

The Housing Authority of the City of Linden

PHA FIVE-YEAR & ANNUAL PLAN FOR 2010

APPLICABILITY

- 1.0 PHA Information
- 2.0 Inventory
- 3.0 Submission Type
- 4.0 PHA Consortia
- 5.0 Five-Year Plan
 - 5.1 Mission
 - 5.2 Goals & Objectives
- 6.0 PHA Plan Update

REFER TO PAGES 2-8 FOR EVERYTHING LISTED ABOVE

****Please refer to the page numbers inserted on the top, left-hand corner of each page***

PHA 5-Year and Annual Plan

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

**OMB No. 2577-0226
Expires 4/30/2011**

1.0	PHA Information PHA Name: Housing Authority of the City of Linden PHA Type: <input type="checkbox"/> Small <input checked="" type="checkbox"/> High Performing <input type="checkbox"/> Standard PHA Fiscal Year Beginning: 10/ 1 / 10 PHA Code: NJ 066 <input type="checkbox"/> HCV (Section 8)				
2.0	Inventory (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: 200 Number of HCV units: 357				
3.0	Submission Type X 5-Year and Annual Plan <input type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only				
4.0	PHA Consortia <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)				
	Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	No. of Units in Each Program
	PHA 1:				PH HCV
	PHA 2:				
	PHA 3:				
5.0	5-Year Plan. Complete items 5.1 and 5.2 only at 5-Year Plan update.				
5.1	Mission. State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years: The mission of the Housing Authority of the City of Linden is to provide decent, safe and sanitary housing to eligible families and individuals without discrimination and in such a manner so as to promote serviceability, economy, efficiency and stability. The Housing Authority of the City of Linden will take steps to ensure the social well being and enhance the quality of life for its residents. The Housing Authority of the City of Linden will develop and maintain public and private partnerships to these ends and will seek opportunities for growth and improvement.				

<p>5.2</p>	<p>Goals and Objectives. Identify the PHA’s quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan. The Housing Authority of the City of Linden will continue to provide services to our residents as follows; With the experience and caring of our Resident Service Coordinator, assist them to apply for all assisted programs that are offered from the county, state, or the Federal Government. This also includes resident assistance for submission of their medical bills if needed and follow up with any balance billing. On a weekly basis an Internist, Chiropractor, and or Podiatrists provides services. The Union County Nutrition Programs uses our Community Room to serve lunches not only to our residents but to any person who lives in the area and qualifies for the program. Reasonable Accommodations are provide to all residents and applicants if required.</p> <p>During the past five years the Housing Authority of the City of Linden has replaced the parking which now includes an additional 40 spaces. Of these 22 are now handicap.</p> <p>Water restrictors were installed on all faucets in the entire building.</p> <p>A new Public Housing Software program has been install with all HUD requirements along with a new Server and replacement of all staff computers.</p> <p>Manual entrance doors in the front and back of the building have been replaced with Electric Entrance Doors.</p> <p>New stoves and refrigerators have been installed in all 200 units. The Community Room kitchen also has a new stove and refrigerator.</p> <p>The Community Room had installed the following : 55” Plasma Screen TV, Wii, Wii Fit, Pool Table, Electronic Bingo Board</p> <p>Our development was constructed in 1969. We have replaced ten (20) bathrooms. This renovation includes all new handicapped sinks, toilets, tile walls and floors but most important for our resident population handicap accessible showers. The resident can walk in and either take a standing shower or if they choose pull down a seat which is permanently placed. .If needed, they can roll their wheelchair or any other type of device that would assist them into the shower.</p>
<p>6.0</p>	<p>PHA Plan Update</p> <p>(a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:</p> <p>(b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions.</p> <p>Answers to (a) Our ACOP has been revised to include the Violence Against Woman Act, (NOTE: If any of our tenants fall within the guidelines of the VAWA our Resident Service Coordinator along with the Linden Police Department, Union County Sheriff’s Department and the Union County Prosecutors office will assist them to seek counseling, and to follow through on any and all complaints that are to be filed.), EIV Policy and the State Lifetime Sex Offender Policy</p> <p>The Housing Authority of the City of Linden has reviewed its waiting list. After reviewing our ACOP the following preferences have been removed; Substandard Housing, 50percent income paying rent, Homeless. The Linden Resident will remain as the only preference. A revision of our Annual Plan was submitted to include the 2009 ARRA</p> <p>(b) The location where the 5-Year and Annual PHA Plan is 1601 Dill Ave. Linden, NJ 07036</p>
<p>7.0</p>	<p>Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. <i>Include statements related to these programs as applicable.</i></p>
<p>8.0</p>	<p>Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable.</p>
<p>8.1</p>	<p>Capital Fund Program Annual Statement/Performance and Evaluation Report. As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i>, form HUD-50075.1, for each current and open CFP grant and CFFP financing.</p>
<p>8.2</p>	<p>Capital Fund Program Five-Year Action Plan. As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i>, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.</p>
<p>8.3</p>	<p>Capital Fund Financing Program (CFFP).</p> <p><input type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.</p>
<p>9.0</p>	<p>Housing Needs. Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.</p> <p>The Housing needs for all of the above listed categories is in such great demand. The lost of jobs, the high rents in our jurisdiction etc, makes the need for Housing even greater. The HACL will continue as it has in the past to house our eligible applicants as a unit becomes available.</p>
<p>9.1</p>	<p>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. When a unit becomes available the HACL will always offer it to the next person on the public housing waiting list. A Voucher will be offered to the next person on the Section 8 waiting list. Prior to approval a criminal background check will be conducted along with determining income eligibility for both programs.</p>

10.0	<p>Additional Information. Describe the following, as well as any additional information HUD has requested.</p> <p>(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA’s progress in meeting the mission and goals described in the 5-Year Plan. The HACL has and will continue to assist applicants from its waiting list. Reasonable Accommodations will be provided if requested. If it is for any type of physical change the HACL will review to see if it financially feasible. Once an applicant is housed they will be offered all of the services that we have in place if they choose as stated in Section 5.2.</p> <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA’s definition of “significant amendment” and “substantial deviation/modification” N/A</p>
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11.0	<p>Required Submission for HUD Field Office Review. In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. Note: Faxed copies of these documents will not be accepted by the Field Office.</p> <p>(a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights)</p> <p>(b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only)</p> <p>(c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only)</p> <p>(d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only)</p> <p>(e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only)</p> <p>(f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.</p> <p>(g) Challenged Elements</p> <p>(h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only)</p> <p>(i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)</p>
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**RESOLUTION
of the
HOUSING AUTHORITY OF THE
CITY OF LINDEN**

Resolution No. 2010-15

**RESOLUTION ADOPTING THE HOUSING AUTHORITY'S STREAMLINED
FIVE YEAR PLAN**

Board Meeting Date: June 16, 2010 Date Adopted: June 16, 2010

WHEREAS, the Housing Authority of the City of Linden ("Housing Authority"), a public entity organized and existing pursuant to both Title 24 of the Code of Federal Regulations, the Department of Housing and Urban Development (HUD), and the laws of the State of New Jersey, is required to adopt a five (5) year plan and submit such to HUD in accordance with section 5A of the U.S. Housing Act of 1937; and

WHEREAS, pursuant to such, the Housing Authority has diligently and accurately prepared a five (5) year plan for HUD in accordance with OMB No. 2577-0226; and

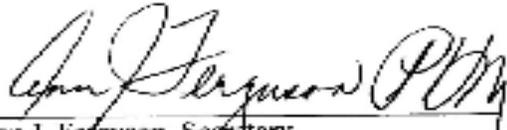
WHEREAS, after a detailed review of the proposed five (5) year plan the Board of Commissioners has found that the plan accurately and properly reflects the Housing Authority's intended purpose and direction for the next five (5) years; and

WHEREAS, the Board of Commissioners has further found that the plan is in accordance with the Authority's overall goal of providing quality, affordable housing to low to moderate income seniors;

NOW THEREFORE,

BE IT RESOLVED, that the Board of Commissioners hereby approves the streamlined five (5) year plan; and

BE IT RESOLVED FURTHER, that the Board further authorizes and directs the Executive Director of the Housing Authority of the City of Linden to properly submit such plan to HUD and to take any and all administrative actions necessary to implement this resolution.


Ann J. Ferguson, Secretary
Housing Authority of the City of Linden

**RESOLUTION
of the
HOUSING AUTHORITY OF THE
CITY OF LINDEN**

Resolution No. 2010-16

**RESOLUTION APPROVING AND AUTHORIZING THE SUBMITTAL OF THE
HOUSING AUTHORITY'S STREAMLINED ANNUAL PHA PLAN TO HUD
FOR THE FISCAL YEAR 2010**

Board Meeting Date: June 16, 2010 Date Adopted: June 16, 2010

WHEREAS, the Housing Authority of the City of Linden ("Housing Authority"), a public entity organized and existing pursuant to both Title 24 of the Code of Federal Regulations, the Department of Housing and Urban Development (HUD), and the laws of the State of New Jersey, is required to review its 5-year plan annually and submit an annual PHA plan to HUD in accordance with section 5A of the U.S. Housing Act of 1957; and

WHEREAS, pursuant to such, the Housing Authority has diligently and accurately provided a 5-year plan to HUD and has drafted a streamlined annual PHA plan in accordance with OMB No. 2577-0226; and

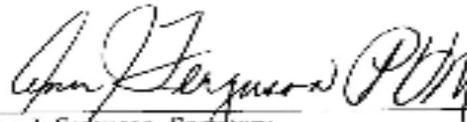
WHEREAS, after a detailed review of the annual PHA plan the Board of Commissioners has found that the annual plan accurately and properly reflects the Housing Authority's plan for the 2010 fiscal year; and

WHEREAS, the Board of Commissioners has further found that the annual plan is in accordance with the Authority's overall goal of providing quality, affordable housing to low to moderate income seniors;

NOW THEREFORE,

BE IT RESOLVED, that the Board of Commissioners hereby approves the streamlined five (5) year plan; and

BE IT RESOLVED FURTHER, that the Board further authorizes and directs the Executive Director of the Housing Authority of the City of Linden to properly submit such plan to HUD and to take any and all administrative actions necessary to implement this resolution.



Ann J. Ferguson, Secretary
Housing Authority of the City of Linden

PHA PLAN ELEMENTS (24 CFR 903.7)

- 1. Eligibility, Selection & Admission Policies, including
Deconcentration & Wait List Procedures– *Pg. 9-67***
- 2. Financial Resources-*Pg. 68***
- 3. Rent Determination- *Pg. 69-73***
- 4. Operation and Management- *Pg.74-91***
- 5. Grievance Procedures- *Pg. 92-101***
- 6. Designated Housing for Elderly & Disabled Families- *N/A***
- 7. Community Service & Self-Sufficiency- *N/A***
- 8. Safety & Crime Prevention – *Pg. 102***
- 9. Pets – *Pg. 103-105***
- 10. Civil Rights Certification- *Pg. 106***
- 11. Fiscal Year Audit- *Pg. 107-108***
- 12. Asset Management- *N/A because there is only one property.***
- 13. Violence Against Women Act (VAWA)- *Pg. 109-114***

Chapter 3

ELIGIBILITY

INTRODUCTION

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

To be eligible for the public housing program:

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

This chapter contains three parts:

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

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

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

PART I: DEFINITIONS OF FAMILY AND HOUSEHOLD MEMBERS

3-I.A. OVERVIEW

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

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

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

Family

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

PHA Policy

A family also includes two or more individuals who are not related by blood, marriage, adoption, or other operation of law, but who either can demonstrate that they have lived together previously or certify that each individual's income and other resources will be available to meet the needs of the family.

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

Household

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

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

Family Break-up

PHA Policy

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

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

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

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

Remaining Member of a Tenant Family [24 CFR 5.403]

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

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

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

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

PHA Policy

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

The head of household must have the legal capacity to enter into a lease under state and local law. A minor who is emancipated under state law may be designated as head of household.

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

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

Spouse means the marriage partner of the head of household.

PHA Policy

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

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

PHA Policy

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

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

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

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

Joint Custody of Dependents

PHA Policy

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

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

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

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

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

3-I.H. ELDERLY AND NEAR-ELDERLY PERSONS, AND ELDERLY FAMILY **Elderly Persons**

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

Near-Elderly Persons

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

Elderly Family

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

3-I.I. PERSONS WITH DISABILITIES AND DISABLED FAMILY [24 CFR 5.403] **Persons with Disabilities**

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

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

Disabled Family

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

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

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

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

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

PHA Policy

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

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

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

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

3-I.K. FOSTER CHILDREN AND FOSTER ADULTS

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

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

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

PHA Policy

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

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

3-I.L. ABSENT FAMILY MEMBERS

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

Definitions of Temporarily and Permanently Absent

PHA Policy

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

Absent Students

PHA Policy

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

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

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

PHA Policy

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

Absent Head, Spouse, or Cohead

PHA Policy

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

Individuals Confined for Medical Reasons

PHA Policy

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

If there is a question about the status of a family member, the PHA will request verification from a responsible medical professional and will use this determination.. The family may present evidence that the family member is confined on a permanent basis and request that the person not be considered a family member.

