victim of abuse and/or neglect will be reported to the New Albany/Floyd County Animal Control and shall be removed in accordance with local and/or state laws.

Violation Of Any Of The New Albany Housing Authority's Pet Policy WILL Include A Fine Of \$100.00 And Removal Of The Animal And/Or Eviction Of The Tenant.

19.0 REPAYMENT AGREEMENTS OTHER THAN FRAUD RECOVERY AGREEMENTS

When a resident owes the New Albany Housing Authority back charges and is unable to pay the balance by the due date, the resident may request that the New Albany Housing Authority allow them to enter into a Repayment Agreement. The New Albany Housing Authority has the sole discretion of whether to accept such an agreement. Payments required under this agreement must be no less than \$20.00 per month (in addition to the regular monthly rental amount). 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.

Note: If the back charges are due to unreported income, the New Albany Housing Authority will pursue payment as well as other civil and criminal remediation as allowed in the fraud policy.

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 New Albany Housing Authority after 10/1/2000 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 New Albany 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 as stated in the current tenant lease;
- 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 New Albany 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;
- M. Failure to maintain tenant paid utilities; and
- N. Removal or alteration of energy conservation measures;
- N. Other good cause.

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

When a unit has been abandoned, a New Albany Housing Authority representative may enter the unit and remove any abandoned property.

It will be stored in a reasonably secure place. A notice will be mailed to the resident stating where the property is being stored and when it will be disposed of. If the New Albany Housing Authority does not have a new address for the resident, the notice will be mailed to the unit address so it can be forwarded by the post office. The property will be stored for ninety (90) days according to current state law.

Within **45** days of learning of abandonment, the New Albany Housing Authority will either return the deposit or provide a statement of why the deposit is being kept.

The cost of storing abandoned property will be equal to the tenant rent at the time of abandonment and will be charged to the tenant account for 90 days or until the tenant account is made current and tenant property is removed from New Albany Housing Authority unit or storage unit.

20.4 RETURN OF SECURITY DEPOSIT

After a family moves out, the New Albany Housing Authority will return the security deposit within **45** days or give the family a written statement of why all or part of the security deposit is being kept. The rental unit must be restored to the same conditions as when the family moved in, except for normal wear and tear. Deposits will not be used to cover normal wear and tear or damage that existed when the family moved in.

If damages to the unit exceed the security deposit, the family will be mailed a list of damages repaired as well as charges as of the 45th day, and a final list with amount due will be issued to family when repairs are completed. All amounts for excess damages will be due on receipt. Unpaid damages will be collected using the normal process for past-due accounts.

The New Albany Housing Authority will be considered in compliance with the above if the required payment, statement, or both, are deposited in the U.S. mail with first class postage paid within **45** days.

21.0 FAMILY SELF-SUFFICIENCY

21.1 SELECTION POLICIES

Families living in the Housing Authority of the City of New Albany are eligible for voluntary participation in the Family Self-Sufficiency Program. They must be a current resident and Head of Household.

Participants must agree to seek and maintain suitable employment.

Participation in the program will be on a first-come, first-serve basis.

NAHA will make reasonable accommodation for participants with disabilities.

Public Housing residents who do not wish to participate in the FSS Program will not lose their housing assistance because of their decision.

21.2 NON-DISCRIMINATION POLICIES

The Housing Authority of the City of New Albany exercises a non-discrimination policy, in compliance with the rules and regulations governing the Fair Housing Act. NAHA shall not deny any family the opportunity to participate in the FSS program on the basis of race, color, sex, religion, creed, national or ethnic origin, age, family or marital status, physical ability, disability or sexual orientation.

21.3 DENIAL OF PARTICIPATION

The Housing Authority of the City of New Albany may deny a family participation in the FSS Program if they previously participated in the FSS Program and did not meet their obligations and were terminated. A family will also be denied if the applicant owes NAHA or another housing authority money in connection with public housing assistance.