Return of Permanently Absent Family Members

PHA Policy

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

3-I.M. LIVE-IN AIDE

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

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

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

PHA Policy

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

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

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

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

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

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

Within 10 business days of receiving a request for a live-in aide, including all required documentation related to the request, the PHA will notify the family of its decision in writing. At that time the PHA will request the live-in aide to come to the office to sign an authorization so that a criminal background check could be conducted.

PART II: BASIC ELIGIBILITY CRITERIA

3-II.A. INCOME ELIGIBILITY AND TARGETING

Income Limits

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

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

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

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

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

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

Using Income Limits for Eligibility [24 CFR 960.201]

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

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

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

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

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

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

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

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

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

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

Declaration [24 CFR 5.508]

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

U.S. Citizens and Nationals

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

PHA Policy

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

Eligible Noncitizens

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

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

Ineligible Noncitizens

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

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

Mixed Families

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

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

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

PHA Policy

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

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

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

Informal hearing procedures are contained in Chapter 14.

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

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

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

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

PHA Policy

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

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

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

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

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

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

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

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

PART III: DENIAL OF ADMISSION

3-III.A. OVERVIEW

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

In addition, HUD requires or permits the PHA to deny admission based on certain types of current or past behaviors of family members as discussed in this part. The PHA's authority in this area is limited by the Violence against Women Reauthorization Act of 2005 (VAWA), which expressly prohibits the denial of admission to an otherwise qualified applicant on the basis that the applicant is or has been the victim of domestic violence, dating violence, or stalking. This part covers the following topics:

- Required denial of admission
- Other permitted reasons for denial of admission
- Screening
- Criteria for deciding to deny admission
- Prohibition against denial of admission to victims of domestic violence, dating violence, or stalking
- Notice of eligibility or denial

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

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

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

HUD requires the PHA to deny assistance in the following cases:

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

PHA Policy

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

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

PHA Policy

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

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

PHA Policy

In determining reasonable cause, the PHA will consider all credible evidence, including but not limited to, any record of convictions, arrests, or evictions of household members related to the use of illegal drugs or the abuse of alcohol. A conviction will be given more weight than an arrest. The PHA will also consider evidence from treatment providers or community-based organizations providing services to household members.

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

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

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

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

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

The PHA is responsible for screening family behavior and suitability for tenancy. In doing so, the PHA may consider an applicant's history of criminal activity involving crimes of physical violence to persons or property and other criminal acts which would adversely affect the health, safety or welfare of other tenants.

PHA Policy

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

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

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

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

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

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

Evidence of such criminal activity includes, but is not limited to any record of convictions, arrests, or evictions for suspected drug-related or violent criminal activity of household members within the past 5 years. A conviction for such activity will be given more weight than an arrest or an eviction.

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

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

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

In the event of the receipt of unfavorable information with respect to an applicant, the PHA must consider the time, nature, and extent of the applicant's conduct (including the seriousness of the offense). As discussed in Section 3-III.F, the PHA may also need to consider whether the cause of the unfavorable information may be that the applicant is the victim of domestic violence, dating violence, or stalking.

PHA Policy

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

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

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

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

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

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

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

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

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

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

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

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

3-III.D. SCREENING

Screening for Eligibility

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

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

PHA Policy

The PHA will perform criminal background checks through National Credit Reporting, 6830 Via Del or, Suite 105, San Jose, California who is contracted as an FBI Approved Fingerprint Channeler.

This process begins with all applicants being informed that a fingerprint will be required. All applicants must sign an authorization form before the fingerprint is done. If an applicant refuses to sign the authorization form their application will not be processed and will be offered an informal review

The fingerprint procedure is done in the main office located at 1601 Dill Ave. Linden, NJ by trained staff.

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

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

Obtaining Information from Drug Treatment Facilities [24 CFR 960.205]

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

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

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

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

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

If the PHA chooses to obtain such information from drug abuse treatment facilities, it must adopt and implement one of the two following policies:

Policy A: The PHA must submit a request for information to a drug abuse treatment facility for all families before they are admitted. The request must be submitted for each proposed household member who is at least 18 years of age, and for each family head, spouse, or cohead regardless of age.

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

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

PHA Policy

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

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

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

PHA Policy

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

Payment of rent and utilities

Caring for a unit and premises

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

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

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

Compliance with any other essential conditions of tenancy

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

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

PHA Policy

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

Past Performance in Meeting Financial Obligations, Especially Rent

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

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

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

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

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

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

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

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

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

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

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

Evidence

PHA Policy

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

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

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

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

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

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

PHA Policy

The PHA will consider the following factors prior to making its decision:

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

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

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

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

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

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

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

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

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

PHA Policy

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

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

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

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

PHA Policy

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

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

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

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

Definitions

As used in VAWA:

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

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

Notification and Victim Documentation

PHA Policy

The PHA acknowledges that a victim of domestic violence, dating violence, or stalking may have an unfavorable history that would warrant denial under the PHA's policies. Therefore, if the PHA makes a determination to deny admission to an applicant family on the basis of an unfavorable history, the PHA will include in its notice of denial a statement of the protection against denial provided by VAWA and will offer the applicant the opportunity to provide documentation affirming that the cause of the unfavorable history is that a member of the applicant family is or has been a victim of domestic violence, dating violence, or stalking.

The documentation must include two elements:

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

One of the following:

A police or court record documenting the actual or threatened abuse

A statement signed by an employee, agent, or volunteer of a victim service provider; an attorney; a medical professional; or another knowledgeable professional from whom the victim has sought assistance in addressing the actual or threatened abuse. The professional must attest under penalty of perjury that the incidents in question are bona fide incidents of abuse, and the victim must sign or attest to the statement.

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

Perpetrator Removal or Documentation of Rehabilitation

PHA Policy

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

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

This additional documentation must be submitted within the same time frame as the documentation required above from the victim.

PHA Confidentiality Requirements

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

3-III.G. NOTICE OF ELIGIBILITY OR DENIAL

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

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

PHA Policy

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

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

EXHIBIT 3-1: DETAILED DEFINITIONS RELATED TO DISABILITIES

Person with Disabilities [24 CFR 5.403]

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

- Has a disability, as defined in 42 U.S.C. Section 423(d)(1)(A), which reads:
Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months
In the case of an individual who has attained the age of 55 and is blind (within the meaning of “blindness” as defined in section 416(i)(1) of this title), inability by reason of such blindness to engage in substantial gainful activity, requiring skills or ability comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time.
- Has a developmental disability as defined in the Developmental Disabilities Assistance and Bill of Rights Act [42 U.S.C.6001(8)], which defines developmental disability in functional terms as:
A severe, chronic disability of a person 5 years of age or older which:
 - Is attributable to a mental or physical impairment or combination of mental and physical impairments
 - Is manifested before the person attains age twenty-two
 - Is likely to continue indefinitely
 - Results in substantial functional limitations in three or more of the following areas of major life activity: (i) self-care, (ii) receptive and responsive language, (iii) learning, (iv) mobility, (v) self-direction, (vi) capacity for independent living, and (vii) economic self-sufficiency
 - Reflects the person’s need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are of lifelong or extended duration and are individually planned and coordinated; except that such term, when applied to infants and young children, means individuals from birth to age 5, inclusive, who have substantial developmental delay or specific congenital or acquired conditions with a high probability of resulting in developmental disabilities if services are not provided.”
- Has a physical, mental, or emotional impairment that is expected to be of long-continued and indefinite duration; substantially impedes his or her ability to live independently, and is of such a nature that the ability to live independently could be improved by more suitable housing conditions.

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

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

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

Individual with Handicaps [24 CFR 8.3]

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

(1) Physical or mental impairment includes:

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

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

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

(4) Is regarded as having an impairment means:

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

Chapter 4

APPLICATIONS, WAITING LIST AND TENANT SELECTION

INTRODUCTION

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

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

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

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

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

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

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

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

PART I: THE APPLICATION PROCESS

4-I.A. OVERVIEW

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

4-I.B. APPLYING FOR ASSISTANCE

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

PHA Policy

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

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

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

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

Attached to the application are instructions and reads as attached to this page.

4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS

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

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

The PHA must provide reasonable accommodation to the needs of individuals with disabilities. The application-taking facility and the application process must be fully accessible, or the PHA must provide an alternate approach that provides equal access to the application process. Chapter 2 provides a full discussion of the PHA's policies related to providing reasonable accommodations for people with disabilities.

Limited English Proficiency

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

4-I.D. PLACEMENT ON THE WAITING LIST

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

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

Ineligible for Placement on the Waiting List

PHA Policy

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

Eligible for Placement on the Waiting List

PHA Policy

The PHA will send written notification of the preliminary eligibility determination within 30 business days of receiving a completed application. If applicable, the notice will also indicate the waiting list preference(s) for which the family appears to qualify.

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

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

PART II: MANAGING THE WAITING LIST

4-II.A. OVERVIEW

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

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

4-II.B. ORGANIZATION OF THE WAITING LIST

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

PHA Policy

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

Name and social security number of head of household

Number of family members

Amount and source of annual income

Date and time of application or application number

Household type (elderly, disabled)

Admission preference, if any

Race and ethnicity of the household

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

PHA Policy

The PHA will maintain one single waiting list for its developments. That is for the Ann J. Ferguson Towers and the Edward J. Murawski Towers a multifamily section 8 project base program

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

PHA Policy

The PHA will not merge the public housing waiting list with their Housing Choice Voucher Program.

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

Closing the Waiting List

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

PHA Policy

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

Reopening the Waiting List

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

PHA Policy

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

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

The Star Ledger

La Voz

Local Cable, Community Access, Linden Coalition, First Baptist Church, St. Elizabeth Church

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

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

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

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

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

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

- Submitting press releases to local newspapers, including minority newspapers
- Developing informational materials and flyers to distribute to other agencies
- Providing application forms to other public and private agencies that serve the low income population
-

PHA Policy

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

4-II.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES

PHA Policy

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

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

4-II.F. UPDATING THE WAITING LIST

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

Purging the Waiting List

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

PHA Policy

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

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

The family's response must be in writing and must be delivered by mail. Responses should be postmarked not later than 30 business days from the date of the PHA letter.

If the family fails to respond within 30 business days, the family will be removed from the waiting list without further notice.

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

If the notice is returned by the post office with a forwarding address, the notice will be re-sent to the address indicated. The family will have 30 business days to respond from the date the letter was re-sent. If the family fails to respond within this time frame, the family will be removed from the waiting list without further notice.

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

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

Due to applicants coming off the waiting list for being housed, advising the PHA of a change in their preference's claimed, advising the PHA of not being interested, the PHA by the 10th of each month ran a current waiting list .

Removal from the Waiting List

PHA Policy

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

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

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

PART III: TENANT SELECTION

4-III.A. OVERVIEW

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

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

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

PHA Policy

When an applicant or resident family requests a copy of the PHA's tenant selection policies, the PHA will provide copies at the cost of twenty five cents (\$0.25) per page.

4-III.B. SELECTION METHOD

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

Local Preferences [24 CFR 960.206]

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

PHA Policy

The PHA will use the following local preference. Each preference is assigned points as listed below. The more preference points an applicant has, the higher the applicant's place on the waiting list.

Linden Resident	4 points
-----------------	----------

An applicant family who lives, works or has been hired to work in Linden

The family may be placed on the waiting list upon their certification that they qualify for a preference. When the family is selected from the waiting list for the final determination of eligibility, the preference will be verified if over 60 days old from the last interview.

The PHA will verify all preference claims at the time of applicant.

The PHA will reverify any preferences claim at the time of unit offer.

Income Targeting Requirement [24 CFR 960.202(b)]

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

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

PHA Policy

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

Mixed Population Developments [24 CFR 960.407]

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

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

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

Among the designated developments, the PHA must also apply any preferences that it has established. If there are not enough elderly families to occupy the units in a designated elderly development, 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 cohead is at least 50 years old, but is less than 62 [24 CFR 5.403].

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

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

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

PHA Policy

The PHA does not have designated elderly or designated disabled housing at this time.

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

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

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

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

PHA Policy

The developments are designated specifically for elderly or disabled families, deconcentration does not apply.

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

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

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

PHA Policy

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

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

PHA Policy

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

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

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

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

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

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

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

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

PHA Policy

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

N/A

Order of Selection [24 CFR 960.206(e)]

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

PHA Policy

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

When any size unit becomes available it will be offered to the next eligible applicant on the waiting list.

4-III.C. NOTIFICATION OF SELECTION

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

PHA Policy

The PHA will call the family to offer the upcoming unit and advise them they will have three days to let the PHA know if they will be taking the unit. OR

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

The notice will inform the family of the following:

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

- Who is required to attend the interview

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

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

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

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

4-III.D. THE APPLICATION INTERVIEW

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

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

PHA Policy

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

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

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

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

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

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

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

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

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

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

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

PHA Policy

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

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

PHA Policy

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

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

ANN J. FERGUSON, P.H.M.
Executive Director

MARY E. SPOON, P.H.M.
Deputy Executive Director



1601 Dill Avenue
Linden, New Jersey 07036-1779
Phone: 908-298-3820
Fax: 908-298-6890
E-Mail: info@lindenhousingauthority.org

PHA Plan Elements #2 Financial Resources

Housing Authority of the City of Linden
FYE: 9/30/11
Estimate of Financial Resources

	Estimated FYE 9/30/11 -----
Operating Subsidy	540,000
Capital Fund	222,557
Dwelling Rents	760,000
Excess Utilities	21,000
Interest Income	18,000
Management Fees, etc	50,000
Total Resources	\$1,611,557

Planned Uses: Provide decent, safe and affordable housing to low income families.

Capital Expenditures	222,557
Administrative	330,000
Tenant Services	17,000
Utilities	400,000
Maintenance	315,000
Insurance	95,000
PILOT	40,100
Employee Benefits	190,000
Total Expenditures	1,609,657
Addition to Reserve	1,900



EQUAL OPPORTUNITY EMPLOYER
TTY/TDD PLEASE CALL 1-800-852-7899

Housing Authority of the City of Linden

***RENT COLLECTION AND DETERMINATION
POLICY***

This Rent Collection Policy has been developed to identify accountability for tenant rent payment and collection.

In accordance with Federal regulations, this Rent Collection Policy is applicable to all tenants residing in the Ann J. Ferguson Towers dwelling units as well as prospective tenants.

The following definitions of terms shall be applicable to this policy:

CFR - *The Code of Federal Regulation, which contains the Federal regulations governing this policy and the applicable Grievance Procedure.*

HA – *Housing Authority of the City of Linden*

Elements of Due Process:- *In most cases, all of the following procedural safeguards will be followed prior to the termination of a tenancy and / or commencement of eviction proceedings in a state court (or in a grievance hearing).*

- 1. Adequate notice to the tenant of the grounds for terminating the tenancy and for eviction;*
- 2. Right of the tenant to be represented by counsel (at the tenant's expense);*
- 3. Opportunity for the tenant to refute the evidence presented by the LHC, including the right to confront and cross examine witnesses and to present any affirmative legal or equitable defense which the tenant may have;*
- 4. A decision on the merits.*

Hearing Officer - *An impartial person selected to hear grievances and render decisions with respect thereto.*

HUD – *The United States Department of Housing and Urban Development.*

Notice – *As used herein, the term notice shall, unless otherwise specifically provided, mean written notice.*

The “Regulations”- *The HUD regulations contained in the CFR books.*

Tenant - *The adult person(s), other than a live-in aide:*

Who resides in the unit and who executed the lease with the LHC as lessee of the dwelling unit, or if no such persons reside in the unit,

The person who resides in the unit, and who is the remaining head of the household of the tenant family residing in the dwelling unit.

Business Days:- Monday through Friday of each week, except legal holidays.

Business Hours - 9:00 AM to 4:30 PM

Tenant Obligations

It is the tenant's responsibility to ensure that Housing Authority of the City of Linden receives' rent payments no later than the fifth (5th) business day of the rent obligation month.

Rent payments can be brought to the office personally during business hours or mailed. The address for both of these is 1601 Dill Ave. Linden, NJ 07036

The Housing Authority of the City of Linden will not accept cash.

If for any reason a tenant cannot fulfill his/ her rent obligation for a given month, it is the responsibility of the tenant to notify the office prior to the close of business on the fifth (5th) day of the month.

If the tenant notifies the office prior to the close of the business on the fifth (5th) day of the rent obligation month, the Housing Authority of the City of Linden will take one of the following actions;

Review the tenant's file (examining tenant's past payment and residence history), and

Consider reason(s) given by the tenant for inability to pay current month's rent.

If the tenant does not notify the Housing Authority of the City of Linden subsequent to the close of business on the 5th day of the rent obligation month, a late payment charge of \$25.00 will be added to the Total Tenant Payment due. The Housing Authority of the City of Linden will send a fourteen (14) day letter to said tenant. If said tenant fails to pay the Total Tenant Payment due at the expiration of the fourteen day period, then the tenant's file may be turned over to the Authority's legal counsel for the commencement of eviction proceedings.

Returned tenant rent checks for non-sufficient funds are considered nonpayment of rent and a late charge of \$25.00 will be applied. After two (2) returned checks only money orders or certified checks will be accepted,

The Housing Authority of the City of Linden may accept the full amount of rent due at any time up to the execution of a Warrant of Removal.

If the full amount due is forwarded by the tenant, the Housing Authority of the City of Linden will dismiss the complaint for possession of the unit.

The Housing Authority of the City of Linden reserves the right to refuse payment by personal check after the complaint for possession of the unit has been filed.

The Housing Authority of the City of Linden may enter a Consent Judgment for payment of rent plus charges on the trial date, if at least 75% of the total tenant obligation is paid on the trial date and the balance due is agreed to be paid within fourteen (14) days.

The Linden Housing Corporation may waive the 75% requirement, if reasonably assured that a third-party payor, i.e. Welfare, will assure payment within fourteen (14) day.

NOTE: No extension will be granted after a default judgment

RENT DETERMINATION

PUBLIC HOUSING

All tenant rents will be calculated at 30% of their annual adjusted income.

The Housing Authority of the City of Linden's minimum rent is \$50.00.

At move-in the tenant is offered a choice of paying an income based rent or a flat rent.

All tenants at their recertification interview are advised of their choice of paying an income based rent or a flat rent.

NOTE: Tenants are not responsible to pay utilities. During the months of June, July, August and September they are charged \$30.00 per month for air conditioning.

SECTION 8

The Housing Authority of the City of Linden uses as their Payment Standard the current Fair Market Rents posted by HUD.

All tenant rents will be calculated at 30% of their annual adjusted income.

If the tenant is responsible to pay for any utility, by using the Utility Allowance for the type of unit they are living in, that allowance will be deducted from the TTP. The tenant is then advised as to what their Tenant Rent will be to their landlord.

The Housing Authority of the City of Linden minimum rent is \$50.00.

HOUSING AUTHORITY CITY OF LINDEN

MAINTENANCE POLICY

The standards of maintenance will be consistent with the objectives of the Linden Housing Corporation to provide safe, decent, and sanitary housing by providing maintenance services on a regular and scheduled basis.

RESPONSIBILITIES

The major ongoing responsibilities include but are not limited to the inspection and maintenance of the following:

1. Service systems
2. Building maintenance and construction
3. Pest control application
4. Fleet/equipment maintenance
5. Protective systems testing and maintenance
6. Appliance maintenance
7. Grounds maintenance
8. Scheduling/monitoring of contracted maintenance/construction services
9. Maintenance support

ORDER OF WORK PRIORITIES

- | | |
|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| Priority I | Emergency
Anything that may cause immediate threat or danger to a resident or the Corporation's property. |
| Priority II | Routine
Anything that is required on a routine basis to keep the Physical Plant in such good condition for which it is intended. |
| Priority III | Preventative Maintenance
Anything that is based on regular mechanical inspections to avoid or minimize the need for future costly breakdowns. |

WORK ORDER PROCEDURE

This procedure describes the steps taken to initiate a task from a computer generated work order.

1. All computer generated work orders are received daily in the office, 1551 Dill Avenue, Linden, NJ, 908-298-3822 between 9:00am and 4:30pm. After 4:30pm and on Saturday, Sunday, and Holidays, the number to call is 908-298-1820. This number is connected to an after hours-answering service. The on-call maintenance person is paged by the service for a response. A non-emergency call will follow the work order procedure for the following workday. Any after hours emergencies are handled immediately.
2. Work order forms are distributed by the maintenance department and office and then assigned to the maintenance staff by the maintenance supervisor after review for priority. Emergency work orders are transmitted to the maintenance staff immediately, the work order shall include:
 - a. Date received
 - b. Priority code
 - c. Location of work
 - d. Description of work
 - e. Photo note if necessary
3. Assigned staff will inspect the work that needs repair and complete material bar code scan for supplies or equipment needed to complete task.
4. After completion of repair and inspected for quality control, the work must be completed by the maintenance staff, which shall include:
 - a. Date started
 - b. Start Time
 - c. End time
 - d. Completion date
 - e. Employee signature
 - f. Stock description
 - g. Comments/follow up
 - h. Tenant signature
5. Maintenance worker can generate a work order but should encourage the resident to call work orders into the administration office.
6. All work orders will be kept in a secure place in the office so that resident, HUD or housing personnel may review it at any time.

SMOKE ALARM/CARBON MONOXIDE DETECTOR PROCEDURES

To ensure the safety of all tenants and to comply with local requisition, each dwelling/community room/administrative offices will have a smoke alarm system.

SMOKE ALARM INSPECTION

1. **Semi-annual inspection:**
A semi-annual inspection smoke alarm system will be done on the semi-annual inspection firms
2. **Contract work:**
Performs the semi-annual inspection of fire alarm system.
3. **Management/Maintenance:**
If an apartment is vacant and a smoke alarm is not operating properly, the administration office will be notified to generate an emergency work order for repair or replacement.
4. **Repairs:**
All annual inspections for smoke alarms systems will be kept in a secure place at the maintenance supervisor office so that the Fire/Police/Housing personnel may inspect them at any time.
5. **Repairs:**
All needed repairs will be done immediately.

PROCEDURE FOR INSTALLATION OF DWELLING UNIT SMOKE DETECTORS

1. Dwelling units shall have a minimum of one (1) smoke detector in close proximity to each sleeping area.
2. The placement of the detector is critical if the maximum speed of fire detection is desired.
3. Do not place the detector in the corner where the ceiling and wall meet. Detectors have to be placed at least four (4) inches from the walls.
4. Smoke detectors shall be located so that the maximum distance from the detector to any sleeping area exit door shall not exceed ten (10) feet. Smoke detectors have to be within ten (10) feet of all bedroom doors.
5. When two (2) or more smoke detectors are installed within the same dwelling unit, each smoke detector has to be interconnected with each other.
6. Interconnecting means that if one (1) detector goes into alarm, the other detector(s) within the unit also has to sound, giving warning to all occupants in each bedroom that a fire condition may exist.
7. Excepted to the interconnecting of multi-floor detectors, are dwelling units built prior to the requirement of the N.J. Uniform Code of June 16, 1986 and the BOCA building code requirements at the time of construction.
8. Dwelling units smoke detectors are interconnected with each other must be of the same manufacturer and compatible with each other. Smoke detectors cannot be mixed and matched unless they are U.L. listed to be compatible with each other.
9. After the installation of any smoke detector, it is required that the detector be checked in accordance with the manufacturer's instructions. Also a certification of smoke detector compliance has to be filled out completely.
10. Each unit has two hard-wired detectors. One heat sensor in the kitchen and one ionization detector in the bedroom; both wired to horn and strobe for sight and sound.
11. All detectors are smart detectors. Each has its own address to every unit and common area and show digital and printed display from fire alarm system.

**PROCEDURE FOR MAINTENANCE & TESTING OF
DWELLING UNIT SMOKE DETECTORS**

1. Smoke detectors within each dwelling unit shall be inspected and tested whenever a change of occupant occurs.
2. All smoke detectors within each dwelling unit will be tested and cleaned no less than once a year.
3. Semi-annual inspection will take place once a year and each year hereafter at the same time.
4. Work order or smoke detector compliance form must be completed each time a new smoke detector is installed within a dwelling unit.

AFTER HOUR EMERGENCIES

SOURCE OF WORK ORDERS

1. Answering service
2. Name of resident
3. Date/time of emergency
4. Repairs needed to the emergency
5. Unit number
6. All work orders must be completed regarding emergency call and filed in the office of the Maintenance Supervisor

HOURS OF EMERGENCY NIGHT STUITS

Monday through Friday: 4:30pm to 8:00am

Saturday, Sunday, Holidays: 24 hours per day

On call emergency staff must keep communication devices active at all times.

If the emergency work order cannot be repaired at the time of call, the emergency night staff is to notify the Executive Director and Maintenance Supervisor by phone, regarding the emergency work order.

UNIT TURNAROUND PROCEDURE

This procedure describes the steps taken to inspect a unit before turnaround maintenance commences. The turnaround maintenance procedure is initially requested by work order or written correspondence from the office.

PROCEDURE STEPS

- | | |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Management- | Conduct vacant/move out inspection |
| Maintenance- | Remove debris from unit.
Repair items listed on move out/vacant unit inspection sheet (see attached form) as well as: <ol style="list-style-type: none">1. Check doors and locks2. Check windows3. Check walls for loose paint and plaster4. Check plumbing5. Check electrical wall outlets, light fixtures and switches6. Check kitchen cabinets and countertops for repairs or replacement.7. Check floor tile for repair or cleaning8. Check stove and refrigerator for cleaning, repair or replacement9. Maintenance personnel to complete a material requisition for needed materials10. Upon completion, turn in work order and all applicable forms to maintenance supervisor. |

PAINING

This procedure describes the steps taken to paint vacant units for preparation of occupancy. The initial request for this procedure is requested by work order or written correspondence from maintenance staff, as per move out report, based on turn around activities.