21.4 TERMINATION FROM THE FSS PROGRAM

NAHA may terminate a FSS contract for non-compliance with the contract. The FSS Contract of Participation may also be terminated for the following reasons: mutual consent, failure of family to meet contract obligations without good cause, fraud committed for not reporting income and or resources, family withdrawal from the FSS Program, other act(s) deemed inconsistent with the purpose of the FSS Program, operation of law or failure of the family to remain in good standing by way of lease violation by violation of the NAHA One Strike policy.

21.5 TERMINATION OF SERVICES

If NAHA decides to terminate services, NAHA will offer the family the opportunity for an informal hearing.

The family is entitled to present a grievance in accordance with NAHA's existing grievance procedures.

21.6 WITHHOLDING SUPPORT SERVICES

NAHA may withhold support services for any participant who is in noncompliance with their contract. NAHA will review the circumstances of the noncompliance to determine the appropriate remedy.

Former FSS families who have completed their contracts, still receiving housing assistance and whose head of household is employed may be offered FSS supportive services to help continue toward self-sufficiency for up to one year.

21.7 HEARING PROCEDURES FOR FSS FAMILIES

NAHA hearing procedures are in an addendum to the Admissions and Continued Occupancy Policy. All families terminated from the program will be afforded an opportunity to request an informal hearing for a determination of the appropriateness of the termination or withholding of supportive services placed on a participant family.

21.8 ESCROW POLICIES

FSS families pay rent in accordance with their incomes. NAHA will deposit all escrowed funds into a depository account located at Centra Federal Credit Union. The monthly amount deposited is determined by increases in earned income. If the rent is paid late, the family will not receive a deposit for that month. *(If family rent becomes less than at enrollment, there is no escrow credit).*

NAHA will report annually to each FSS family with an escrow account: the balance at the beginning of the report period, all deposits made during the report period, any deductions made from the account during the reporting period, the amount of interest earned on the account during the year, the total in the account at the end of the reporting period.

Interim disbursements will be at the sole discretion of NAHA. Interim withdrawals will be allowed if the family has fulfilled some of their interim contract goals, is working towards self-sufficiency and needs a portion of the FSS account funds for purposes consistent with the Contract such as: school tuition or other school costs, job training expenses, business start-up expenses, car or car repair when public transportation is unavailable or inaccessible to the family, or credit clean-up, fees for a home loan, etc.

Participants will not be allowed to draw more than 50% of their total escrow account and can only withdraw one time per NAHA fiscal year that runs from April 1 of one year to March 31 of the next year.

To receive the entire balance earned in the FSS escrow account, the family must have completed all obligations set forth in the Contract of Participation. Completion occurs when the family has fulfilled goals in the Individual Training and Services Plan and has remained free of welfare assistance, excluding housing assistance, for 12 months prior to the expiration date of the contract, or if 30% of their monthly adjusted income equals or exceeds the fair market rent/payment standard for the voucher size of the family.

The case manager will determine fulfillment of goals. All disbursements are subject to approval by Senior Case Manager and Finance Department.

Families will receive their escrow money within forty five (45) days of the completion of the contract.

There will be a one-year waiting period for families that have received their escrow account and want to reapply.

Amounts in the FSS account will be forfeited if: the Contract of Participation is terminated or declared null and void, or, the Contract of Participation is completed but the family is receiving welfare cash assistance when the contract expires, including extensions. If families have not paid their portion of rent to the Housing Authority, if the head of household dies and the remaining family members choose not to participate in the program, or, if the head of household leaves the family unit and the remaining family members choose not to participate in the program, or if the family does not comply with the terms of the lease agreement.

Procedure for requesting an interim disbursement: the participant must complete and sign the Request for Interim Disbursement Form, provide a copy of their driver's license and social security card, and provide supporting documentation such as estimates, receipts, letter from credit counselors, lending institutions, etc. to justify the request as a need in order to complete the FSS goals.

Clients are required to report any changes in their income within 10 days. Failure to report an increase in income constitutes fraud and may lead to termination from the FSS program.

If the client owes money to the housing authority upon completion of the program, the amount will be subtracted from their escrow account upon withdrawal.