PAINTING VACANT UNITS

1. Remove wall plates, switch plates and light fixture covers
2. Wipe or scrape all loose paint down with soap and water or scraper
3. Apply masking tape and masking paper
4. Patch small nail holes with putty
5. Spot primer
6. Bead edge and roll unit using eggshell finish latex paint-antique white only
7. Remove tape, paper, and paint equipment
8. Check cabinets for need of stain or touch up
9. Check unit for any touch-up
10. Complete paperwork on materials used to complete unit
11. The LHC maintenance staff completes all 5 year cycle painting in house

Lawn Care

This procedure describes the steps taken for maintenance of the Corporation's property lawn care. This procedure shall also include seasonal maintenance (see below item 5)

Lawn Care

1. Check for bricks, rocks, pick up all trash and debris daily
2. Mow grass to be 2" in height weekly
3. Trim grass around sidewalks, buildings, trees, steel posts and fences
4. Remove grass clippings from sidewalk, street, and curb
5. Seasonal-Spring Season- fertilize and seed, install top soil where necessary
Fall Season- repeat spring fertilizing and seeding

Snow removal

This procedure describes the steps for snow and ice removal to be taken by maintenance. Start-up for this procedure is determined by weather conditions. All mechanical snow removal equipment will be over hauled in October. Snowmelt stock shall be at capacity by October 1.

GRAFFITI REMOVAL

This procedure describes the steps taken to remove graffiti on the Corporation's owned building. Requests are initiated through the worker system or written correspondence by the maintenance staff.

GRAFFITI REMOVAL

1. Tape off building or building area
2. Obtain hose and high pressure pump
3. Access roller and/or brush
4. Obtain graffiti removal substance
5. Obtain protective clothing, rubber, rain suit, goggles, and rubber gloves
6. Apply graffiti removal substance with roller and/or brush
7. Use high pressure pump to remove graffiti

Alternative #1 Prime and paint over graffiti to match existing surface

Alternative #2 In cases where the graffiti is applied with indelible substances quotes should be secured from outside contractors

GROUNDS

This procedure describes the steps to be taken by the maintenance staff for grounds maintained. This work should be done daily

Remove all garbage and debris from property put all such items in appropriate dumpster. Pick up and dispose of all loose branches. Report any vandalism.

OFFICES: (DAILY)

- Dust office (all desks, office machines, counters, shelves etc.)
- Empty all garbage, line receptacles with plastic liners
- Clean bathroom sink, toilets, walls, door and mirror
- Refill all paper dispensers
- Wash bathroom floor
- Vacuum and clean spots on carpet

ENTRY FOYER/FIRST FLOOR HALLWAY/GARBAGE CLOSET:

- | | |
|--------------------------------------------------------------|------------------|
| -Dust all shelves, walls and molding | Once a week |
| -Polish all furniture | Once a week |
| -Clean out all garbage and cigarette receptacles | Daily |
| -Wipe down paper machines | Once a week |
| -Polish both elevators | Once a week |
| -Vacuum both elevators and all carpeting | Daily |
| -Wipe down chute in garbage closet | Daily |
| -Wipe down hall lights | As needed |
| -Check and clean all doors and hall walls of smudges of dirt | Once a week |
| -Windex all door and window glass | As needed |
| -Mop garbage room, elevator, and entrance halls | Daily |
| -Vacuum and clean all air vents | Monthly |
| -Strip and wax elevator and foyer floors | Every two months |

FLOORS 2 THRU 11

- | | |
|---------------------------------------------------------------|---------------------|
| -Clean air vents | Monthly |
| -Dust shelves and walls | Weekly |
| -Vacuum and clean spots on carpet | Weekly or as needed |
| -Polish and dust furniture | Weekly |
| -Mop garbage room floors | As needed or weekly |
| -Windex window glass | Twice a week |
| -Check and clean all doors and hall walls of smudges and dirt | Weekly |
| -Wipe down lights | As needed |
| -Sweep down front and rear staircases | Weekly |

LAUNDRY ROOM AND RECREATION ROOM

- | | |
|---------------------------------------------------------------|---------------------------|
| -Wipe don washers, dryers, counters and shelves | Daily |
| -Clean both bathrooms and mop floors | Daily |
| -Polish furniture | Monthly |
| -Wash windows and screens | Twice a week |
| -Mop all floors and wash all sinks | Daily |
| -Empty garbage and replace bags | Daily |
| -Vacuum out lint from dryers and vents | Daily |
| -Keep kitchen and appliances clean | Weekly |
| -Check and clear all doors and hall walls of smudges and dirt | Weekly |
| -Vacuum carpets and furniture | As needed or twice weekly |
| -Strip and wax tiled floors | Every two months |

EXTERMINATION

Scope: This procedure describes the steps taken in conducting exterminations of Authority properties on a routine basis. This work is contracted out in house by maintenance staff.

Steps:

1. A planned scheduled system is developed by the Maintenance Department for each development to ensure that the units are treated every three months with three bait traps.
2. Notification for the scheduled extermination is given to residents and Maintenance staff at least two (2) days prior to the scheduled visit.
3. A maintenance person will be assigned to the two developments for routine extermination.
4. Residents are to remove all contents from the floor area of closets, rooms and provide space behind furniture, if needed.
5. Exterminator will treat the following areas in each unit:
 - a. Interiors of closets, pantries, and storage areas.
 - b. Behind and under refrigerators, ranges and shelving
 - c. Round and under sinks, wash basin and commodes
 - d. Around openings into double walls, crockies round water pipes, or conduits coming into the unit if necessary
 - e. All baseboards and thresholds
 - f. All common areas including hallways, boiler rooms, mechanical rooms, maintenance shop, administrative office, public restrooms, compactor room, laundry rooms

NON-ROUTINE/EXTRAORDINARY

Scope: This Procedure describes the steps taken to request and perform a non-routine or extraordinary extermination.

1. Resident requests extermination:
 - a. In person at the administration office
 - b. By telephone to the administration office
2. Maintenance staff or designee confers with the requester
 - a. Review of extermination schedule, needs assessment and possible charges to the requester are discussed
3. Maintenance staff or designee requests non-routine extermination.
 - a. Telephone the administration office to request extermination.

1. Management staff to give name, address, name of resident and any special instructions pertaining to the date and time of the requested extermination.
 2. Maintenance staff will prepare the work order.
- b. Telephone data entry office to request extermination:
1. Management staff to give name, address, name of resident and any special instructions pertaining to the date and time of the requested extermination.
 2. Management personnel will prepare purchase order and route to the on call exterminator.
4. Exterminator will schedule extermination with maintenance staff for completion.
 5. Assigned exterminator completes work and indicates any recommended charges.
 6. Extermination record is left at management office by exterminator.

PROCEDURE: SMALL ENGINE REPAIR

**EQUIPMENT: SMALL ENGINE
LAWN MOWERS
TRIMMERS
CHAIN SAWS**

1. Check motor for oil
2. Check gas
3. Check if repairs are needed
4. Advise supervisor of estimated cost of repair
5. Complete material/service purchase order request for needed parts
6. Commence repairs

MECHANICAL SYSTEMS

Scope: This procedure describes the steps taken for the maintenance and repair of mechanical systems of a development

Elevators

1. Elevator cars are cleaned on a daily basis.
2. Emergency phones are tested monthly
3. Entire elevator system maintained on a monthly basis by a qualified elevator maintenance company. Services are obtained through a bidding process and contracts are awarded for three years.
4. Elevator service contractor is on a 24 hour, daily call basis and must respond to an emergency within one hour.
5. Elevator system is inspected by the state of New Jersey on an annual basis. Inspection includes load test with the elevator contractor present.
6. Elevators are equipped with emergency telephones that are monitored by a central station. Central station contacts the elevator service contractor, the emergency equipment and the Authority's on-call maintenance staff

Emergency Generators

1. Generator tests run once a week on Monday at 3:00pm
2. Generators are maintained and inspected by a qualified generator service company. A service contract is maintained to ensure this service.
3. Service contractor will recommend any repairs together with a cost estimate to the maintenance supervisor.

Trash Compactor

1. Maintenance staff will keep the compactor free of clogging debris.
2. Maintenance staff will place dumpster at curb for municipal trash pick-up.

3. Trash compactor is inspected and repaired by a service contract.

Fire Sprinkler System

1. Fire sprinkler system is inspected yearly by service contractor
2. Sprinkler system is tested and a pressure test is performed.
3. A report and recommendations are submitted to the Executive Director.

General

Clean Spots on rugs and shampoo as needed

Sweep entrances (outside) as needed

Keep working and storage areas clean and neat

Do not obstruct any door or passageway

Recycling must be done every morning and the recycling area is to be kept clean and neat

Grounds are to be policed everyday

To prevent accidents, it is very important that any extension cord or other obstructions be clearly marked when using any vacuums or other equipment in the floor where you are working. Also wet floor signs are to be used when mopping any floors.

All doors are to be locked and any keys are to be returned to their proper places. All equipment will be kept clean and maintained in good operating order.

The employees shall also perform such duties as are incidental or implied from the foregoing, consistent with the background, training and qualifications of the employee or may be reasonably delegated as being in the best interest of the Company. The employee shall extend their best efforts on behalf of the Housing Authority.

I, _____, CERTIFY THAT I HAVE READ AND UNDERSTAND THE FOREGOING JOB DESCRIPTION. FURTHER, I AGREE TO ABIDE BY ALL REASONABLE HOUSING AUTHORITY POLICIES AND DECISIONS NOW OR HERINAFTER EXECUTED.

SIGNED THIS DAY OF _____.

PLEASE READ, SIGN AND DATE THE ABOVE.

Housing Authority of the City of Linden Grievance Procedure

1. PURPOSE

This grievance procedure has been adopted to provide a forum and procedure for tenants to seek the just, effective, and efficient settlement of grievances against the Housing Authority of the City of Linden.

2. GOVERNING LAW

The law governing this grievance procedure is 6 (k) of the U.S. Housing Act of 1937 (42U.S.C. 1437d (k) and subpart B of 24 CFR 966 (24 CFR (966.50-966.57)

3. APPLICABILITY

In accordance with applicable federal regulations, this grievance procedure shall be applicable to all individual grievances between Tenant and the Housing Authority of the City of Linden.

A. This grievance procedure is not applicable to disputes between Tenants not involving the Housing Authority of the City of Linden or to class grievances involving groups of Tenant. Also, this grievance procedure is not intended as a forum for initiating or negotiating policy changes between Tenants, or groups of Tenants, and the Housing Authority of the City of Linden.

B. HUD has issued a due process determination that laws of the State of New Jersey provide Tenants the basic elements of due process (as defined in Section 4 below) before eviction from a dwelling unit. Nevertheless, HUD regulations require the MC to offer Tenants the opportunity to grieve eviction or any other adverse action, except that the regulations permit the Housing Authority of the City of Linden not to offer a grievance hearing in connection with an eviction action based upon:

1. Any criminal activity that threatens the health, safety, or right to peaceful enjoyment or the premises of other residents or employees of the Housing Authority of the City of Linden.

OR

2. Any drug-related criminal activity on or near such premises.

In accordance with the regulations, the Housing Authority of the City of Linden will not offer Tenants a grievance hearing in an eviction, in which the basis for the eviction is one of the above causes.

4. DEFINITIONS

The following definitions of terms shall be applicable to this grievance procedure:

Grievance: Any dispute which a Tenant may have with respect to an action for failure to act by the Housing Authority of the City of Linden in accordance with the individual Tenant's lease or the Housing Authority of the City of Linden regulations, which adversely affects the individual Tenant's rights, duties, welfare, or status.

HACL: Housing Authority of the City of Linden

CFR: Code of Federal Regulations, which contains the federal regulation governing this grievance procedure.

Complainant: Any Tenant [as defined in this section below] whose grievance is presented to the office of the Housing Authority of the City of Linden in accordance with the requirements set forth in this process.

Elements of Due Process: The following procedural safeguards are required to be followed in an eviction action or a termination of tenancy in state court.

Adequate notice to the Tenant of the grounds for terminating the tenancy for an eviction.

Right of the Tenant to be represented by counsel.

Opportunity for the Tenant to refute the evidence presented by the HACL, including the right to confront and cross examine witnesses and to present any affirmative legal or equitable defense which the Tenant may have.

A decision of the merits.

Hearing Officer: An impartial person selected accordance with this grievance procedure to hear grievances and render a decision with respect thereto.

Hearing Panel: A three member panel composed of impartial persons, selected in accordance with this procedure to hear grievances and render decisions with respect thereto.

Notice: As used herein, the term shall, unless otherwise specifically provided, mean written notice.

HUD: The United States Department of Housing and Urban Development.

Regulations: The HUD regulations set for in the Code of Federal Regulations.

Resident Organization: An organizations of residents.

Tenant: The adult person (or persons) other than a live-in aide:

1. Who resides in the unit the unit and who executed the lease with the HACL as lessee of the dwelling unit, or if no such person resides in the unit,
2. The person who resides in the unit, and who is the remaining head of household of the Tenant family residing in the dwelling unit.

Business Days: Monday through Friday of each week, except for holidays.

5. INFORMAL SETTLEMENT OF GRIEVANCES

A. Initial Presentation

Any grievance must be personally presented, either orally or in writing, to the HACL office within ten (10) business days after the occurrence of the event giving rise to the grievance.

B. Informal Settlement Conference

If the grievance is not determined by the HACL to fall within one of the two exclusions mentioned in section 3 B (1) and 3 B (2) above, then the HACL will within ten (10) business days after the initial presentation of the grievance, informally discuss the grievance with the complainant or his representatives in an attempt, to settle the grievance without the necessity of a formal hearing. If the informal settlement conference cannot occur at the time the grievance is initially presented by the complainant, then the complainant will be promptly notified in writing of the time and place for the informal settlement conference.

C. Written Summary

Within ten (10) business days after the informal settlement conference, a summary of the informal discussion shall be prepared by the HACL and a copy thereof shall be provided to the complainant. The summary shall be in writing shall specify the names of the participants in the discussion, the date of the discussion, the nature of the proposed disposition of the grievance, and the specific reasons for such

Disposition. This written summary will also specify the procedures by which the complainant may obtain a formal hearing if the complainant is not satisfied by the proposed disposition of the grievance. A copy of the written summary shall also be placed in the complainant's tenant file.

6. FORMAL GRIEVANCE HEARING

The following procedures apply to the request for a formal grievance hearing under this grievance procedure:

A. Request for Hearing

If the complainant is not satisfied with the results of the informal settlement conference, the complainant must submit a written request for a formal hearing to the HACL's office no later than ten (10) business days after the date complainant receives the summary of discussion delivered.

Complainant's written request for a formal hearing must specify:

1. The reasons for the grievance; and
2. The Action or relief sought by the complainant; and
3. Complainant's preference, if any, concerning whether the grievance should be heard by a single hearing officer or by a hearing panel; and
4. If the complainant so desires, a statement setting forth the times at which the complainant will be available for a hearing during the next ten (10) business days; and
5. If the complainant has failed to attend the informal discussion conference, a request that the hearing officer or panel waive this requirement.

B. Failure to Request Hearing

If the complainant fails to request a hearing within ten (10) business days after receiving the written summary of the informal settlement conference, the HACL decision rendered at the informal settlement conference becomes a final and the HACL is not thereafter obligated to offer the complainant a formal hearing.

7. SELECTION OF HEARING OFFICER OR PANEL

All grievance hearings shall be conducted by an impartial person or persons appointed by the HACL after consultation with resident organizations, in the manner described below:

A. The permanent appointments of persons who shall serve as hearing officer and hearing panel member shall be governed by the following.

1. The HACL shall nominate a slate of persons to sit as permanent hearing officers or hearing officers or hearing panel members. These persons may include, but will not be necessarily limited to, members of the HACL Board of Commissioners, HACL staff members, resident, or other responsible persons in the community. No persons shall be listed on the slate of members unless such person has consented to serve as a hearing officer or on a hearing panel.
2. The slate of potential appointees shall be submitted to all HACL resident organizations for written comments. Written comments from the resident organization shall be considered by the HACL before the appointments are finally made. Objection to the appointment of a person as a hearing officer or panelist will be considered but will not

be dispositive as to the proposed appointment with respect to which objection is made.

3. On the final appointment, the persons appointed and resident organizations shall be informed in writing of the appointments. A list of all qualified hearing officers and panelist will be kept at the HACL office and be made available to the public at any time.

B. The designation of hearing officers or panel member for particular grievance hearings shall be governed by the following provisions:

1. All hearing will be held before a single hearing officer unless the HACL requests that the grievance be heard by a hearing panel.

2. Appointments to serve as a hearing officer or panelist with respect to a particular grievance shall be made by the HACL in random order, subject to availability of the hearing officer or panelist to serve in each such case. The HACL may employ any reasonable system for random order choice.

3. No member of the HACL staff may be appointed as hearing officer or panelist in connection with the grievance contesting an action which was either made or approved by proposed appointee, or which was made or approved by a person under whom the proposed appointee works or serves as a subordinate.

4. No person shall retain an appointment once selected as a hearing officer or hearing panelist, if it becomes apparent that such person is not fully capable of impartiality. Persons who are designated to serve as hearing officers or panelists must disqualify themselves from hearing grievances that involve personal friends, relatives, persons with whom they have any business relationship, or grievances in which they have some personal interest. Further, such persons are expected to disqualify themselves if the circumstances are such that a significant perception of partiality exists and is reasonable under the circumstances. If a complainant fails to object to the designation of the hearing officer or panelists on the grounds of partiality, at the commencement or before the hearing, such objection is deemed to be waived, and may not be made thereafter.

In the event that a hearing officer or panel member fails to disqualify himself or herself as required in this grievance procedure, the HACL will remove the panel member or officer from the list of persons appointed for such purposes, invalidate the results of the grievance hearing in which such person should have, but did not, disqualify himself or herself, and schedule a new hearing with a new hearing panel or officer.

B. SCHEDULING OF HEARING

A. Hearing Prerequisites

A complainant does not have a right to a grievance hearing unless the complainant has satisfied the following prerequisites to such a hearing.

1. The complainant has requested a hearing in writing.
2. The complainant has completed the informal settlement conference procedure.
3. If the matter involves the amount of rent which the HACL claims is due under the complainant's Lease, the complainant shall have paid to the HACL an amount equal to the amount due and payable as of the first of the month preceding the month in which the complaint of act or failure to act took place. And, in the case of situations in which hearing are, for any reason delayed, the complainant shall thereafter, deposit the same amount of the monthly rent in an escrow account monthly until the complainant is resolved by decision of the hearing officer or hearing panel. Unless waived by the HACL in writing, no waiver will be given by the HACL except in cases of extreme and undue hardship to the complainant, determined in the sole and absolute discretion of the HACL.

B. Time, Place Notice

1. Upon complainant's compliance with the prerequisites to hearing set forth above, a hearing shall be scheduled by the hearing officer or hearing panel promptly for a time and place reasonably convenient to both the complainant and the HACL, not later than the tenth (10th) business day after complainant has completed such compliance. In the case of a panel, if all three appointed members of the panel are not able to agree upon a date and time convenient to all panelists, on or before the last date before the hearing permitted under this procedure, they shall immediately so inform the HACL. If two panelists who shall be available at the time agreed upon by the two who can agree.
2. A written notification specifying the time, place, and the procedures governing the hearing shall be mailed to the complainant and the appropriate HACL official who unless other designated shall be the Executive Director.

9. PROCEDURES GOVERNING HEARING

A. Fair Hearings

The hearings shall be held before a hearing officer or hearing panel. The complainant shall be afforded a fair hearing, which shall include:

1. The opportunity to examine before the hearing any HACL documents, including records and regulations that are directly relevant to the hearing.

The complainant will be allowed to copy any such document at the complainant's expense. The charge will be \$.25 per copy. If the HACL does not make the document

available for examination upon request by the complainant, the HACL may not rely on such document at the grievance hearing.

2. The right to be represented by counsel or other person chosen as the complainant's representative and to have such person makes statement on the complainant's behalf.

3. The right to present evidence and arguments in support of the complainant's complaint. To controvert evidence relied on by the HACL and to confront and cross examine all witnesses upon whose testimony or information the HACL relies.

4. A decision based solely and exclusively upon the facts presented at the hearing.

Prior Decision in Same Matter

The hearing panel or officer may render a decision without proceeding with the hearing, if it/they determine that the subject of the grievance has been previously decided in another proceeding.

Failure to Appear

If the complainant or HACL fails to appear at a scheduled hearing, the hearing officer or hearing panel may make a determination to postpone the hearing for a period not to exceed five (5) business days or may make a determination that the party failing to attend has waived the right to a hearing. In such an event, the hearing officer or hearing panel shall notify the complainant and the HACL of the determination.

Required Showing of Entitlement to Relief

At the hearing, the complainant must make a showing of an entitlement to the relief sought and thereafter the HACL must sustain the burden of justifying the HACL's action or failure to act against which the complainant is directed.

Informality of Hearing

The hearing shall be conducted informally by the hearing officer or hearing panel and oral or documentary evidence pertinent to the facts and issues raised by the complaint may be received without regard to admissibility under the rules of evidence applicable to judicial proceeding.

Orderly Conduct Required

The hearing officer or hearing panel shall require the HACL, the complainant, counsel, and other participants or spectators, to conduct themselves in an orderly fashion. Failure to comply with the directions of the hearing officer or hearing panel to obtain order may result in exclusion from the proceedings or in a decision adverse to the interests of the disorderly party and granting or denial of the relief sought, as appropriate.

Transcript of Hearing

The complainant or the HACL may arrange in advance, and at the expense of the party making the arrangement, for a transcript of the hearing. Either party may purchase a copy of such transcript from the party which arranged to have the transcript made.

Accommodation to Handicapped Persons

The HACL must provide reasonable accommodation for persons with disabilities to participate in grievance hearing. Reasonable accommodation may include qualified sign language interpreters, readers, accessible location, or attendants.

10. DECISION OF THE HEARING OFFICER OR HEARING PANEL

At or subsequent to the completion of the grievance hearing, the hearing officer or panel shall make a determination as to the merits of the grievance and the following provisions shall govern:

A. *Written Decision*

The hearing panel or officer shall prepare a written decision, together with the reasons for the decision within ten (10) business days after the completion of the hearing.

1. A copy of the decision shall be sent to the complainant and the HACL. The HACL shall retain a copy of the decision in the complainant's tenant folder.
2. A copy of such decision, with all names and identifying references shall also be maintained on file by the HACL and made available for inspection by any prospective complainant, his representative, or the hearing panel or hearing officer.

B. *Binding Effect*

The written decision of the hearing officer or hearing panel shall be binding upon the HACL, which shall take all actions, or refrain from any action necessary to carry out the decision unless the HACL determine, within ten (10) business days, and properly notifies the complainant of its determination, that:

1. The grievance does not concern HACL action failure to act in accordance or involving the complainant's Lease, or the HACL's regulations, which adversely affect the complainant's right, duties, welfare, or status, or
2. The decision of the hearing officer or hearing panel is contrary to applicable Federal, State, or local law, HUD regulations or requirements of the Annual Contributions Contract between HUD and the HACL.

C. Continuing Right of Complainant to Judicial Proceedings

A decision by the hearing panel or officer in favor of the HACL or which denies the relief requested by the complainant, in whole or in part, shall not constitute a waiver of, nor effect in any way the rights of the complainant to a trial or judicial review in any judicial proceedings, which may thereafter be brought in the matter.

11. NOTICES

A. All notices under this grievance procedure shall be deemed delivered:

1. Upon personal service thereof upon the complainant or an adult member of the complainant's household,
2. Upon the date receipted for or refused by the addressee, in the case of certified or registered U.S. Mail, or
3. On the second day after the deposit thereof for mailing, postage prepaid, with the U.S. Postal Service, if mailed by first class mail other than certified or registered mail.

B. If a Tenant is visually impaired, any notice hereunder delivered to such Tenant must be in an accessible format.

12. MODIFICATION

This grievance procedure may not be amended or modified except by approval of the majority of the Board of Commissioners of the HACL, present at a regular meeting or a special meeting called for such purposes. Further, in addition to the foregoing, any changes proposed to be made to this grievance procedure must be provided for at least thirty (30) days advance notice to tenants and resident organizations setting forth the proposed changes and providing an opportunity to present written comments. The comments submitted shall be considered by the HACL before final adoption of any amendments hereto.

13. MISCELLANEOUS

A. Captions

Captions or paragraphed heading set forth in this grievance procedure are for the convenience of reference only and shall not be construed or interpreted to affect the substance of the paragraphs or sections so captioned.

B. Concurrent Notice

If a Tenant has filed a request for a grievance hearing hereunder in a case involving the HACL Notice of Termination of Tenancy, the complainant should be aware that the State law Notice to Vacate and the Notice of Termination of Termination of Tenancy

required under Federal law run concurrently. Therefore, if the hearing officer or hearing panel upholds the HACL's action to terminate the tenancy, the HACL may commence an eviction action in court upon the sooner of the expiration of the date for termination of tenancy and vacation of premises stated in the Notice of Termination delivered to complainant, or the delivery of the report of decision of the hearing officer or panel to complainant.

14. INCORPORATION IN LEASES

This grievance procedure shall be incorporated by attachment to and by reference in all leases between Tenants and the HACL, whether or not so specifically provided in such leases.

HEARING OFFICERS:

MADLINE COOK – Executive Director, Edison Housing Authority

SANDY NEIMIC – Executive Director, Sayreville Housing Authority

GRACE DEKKER – Executive Director, Berkley Housing Authority

JOSEPH INFANTE – Trustee of the Mangil Corporation

ARMANDO CANDA – Language Teacher (Spanish) – Linden High School

ERMA WACTOR – Resident – Edward J. Murawski Towers

ANN J. FERGUSON, P.H.M.
Executive Director

MARY E. SPOON, P.H.M.
Deputy Executive Director



1601 Cliff Avenue
Linden, New Jersey 07036-1779
Phone: 908-238-3820
Fax: 908-238-8990
E-Mail: mongil@lindenha.org

PHA PLAN ELEMENT #8

If we are funded by the "Emergency Capital Needs" for Safety and Security Measures, we will hire a Chief of Security, to hire off-duty Linden Police Officers, Union County Sheriff's Officers and Union County Corrections Officers to work from 4:30 p.m. until 8:00 a.m. seven days a week.