Amounts in the FSS Escrow Account will be forfeited if: the resident moves to another housing authority, the Contract of Participation is terminated, the Contract is completed, but the family is receiving welfare assistance when the contract expires, if the head of the family dies and the remaining members of the family choose not to participate in the program, if families do not pay rent.

22.0 VICTIMS OF DOMESTIC VIOLENCE

Criminal activity directly relating to domestic violence, dating violence or stalking shall not be considered cause for termination of assistance for any participant or immediate member of a participant's family who is a victim of the domestic violence, dating violence, or stalking.

- A. NAHA may terminate assistance of a tenant who engages in criminal acts of violence to family members or others without terminating assistance of victimized occupants.
- B. NAHA can still terminate assistance for other good cause unrelated to the incident or incidents of domestic violence.
- C. If NAHA can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property, including NAHA employees that person or family can be terminated.

One of the three below will be required to certify his or her status as a victim of domestic violence, dating violence, or stalking:

- 1. HUD-Approved Certification form.
- 2. Provide NAHA 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 of the abuse, in which the professional attests under penalty of perjury 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.
- 3. Producing a Federal, State, tribal territorial, or local police or court record.

The individual shall provide certification within 14 business days after NAHA requests the certification in writing. If the certification is not received within 14

business days of the request, NAHA may terminate assistance. NAHA may extend the 14-day deadline at its discretion.

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.

HUD released the official form: Certification of Domestic Violence, Dating Violence, or stalking, December 27, 2006.

New Albany Housing has an attachment to the plan a VAWA Policy which provides for updated lists of (1) activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; (2) activities, services, or programs provided or offered that helps child or adult victims of domestic violence, dating violence, sexual assault, or stalking to obtain or maintain housing; (3) activities, services, or programs provided or offered to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families.

23.0 DEFINITION OF SIGNIFICANT CHANGES TO THE ANNUAL PLAN OR TO THE ADMISSIONS AND CONTINUED OCCUPANCY POLICY

The New Albany Housing Authority had defined a significant change to the annual plan or ACOP as one that has the potential for negative consequences for all residents or a demographically distinct segment of the resident population. We have used this definition so the authority can respond to situations that improve the quality of life for its residents without impediment. Changes in policy are handled through the Board of Commissioners while changes in procedures are handled administratively.

The New Albany Housing Authority does not consider changes due to implementation of new policies, laws, and directives to be significant changes to the ACOP. The funder or legislation, Federal, State and local generate these situations, and the New Albany Housing Authority is required to implement such changes as part of our Annual Contribution Contract. Examples of the vehicle for changes would include the Federal Register, Public and Indian Housing

New Albany Housing Authority Admissions and Continued Occupancy
Revision Date: January 2010

Notices/Handbooks, tenant law changes in the state of Indiana where more restrictive than HUD policy, and local codification.

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, and medical expenses for elderly families, disability expenses, and childcare expenses for children under 13 years of age. Other allowance can be given at the discretion of the housing authority.

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

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

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

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

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

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

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

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

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 childcare. In the case of childcare necessary to permit employment, the amount deducted shall not

exceed the amount of employment income that is included in annual income. (24 CFR 5.603(d))

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

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)

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

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

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

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

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

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

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

Disabled Person: See "person with disabilities."

Displaced Family: A family in which each member, or whose sole member, is a person displaced by governmental action (such as urban renewal), or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. (24 CFR 5.403(b))

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

Drug-Related Criminal Activity: Drug trafficking or the illegal use, or possession for personal use, of a controlled substance as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 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.

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.

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))

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 CFR 5.520)

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.

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)

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

TTPTotal Tenant Payment

Appendix I

Income Limits and Deconcentration Worksheet

Development Name	Number of Units Under ACC	Number of Occupied Units	Number of Units Occupied by Very Poor Families	% Occupied by Very Poor Families

%Very Poor in

Census Tract

Target Number

Number Needed of below 30% of median area income

Number Needed above 30% of median area income

Waiting list number of families Appendix 2