If you or any member of your family are disabled and require reasonable accommodations, please let us know.



TTY/TDD PLEASE CALL 1-800-832-7839

“Pet Policy”

A common household pet, hereinafter called “pet” shall be deemed to be a domesticated dog, cat, bird, rodent (including a rabbit), fish or turtle. No reptiles are allowed (except turtles).

These rules will not apply to animals used to assist a disabled and/or handicapped person provided the animals have been secured by the tenant through the appropriate and recognized agencies and organizations.

All pets must be properly licensed with the local authorities. The Housing Authority, City of Linden must be provided proof of licensing on a yearly basis or as the license is renewed. Failure to provide proof of licensing is a violation of federal, state and local law and shall be grounds for eviction of the pet owner.

All pets must be registered with the Housing Authority, City of Linden. Failure to register your pet is a violation of your Lease and shall be grounds for eviction of the pet owner.

All pets must be inoculated in accordance with state and local laws. Proof of the proper inoculation shall be provided to the Housing Authority, City of Linden by a qualified veterinarian or veterinary clinic that shall be subsequently provided by the tenant upon each renewal of inoculation. Failure to provide proper documentation of inoculation is a violation of federal, state and local law, and shall upon proper notice, be grounds for eviction.

No pet shall be walked on any property of the Housing Authority, City of Linden but for those designated pet areas and/or for the purposes of exiting and entering the building. Failure to adhere to this shall upon proper notice to the pet owner be grounds for eviction.

All household pets must be under the control of the pet owner. The pet owner shall properly restrain their pets when entering or leaving the premises and while on Housing Authority, City of Linden property. All pets shall be leashed and muzzled. (Muzzled only if excessive barking and/or otherwise necessary).

All household pets must be under the control of the pet owner example leashes, carry cages, etc. while on or in the common areas of the Housing Authority, City of Linden.

All pet owners of dogs and cats must pay a refundable “Pet Deposit” at this time of registration of their proposed pet. The deposit shall be equal to one month rent but not to exceed \$300.00.

The initial deposit is \$50.00 at the time the pet is brought onto the premises. The remaining balance must be paid monthly. The monthly payment will be \$10.00 until the pet deposit is paid in full.

After a unit inspection is conducted this deposit shall be returned to the tenant when either the tenant moves out of the unit or no longer owns the pet. It will be the responsibility of the tenant or their named person (as stated below) to notify the office of the above. The inspection will take place within 10 business days once the notice is received. Provided there is no damage the "Pet Deposit" will be refunded in full within 30 days of the inspection. The tenant or their designated and/or alternate named responsible person as stated below will be responsible to inform the office as to the address of where the refund check should be sent to. Should damage exist, a copy of the inspection report with a list of charges for each item will be sent to the tenant. The refund will include all deductions for repairs. Should the damage be in excess of the deposit, the Housing Authority, City of Linden will notify the tenant. If the tenant does not repay the Housing Authority, City of Linden, with proper notice from our attorney, we will begin civil action with the courts.

No pet shall be heavier than 20 pounds, except those who assist a disabled and/or handicapped person. Failure to adhere to this is a violation of your Lease Agreement and grounds for eviction.

Each tenant shall be limited to one pet per unit. Failure to adhere to this is a violation of your Lease Agreement and grounds for eviction.

"Visiting" pets (meaning those that are not the tenants and not registered with the Housing Authority, City of Linden) are not allowed in any tenant's unit or in any common areas. However, a "Visiting Pet Program" operated by the Humane Society or another non-profit organization shall be authorized but for designated day visitation only.

No pet shall infringe on the quiet use and enjoyment of the other residents of this building. Should any pet thought to be loud and/or disturbing as to elicit complaints, the Housing Authority, city of Linden shall reserve the right to request the permanent removal of the pet from their property. Should you fail to remove your pet from the property, this is a violation of your Lease Agreement and ground for eviction.

All pet owners must leave the name, address and phone number of a person to be responsible for the pet in case of the pet owner's hospitalization or death or other emergency. This person will be responsible to immediately remove the pet from the unit and/or property. An alternate must also be designated. If the Housing Authority, City of Linden cannot reach either party within 2 hours of the office becoming aware that the owner is no longer capable of caring for the pet, the Housing Authority, City of Linden reserves the right to contact Animal Control and the pet removed from the property, to be remanded to the custody of Animal Control.

I, _____ named and have listed below the name of the person that will be responsible to care for and take charge of my pet if, for any reason I am not capable.

Name: _____
Address: _____
City: _____ State: _____
Zip: _____
Phone # (with area code) DAY: _____ EVENING: _____

Alternate Person Named:

Name: _____
Address: _____
City: _____ State: _____
Zip: _____
Phone # (with area code) DAY: _____ EVENING: _____

Housing Authority, City of Linden Representative

Tenant

Date

Civil Rights Certification	U.S. Department of Housing and Urban Development Office of Public and Indian Housing Expires 4/30/2011
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Civil Rights Certification

Annual Certification and Board Resolution

acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, or its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the Plan for the PHA of which this document is a part and make the following certification and agreement with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990, and will attempt to provide further fair housing.

Housing Authority of the City of Linden	NJ 066
PHA Name	PHA Number/HA Code

I hereby certify that all the information contained herein, as well as any information provided in the accompanying documents, is true and accurate. Warning: HUD will prosecute false claims, and violators may receive criminal penalties (18 U.S.C. 1001, 1024, 1012, 31 U.S.C. 3225, 3802).	
Name of authorized official: Edward Melage	Title: Chairman, Board of Commissioners
Signature: 	Date: 7/6/10

**Housing Authority of the City of Linden
Comparative Balance Sheet**

	Year Ended	
	30-Sep-09	30-Sep-08
ASSETS		
Cash	\$ 1,305,775	\$ 1,254,586
Accounts Receivable	10,619	14,512
Deferred Charges	15,810	20,091
Land, Structures and Equipment	2,619,526	2,673,356
Other Assets	-	100,000
Total Assets	\$ 3,954,760	\$ 4,062,175
LIABILITIES AND SURPLUS		
Accounts Payable	\$ 101,561	\$ 236,721
Accrued Liabilities	180,898	177,914
Total Liabilities	282,459	408,635
Operating Reserve	790,182	611,719
Other Surplus	2,882,119	3,041,821
Total Surplus	3,672,301	3,653,540
Total Liabilities and Surplus	\$ 3,954,760	\$ 4,062,175

**Housing Authority of the City of Linden
Comparative Statement of Operations
and Change in Operating Reserve**

	Year Ended	
	30-Sep-09	30-Sep-08
INCOME		
Operating Income	\$ 949,594	\$ 993,543
Operating Subsidies	4,331,964	3,911,300
Total Income	5,281,558	4,904,843
EXPENDITURES		
Operating Expenditures	4,847,197	4,913,843
Capital Expenditures	255,898	-
Total Expenditures	5,103,095	4,913,843
Excess of Income over Expenditures	178,463	(9,000)
Operating Reserve - Prior Year	611,719	620,719
Operating Reserve - Current Year	\$ 790,182	\$ 611,719

The above synopsis was prepared from the Audit Reports of the Housing Authority of the City of Linden for the years ended September 30, 2009 and 2008. The Audit Report for the year ended September 30, 2009 contains no audit findings.

The Audit Report for the year ended September 30, 2009, submitted by Hymanson, Parnes & Giampaolo is on file at the Authority's office at 1601 Dill Avenue, Linden, N.J. 07036-1779 and is available for review by the public during regular office hours.

Thank you for your cooperation.

Yours Truly,

Ann J. Ferguson
Executive Director

Housing Authority of the City of Linden

Violence Against Women Act (VAWA) Policy

I. Purpose and Applicability

The purpose of this policy (herein called "Policy") is to implement the applicable provisions of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162) and more generally to set forth HACL's policies and procedures regarding domestic violence, dating violence, and stalking, as hereinafter defined.

This Policy shall be applicable to the administration HACL of all federally subsidized public housing and Section 8 rental assistance under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) Notwithstanding its title, this policy is gender-neutral, and its protections are available to males who are victims of domestic violence, dating violence, or stalking as well as female victims of such violence.

II. Goals and Objectives

This Policy has the following principal goals and objectives:

- A. Maintaining compliance with all applicable legal requirements imposed by VAWA;
- B. Ensuring the physical safety of victims of actual or threatened domestic violence, dating violence, or stalking who are assisted by HACL;
- C. Providing and maintaining housing opportunities for victims of domestic violence, dating violence, or stalking;
- D. Creating and maintaining collaborative arrangements between HACL, law enforcement authorities, victim service providers, and others to promote the safety and well-being of victims of actual and threatened domestic violence, dating violence and stalking, who are assisted by HACL; and
- E. Taking appropriate action in response to an incident or incidents of domestic violence, dating violence, or stalking, affecting individuals assisted by HACL.

III. Other HACL Policies and Procedures

This Policy shall be referenced in the attached to the HACL's Five-Year Public Housing and shall be incorporated in and made a part of HACL's Admissions and Continued Occupancy Policy. HACL's annual public housing agency plan shall also contain information concerning HACL's activities, services or programs relating to domestic violence, dating violence, and stalking.

To the extent any provision of this policy shall vary or contradict any previously adopted policy or procedure of the HACL, the provisions of this Policy shall prevail.

IV. Definitions

As used in this Policy:

A. *Domestic Violence* - The term "domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction."

B. *Dating Violence* - means violence committed by a person -

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such a relationship shall be determined based on a consideration of the following:

(i) The length of the relationship.

(ii) The type of relationship.

(iii) The frequency of interaction between the persons involved in the relationship.

C. *Stalking* - means-

(A) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass or intimidate another person; and

(B) in the course of, or as result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to

(i) that person;

(ii) a member of the immediate family of that person; or

(iii) the spouse or intimate partner of that person;

D. *Immediate Family Member* - means, with respect to a person-

(A) a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or

(B) any other person living in the household of that person and related to that person by blood or marriage.

E. *Perpetrator* - means person who commits an act of domestic violence, dating violence or stalking against a victim.

V. Admissions and Screening

A. *Non-Denial of Assistance.* The HACL will not deny admission to public housing or to the Section 8 rental assistance program to any person because that person is or has been a victim of domestic violence, dating violence, or stalking, provided that such person is otherwise qualified for such admission.

VI. Termination of Tenancy or Assistance

A. *VAWA Protections.* Under VAWA, public housing residents and persons assisted under the Section 8 rental assistance program have the following specific protections, which will be observed by the HACL.

1. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered to be a "serious or repeated" violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of or assistance to the victim of that violence.

2. In addition to the foregoing, tenancy or assistance will not be terminated by HACL as a result of criminal activity, if that criminal activity is directly related to domestic violence, dating violence or stalking engaged in by a member of the assisted household, a guest or another person under the tenant's control, and the tenant or an immediate family member is the victim or threatened victim of this criminal activity. However, the protection against termination of tenancy or assistance described in this paragraph is subject to the following limitations:

(a) Nothing contained in this paragraph shall limit any otherwise available authority of the HACL or a Section 8 owner or manager to terminate tenancy, evict, or to terminate assistance, as the case may be, for any violation of a lease or program requirement not premised on the act or acts of domestic violence, dating violence, or stalking in question against the tenant or a member of the tenant's household. However, in taking any such action, neither the HACL nor a Section 8 manager or owner may apply a more demanding standard to the victim of domestic violence dating violence or stalking than that applied to other tenants.

(b) Nothing contained in this paragraph shall be construed to limit the authority of the HACL or a Section 8 owner or manager to evict or terminate from assistance any tenant or lawful applicant if the owner, manager or the HACL, as the case may be, can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property, if the tenant is not evicted or terminated from assistance.

VII. Verification of Domestic Violence, Dating Violence or Stalking

A. *Requirements for Verification.* The law allows, but does not require, the HACL or a section 8 owner or manager to verify that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking claimed by a tenant or other lawful occupant is bona fide and meets the requirements of the applicable definitions set forth in this policy. Subject only to waiver as provided in paragraph VII. C., the HACL shall require verification in all cases where an individual claims protection against an action involving such individual proposed to be taken

by the HACL. Section 8 owners or managers receiving rental assistance administered by the HACL may elect to require verification, or not to require it as permitted under applicable law.

Verification of a claimed incident or incidents of actual or threatened domestic violence, dating violence or stalking may be accomplished in one of the following three ways:

1. *HUD-approved form* - by providing to the HACL or to the requesting Section 8 owner or manager a written certification, or a form approved by the U.S. Department of Housing and Urban Development (HUD), that the individual is a victim of domestic violence, dating violence or stalking that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and the completed certification must include the name of perpetrator.

2. *Other documentation* - by providing to the HACL or to the requesting Section 8 owner or manager 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 the domestic violence, dating violence or stalking, or the effect of the abuse, described in such documentation. The professional providing the documentation must sign and attest under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident or incidents in question are bona fide incidents of abuse meeting the requirements of the applicable definition(s) set forth in this policy. The victim of the incident or incidents of domestic violence, dating violence or stalking described in the documentation must also sign and attest to the documentation under penalty of perjury.

3. *Police or court record* - by providing to the HACL or to the requesting Section 8 owner or manager a Federal, State, tribal, territorial, or local police or court record describing the incident or incidents in question.

H. *Time allowed to provide verification / failure to provide.* An individual who claims protection against adverse action based on an incident or incidents of actual or threatened domestic violence, dating violence or stalking, and who is requested by the HACL, or a Section 8 owner or manager to provide verification, must provide such verification within 14 business days (i.e., 14 calendar days, excluding Saturdays, Sundays, and federally-recognized holiday) after receipt of the request for verification. Failure to provide verification, in proper form within such time will result in loss of protection under VAWA and this policy against proposed adverse action.

C. *Waiver of verification requirement.* The Executive Director of the HACL, or a Section owner or manager, may, with respect to any specific case, waive the above-stated requirements for verification and provide the benefits of this policy based on the victim's statement or other corroborating evidence. Such waiver may be granted in the sole discretion of the Executive Director, owner or manager. Any such waiver must be in writing. Waiver in particular instance or instances shall not operate as precedent for, or create any right to, waiver in any other case or cases, regardless of similarity in circumstances.

VIII. Confidentiality

A. *Right of confidentiality.* All information (including the fact that an individual is a victim of domestic violence, dating violence or stalking) provided to the HACL or to a Section 8 owner or manager in connection with verification required under section VII of this policy or provided in lieu of such verification where a waiver of verification is granted, shall be retained by the receiving party in confidence and shall neither be entered in any shared database nor provided to any related entity, except where disclosure is:

1. requested or consented to by the individual in writing, or
2. required for use in a public housing eviction proceeding or in connection with termination of Section 8 assistance, as permitted in VAWA, or
3. otherwise required by applicable law.

B. *Notification of rights.* All tenants of public housing and tenants participating in the Section 8 rental assistance program administered by the HACL shall be notified in writing concerning their right to confidentiality and the limits on such right to confidentiality.

IX. Transfer to New Residence

A. *No right to transfer.* The HACL will make every effort to accommodate requests for transfer when a suitable alternative vacant unit is available and the circumstances warrant such action. However, except with respect to portability of Section 8 assistance as provided in paragraph IX. E. below the decision to grant or refuse to grant a transfer shall lie within the sole discretion of the HACL, and this policy does not create any right on the part of any tenant / applicant to be granted a transfer.

B. *Family rent obligations.* If a family occupying the HACL public housing moves before the expiration of the lease term in order to protect the health or safety of a household member, the family will remain liable for the rent during the remainder of the lease term unless released by the HACL. In cases where the HACL determines that the family's decision to move was reasonable under the circumstances, the HACL may wholly or partially waive rent payments and any rent owed shall be reduced by the amounts of rent collected for the remaining lease term from a tenant subsequently occupying the unit.

E. *Portability.* A Section 8 assisted tenant will not be denied portability to a unit located in another jurisdiction (notwithstanding the term of the tenant's existing lease has not expired, or the family has not occupied the unit for 12 months) so long as the tenant has complied with all other requirements of the Section 8 program and has moved from the unit in order to protect a health or safety of an individual member of the household who is or has been the victim of domestic violence dating violence or stalking and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.

X. Court Orders /Family Break-up

A. Court orders. It is the HACL's policy to honor orders entered by courts of competent jurisdiction affecting individuals assisted by the HACL and their property. This includes cooperating with law enforcement authorities to enforce civil protection orders issued for the protection of victims and addressing the distribution of personal property among household members in cases where a family breaks up.

B. Family break-up. Other HACL policies regarding family break-up are contained in the HACL's Public Housing Admissions and Continuing Occupancy Plan (ACOP) and its Section 8 Administrative Plan.

XI. Notification

The HACL shall provide written notification to applicants, tenants, and Section 8 owners and managers, concerning the rights and obligations created under VAWA relating to confidentiality, denial of assistance and, termination of tenancy or assistance.

XII. Relationship with Other Applicable Laws

Neither VAWA nor this Policy implementing it shall preempt or supersede any provision of Federal, State or local law that provides greater protection than that provided under VAWA for victims of domestic violence, dating violence or stalking.

XIII. Amendment

This policy may be amended from time to time by the HACL as approved by the HACL Board of Commissioners.

PHA PLAN CONTINUED

- 7.0- A, B, C, & D- *N/A*
- **8.0 Capital Improvements**
- 8.1 Capital Fund Program Annual Statement/Performance & Evaluation Report- *Attached as a separated document*
- 8.2 Capital Fund Program Five-Year Action Plan. – *Attached as a separate document*
- 8.3 Capital Fund Financing Program. – *N/A*
- 9.0 Housing Needs-9.1 Strategy for Addressing Housing Needs- *Refer to the PHA Five-Year & Annual Plan*
- 10.0 Addition Information- A, B, & C- *Refer to the PHA Five-Year & Annual Plan*
- **11.0 Required Submission for HUD Field Office Review**
 - A- Form HUD-50077- *Pg. 117-118*
 - B- Form HUD-50070- *Pg. 119*
 - C- Form HUD-50071- *Pg. 120*
 - D- Form SF-LLL- *Pg. 121*
 - E- Form SF-LLL-A- *N/A*
 - F- Resident Advisory Board Comments- *Pg. 122*
 - G- Challenged Elements- *N/A*
 - H- Form HUD-50075.1- *Attached as a separate document*
 - I- Form HUD-50075.2- *Attached as a separate document*

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

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
Expires 4/30/2011

**Certification by State or Local Official of PHA Plans Consistency with the
Consolidated Plan**

I, President Carlisle, Jr. the Bureau Head Housing certify that the Five Year and
Annual PHA Plan of the Linden Housing Authority is consistent with the Consolidated Plan of
the County of Union prepared pursuant to 24 CFR Part 91.

5/26/10 Proctor

Signed / Dated by Appropriate State or Local Official

**PHA Certifications of Compliance
with PHA Plans and Related
Regulations**

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OPIH No. 2577-0336
Expires 4/30/2011

**PHA Certifications of Compliance with the PHA Plans and Related Regulations:
Board Resolution to Accompany the PHA 5-Year and Annual PHA Plan**

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official (if there is no Board of Commissioners, I approve the submission of the "X" 5-Year and/or "X" Annual PHA Plan for the PHA fiscal year beginning October 1, 2010, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA certifies that there has been no change, significant or otherwise, to the Capital Fund Program (and Capital Fund Program/Replacement Housing Factor) Annual Statement(s), since submission of its last approved Annual Plan. The Capital Fund Program Annual Statement/Annual Statement/Performance and Evaluation Report must be submitted annually even if there is no change.
4. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 905.15). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 15 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
6. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
7. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address these impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
8. For PHA Plan that includes a policy for site-based waiting lists:
 - The PHA regularly submits required data to HUD's 50555 PDC2MS Module in an accurate, complete and timely manner (as specified in PFI Notice 2006-24);
 - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of site-based waiting list would not violate any court order or settlement agreement or be in violation with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure the such waiting list is consistent with affirmatively furthering fair housing;
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and regulations, as specified in 24 CFR part 905.7(a)(1).
9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
10. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
11. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low- or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
12. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.

Certification for a Drug-Free Workplace

U.S. Department of Housing and Urban Development

Applicant Name
 Housing Authority of the City of Linden
 Program/Activity/Revolving Fund/Grant Funding
 Public Housing and Section 8

Acting on behalf of the above named Applicant, as its Authorized Official, I make the following certifications and agreements to the Department of Housing and Urban Development (HUD) regarding the sites listed below:

I certify that the above named Applicant will or will continue to provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
- b. Establishing an on-going drug-free awareness program to inform employees --
 - (1) The dangers of drug abuse in the workplace;
 - (2) The Applicant's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employer assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph a.
- d. Notifying the employee in the statement required by paragraph a. that, as a condition of employment under the grant, the employee will --

- (1) Abide by the terms of the statement; and
- (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph c.(2) from an employee or otherwise receiving actual notice of such conviction, employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph c.(2), with respect to any employee who is so convicted --
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a. thru f.

3. Sites for Work Performance. The Applicant shall (on one or separate pages) list the site(s) for the performance of work done in connection with the HUD funding of the program/activity shown above. Place of Performance shall include the street address, city, county, State, and zip code. Identify each sheet with the Applicant name and address and the program/activity receiving grant funding.)

Check here if there are work sites on file that are not identified on the attached sheets.

I hereby certify that all the information stated herein, as well as any information provided in the accompanying documents, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3703)

Name: Antonio O. Del
 Amt: Ferguson, PHM
 Date: [Signature]

Title: Executive Director
 Date: 07/09/10

**Certification of Payments
to Influence Federal Transactions**

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

Agency Name

Housing Authority of the City of Linden

Program/Activity Receiving Federal Grant/Funding
Public Housing and Section 8

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-F.T.L., Disclosure Form to Report Lobbying, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

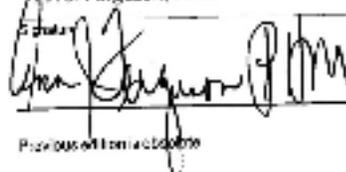
This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

I hereby certify that all the information stated herein, as well as any information provided in the accompanying fee-with- interest and accruals.

Warning: HUD will prosecute false statements and statements. Conviction may result in criminal and/or civil penalties.
(18 U.S.C. 1001, 1010, 1417; 31 U.S.C. 8729, 8009)

Name of Authorized Official

Ann J. Ferguson, PHM


Proposed Official Signature

Title

Executive Director

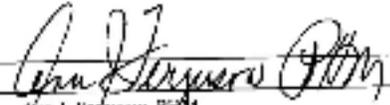
Date (mm/dd/yyyy)

07/09/10

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclaimer.)

Approved by OMB
0948-0040

1. Type of Federal Action: <input checked="" type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known. Congressional District, if known: 4c	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:	
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, if applicable: _____	
8. Federal Action Number, if known:	9. Award Amount, if known: \$ _____	
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI)	b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI)	
<small>11. Information reported through this form is not subject to the 31 U.S.C. section 1352. The disclosure of lobbying activities is a material requirement of the reporting entity and is not subject to the public information laws of the reporting entity. This disclosure is required pursuant to 31 U.S.C. 1352. The information is to be made available to the public. Agencies of which the reporting entity is a contractor or subcontractor are not required to disclose information reported through this form to the public.</small>	Signature:  Print Name: Ann J. Ferguson, PPSM Title: Executive Director Telephone No.: 908-296-3830 ext. 235 Date: 07/29/10	
Federal Use Only:	Addressed for local reproduction Standard Form 101 (Rev. 7/97)	

Bessie Luckey
1601 Dill Ave # 1312
Linden, N.J. 07036
July, 13, 2010

To: Mary Sporn
Assistant Director
of Linden Housing Authority
1601 Dill Ave. Linden N.J. 07036

Mrs. Sporn

In response to your request concerning the recent renovation of apartments in the 11th + 14th Streets. The project was a great idea, more of the same would be greatly appreciated, but the preparation process can be improved.

You also want to know what I feel can be improved.

1. Tenants that want to move to larger ~~apartments~~ apartment, should be able to do so. Especially the ones that pay higher rent.
2. Our windows should be cleaned (outside) yearly.
3. Our hallway + lobby carpet can be cleaned as often as possible.
4. Our front entrance needs improvement.

Respectfully,
Bessie Luckey,
President AFT Senior
Social Club

Part I: Summary									
PHA Name: Housing Authority of the City of Linden	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%;">Grant Type and Number</td> <td>FFY of Grant:</td> </tr> <tr> <td>Capital Fund Program Grant No: NJ 39P066501-082008</td> <td>FFY of Grant Approval: 2008</td> </tr> <tr> <td>Replacement Housing Factor Grant No:</td> <td></td> </tr> <tr> <td>Date of CFFP:</td> <td></td> </tr> </table>	Grant Type and Number	FFY of Grant:	Capital Fund Program Grant No: NJ 39P066501-082008	FFY of Grant Approval: 2008	Replacement Housing Factor Grant No:		Date of CFFP:	
Grant Type and Number	FFY of Grant:								
Capital Fund Program Grant No: NJ 39P066501-082008	FFY of Grant Approval: 2008								
Replacement Housing Factor Grant No:									
Date of CFFP:									

Type of Grant	
<input type="checkbox"/> Original Annual Statement	<input type="checkbox"/> Reserve for Disasters/Emergencies
<input type="checkbox"/> Performance and Evaluation Report for Period Ending: 4/30/10	<input type="checkbox"/> Revised Annual Statement (revision no:)
	<input checked="" type="checkbox"/> Final Performance and Evaluation Report

Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost ¹	
		Original	Revised ²	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations (may not exceed 20% of line 21) ³	22,327	22,327	22,327	22,327
3	1408 Management Improvements	28,000	28,000	28,000	28,000
4	1410 Administration (may not exceed 10% of line 21)	22,327	22,327	22,327	22,327
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	30,000	30,000	30,000	30,000
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures	70,621	67,992	67,992	67,992
11	1465.1 Dwelling Equipment—Nonexpendable	50,000	52,629	52,629	52,629
12	1470 Non-dwelling Structures				
13	1475 Non-dwelling Equipment				
14	1485 Demolition				
15	1492 Moving to Work Demonstration				
16	1495.1 Relocation Costs				
17	1499 Development Activities ⁴				

¹ To be completed for the Performance and Evaluation Report.

² To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

³ PHAs with under 250 units in management may use 100% of CFP Grants for operations.

⁴ RHF funds shall be included here.

Part I: Summary					
PHA Name: Housing Authority of the City of Linden	Grant Type and Number Capital Fund Program Grant No: NJ 39P066501-08 Replacement Housing Factor Grant No: Date of CFFP:	FFY of Grant: FFY of Grant Approval: 2008			
Type of Grant					
<input type="checkbox"/> Original Annual Statement		<input type="checkbox"/> Reserve for Disasters/Emergencies		<input type="checkbox"/> Revised Annual Statement (revision no:)	
<input type="checkbox"/> Performance and Evaluation Report for Period Ending:		<input checked="" type="checkbox"/> Final Performance and Evaluation Report			
Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost ¹	
		Original	Revised ²	Obligated	Expended
18a	1501 Collateralization or Debt Service paid by the PHA				
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment				
19	1502 Contingency (may not exceed 8% of line 20)				
20	Amount of Annual Grant:: (sum of lines 2 - 19)	223,275	223,275	223,275	223,275
21	Amount of line 20 Related to LBP Activities				
22	Amount of line 20 Related to Section 504 Activities				
23	Amount of line 20 Related to Security - Soft Costs				
24	Amount of line 20 Related to Security - Hard Costs				
25	Amount of line 20 Related to Energy Conservation Measures				
Signature of Executive Director		Date		Signature of Public Housing Director	
				Date	

¹ To be completed for the Performance and Evaluation Report.

² To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

³ PHAs with under 250 units in management may use 100% of CFP Grants for operations.

⁴ RHF funds shall be included here.

Part II: Supporting Pages								
PHA Name: Housing Authority of the City of Linden			Grant Type and Number Capital Fund Program Grant No: NJ 39P066501-08 CFFP (Yes/ No): Replacement Housing Factor Grant No:			Federal FFY of Grant: 2008		
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised ¹	Funds Obligated ²	Funds Expended ²	
NJ 066	Operations	1406		22,327	22,327	22,327	22,327	Complete
	Training	1408		28,000	28,000	28,000	28,000	"
	Administration	1410		22,327	22,327	22,327	22,327	"
	Fees & Costs	1430		30,000	30,000	30,000	30,000	"
	Cyclicial Painting	1460		10,000	6,647	6,647	6,647	"
	Bathroom	1460		30,621	28,640	28,640	28,640	"
	Wind Turbines	1460		30,000	32,705	32,705	32,705	"
	Refrigerators & Stoves	1465.1		50,000	52,629	52,629	52,629	"
	Total			223,275	223,275	223,275	223,275	

¹ To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

² To be completed for the Performance and Evaluation Report.

Part I: Summary			
PHA Name: Housing Authority of the City of Linden	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">Grant Type and Number Capital Fund Program Grant No: NJ 39P066501-09 Replacement Housing Factor Grant No: Date of CFFP:</td> <td style="width:50%;">FFY of Grant: FFY of Grant Approval: 2009</td> </tr> </table>	Grant Type and Number Capital Fund Program Grant No: NJ 39P066501-09 Replacement Housing Factor Grant No: Date of CFFP:	FFY of Grant: FFY of Grant Approval: 2009
Grant Type and Number Capital Fund Program Grant No: NJ 39P066501-09 Replacement Housing Factor Grant No: Date of CFFP:	FFY of Grant: FFY of Grant Approval: 2009		

Type of Grant	
<input type="checkbox"/> Original Annual Statement	<input type="checkbox"/> Reserve for Disasters/Emergencies
<input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 7/7/2010	<input checked="" type="checkbox"/> Revised Annual Statement (revision no:1)
	<input type="checkbox"/> Final Performance and Evaluation Report

Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost ¹	
		Original	Revised ²	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations (may not exceed 20% of line 21) ³	22,250	22,250		
3	1408 Management Improvements	3,000	63,000	3,000	336
4	1410 Administration (may not exceed 10% of line 21)	22,250	22,250		
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	15,000	15,000		
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures	160,057	100,057	5,057	4950.47
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Non-dwelling Structures				
13	1475 Non-dwelling Equipment				
14	1485 Demolition				
15	1492 Moving to Work Demonstration				
16	1495.1 Relocation Costs				
17	1499 Development Activities ⁴				

¹ To be completed for the Performance and Evaluation Report.

² To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

³ PHAs with under 250 units in management may use 100% of CFP Grants for operations.

⁴ RHF funds shall be included here.

Annual Statement/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and
 Capital Fund Financing Program

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

Part I: Summary						
PHA Name: Housing Authority of the City of Linden		Grant Type and Number Capital Fund Program Grant No: NJ 39P066501-09 Replacement Housing Factor Grant No: Date of CFFP:			FFY of Grant: FFY of Grant Approval: 2009	
Type of Grant						
<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: 4/30/10				<input type="checkbox"/> Final Performance and Evaluation Report		
Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost ¹		
		Original	Revised ²	Obligated	Expended	
18a	1501 Collateralization or Debt Service paid by the PHA					
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment					
19	1502 Contingency (may not exceed 8% of line 20)					
20	Amount of Annual Grant:: (sum of lines 2 - 19)	222,557	222,557	8,057	5,286.73	
21	Amount of line 20 Related to LBP Activities					
22	Amount of line 20 Related to Section 504 Activities					
23	Amount of line 20 Related to Security - Soft Costs					
24	Amount of line 20 Related to Security - Hard Costs					
25	Amount of line 20 Related to Energy Conservation Measures					
Signature of Executive Director			Date	Signature of Public Housing Director		

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Part II: Supporting Pages								
PHA Name: Housing Authority of the City of Linden			Grant Type and Number Capital Fund Program Grant No: NJ 39P066501-09 CFFP (Yes/ No): Replacement Housing Factor Grant No:			Federal FFY of Grant: 2009		
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised ¹	Funds Obligated ²	Funds Expended ²	
NJ 066	Operations	1406		22,250	22,250			
	Administration	1410		22,250	22,250			
	Fees & Costs (Architect	1430		15,000	15,000	0	0	
	Solar Panels	1460		155,000	0			
	Handicap Bathrooms & Pipes	1460		5057	5057	5057	4950.47	
	Training	1408		3,000	3,000	3,000	336.26	
	Software	1408		0	60,000	0	0	
	Toilets	1460	225	0	40,725	0	0	
	Cyclical Painting	1460		0	54,275,	0	0	

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Part I: Summary	
PHA Name: Housing Authority of the City of Linden	Grant Type and Number Capital Fund Program Grant No: NJ 39S066501-09 Replacement Housing Factor Grant No: Date of CFFP:
FFY of Grant: 2009 ARRA FFY of Grant Approval:	

Type of Grant
 Original Annual Statement Reserve for Disasters/Emergencies Revised Annual Statement (revision no:)
 Performance and Evaluation Report for Period Ending: 4/30/10 Final Performance and Evaluation Report

Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost ¹	
		Original	Revised ²	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations (may not exceed 20% of line 21) ³				
3	1408 Management Improvements				
4	1410 Administration (may not exceed 10% of line 21)				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures	282,622		282,622	132,694
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Non-dwelling Structures				
13	1475 Non-dwelling Equipment				
14	1485 Demolition				
15	1492 Moving to Work Demonstration				
16	1495.1 Relocation Costs				
17	1499 Development Activities ⁴				

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Part I: Summary					
PHA Name:		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: Date of CFFP:		FFY of Grant: FFY of Grant Approval:	
Type of Grant <input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost ¹	
		Original	Revised ²	Obligated	Expended
18a	1501 Collateralization or Debt Service paid by the PHA				
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment				
19	1502 Contingency (may not exceed 8% of line 20)				
20	Amount of Annual Grant:: (sum of lines 2 - 19)	282,622		282,622	132,694
21	Amount of line 20 Related to LBP Activities				
22	Amount of line 20 Related to Section 504 Activities				
23	Amount of line 20 Related to Security - Soft Costs				
24	Amount of line 20 Related to Security - Hard Costs				
25	Amount of line 20 Related to Energy Conservation Measures				
Signature of Executive Director			Date	Signature of Public Housing Director	
				Date	

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Part I: Summary									
PHA Name: Housing Authority of the City of Linden	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%;">Grant Type and Number</td> <td>FFY of Grant:</td> </tr> <tr> <td>Capital Fund Program Grant No: NJ 39P066501-09</td> <td>FFY of Grant Approval: 2010</td> </tr> <tr> <td>Replacement Housing Factor Grant No:</td> <td></td> </tr> <tr> <td>Date of CFFP:</td> <td></td> </tr> </table>	Grant Type and Number	FFY of Grant:	Capital Fund Program Grant No: NJ 39P066501-09	FFY of Grant Approval: 2010	Replacement Housing Factor Grant No:		Date of CFFP:	
Grant Type and Number	FFY of Grant:								
Capital Fund Program Grant No: NJ 39P066501-09	FFY of Grant Approval: 2010								
Replacement Housing Factor Grant No:									
Date of CFFP:									

Type of Grant <input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/Emergencies <input checked="" type="checkbox"/> Revised Annual Statement (revision no:1) <input type="checkbox"/> Performance and Evaluation Report for Period Ending: 7/7/2010 <input type="checkbox"/> Final Performance and Evaluation Report	
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Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost ¹	
		Original	Revised ²	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations (may not exceed 20% of line 21) ³	22,000			
3	1408 Management Improvements	5,000			
4	1410 Administration (may not exceed 10% of line 21)	22,000			
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	20,000			
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures	151,471			
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Non-dwelling Structures				
13	1475 Non-dwelling Equipment				
14	1485 Demolition				
15	1492 Moving to Work Demonstration				
16	1495.1 Relocation Costs				
17	1499 Development Activities ⁴				

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Part I: Summary						
PHA Name: Housing Authority of the City of Linden		Grant Type and Number Capital Fund Program Grant No: NJ 39P066501-09 Replacement Housing Factor Grant No: Date of CFFP:			FFY of Grant: FFY of Grant Approval: 2010	
Type of Grant						
<input checked="" type="checkbox"/> Original Annual Statement		<input type="checkbox"/> Reserve for Disasters/Emergencies		<input type="checkbox"/> Revised Annual Statement (revision no:)		
<input type="checkbox"/> Performance and Evaluation Report for Period Ending: 7/7/2010				<input type="checkbox"/> Final Performance and Evaluation Report		
Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost ¹		
		Original	Revised ²	Obligated	Expended	
18a	1501 Collateralization or Debt Service paid by the PHA					
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment					
19	1502 Contingency (may not exceed 8% of line 20)					
20	Amount of Annual Grant:: (sum of lines 2 - 19)	220,471				
21	Amount of line 20 Related to LBP Activities					
22	Amount of line 20 Related to Section 504 Activities					
23	Amount of line 20 Related to Security - Soft Costs					
24	Amount of line 20 Related to Security - Hard Costs					
25	Amount of line 20 Related to Energy Conservation Measures					
Signature of Executive Director			Date	Signature of Public Housing Director		

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Part II: Supporting Pages								
PHA Name: Housing Authority of the City of Linden			Grant Type and Number Capital Fund Program Grant No: NJ 39P066501-09 CFFP (Yes/ No): Replacement Housing Factor Grant No:			Federal FFY of Grant: 2010		
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised ¹	Funds Obligated ²	Funds Expended ²	
NJ 066	Operations	1406		22,000				
	MGT Uno.-Training	1408		5,000				
	Administration-Sal. & Ben.	1410		22,000				
	Fees & Costs	1430		20,000				
	Dwelling Structures	1460		151,471				
	(Security Cameras & Roof)	1460						
	Total			220,471				

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² To be completed for the Performance and Evaluation Report.

Capital Fund Program—Five-Year Action Plan

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 Expires 4/30/2011

Part I: Summary						
PHA Name/Number		Locality (City/County & State)			<input checked="" type="checkbox"/> Original 5-Year Plan <input type="checkbox"/> Revision No:	
A.	Development Number and Name	Work Statement for Year 1 FFY 2010	Work Statement for Year 2 FFY 11	Work Statement for Year 3 FFY 12	Work Statement for Year 4 FFY 13	Work Statement for Year 5 FFY 14
B.	Physical Improvements Subtotal	Annual Statement	148,951	148,951	148,951	148,951
C.	Management Improvements		27,426	27,426	27,426	27,426
D.	PHA-Wide Non-dwelling Structures and Equipment					
E.	Administration		22,047	22,047	22,047	22,047
F.	Other					
G.	Operations		22,047	22,047	22,047	22,047
H.	Demolition					
I.	Development					
J.	Capital Fund Financing – Debt Service					
K.	Total CFP Funds					
L.	Total Non-CFP Funds					
M.	Grand Total		220,471	220,471	220,471	220,471

