

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: <u>Olathe Housing Authority</u>		PHA Code: <u>KS043</u>			
	PHA Type: <input type="checkbox"/> Small <input checked="" type="checkbox"/> High Performing <input type="checkbox"/> Standard <input type="checkbox"/> HCV (Section 8)					
	PHA Fiscal Year Beginning: (MM/YYYY): <u>12/31/2011</u>					
2.0	Inventory (based on ACC units at time of FY beginning in 1.0 above)		Number of HCV units: <u>509</u>			
	Number of PH units: <u>130</u>					
3.0	Submission Type					
	<input type="checkbox"/> 5-Year and Annual Plan		<input checked="" 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	
					PH	HCV
	PHA 1:					
	PHA 2:					
	PHA 3:					
5.0	5-Year Plan. Complete items 5.1 and 5.2 only at 5-Year Plan update.					
5.1	Mission. State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years:					
	Progress since 5-Year Plan created					

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.

These are the goals that were listed on our 5-Year Plan which was submitted for 2010

PUBLIC HOUSING PROGRAM

Goal #1 - Maintain and/or increase the availability of decent, safe and affordable public housing.

Objectives:

1. Maintenance staff will reduce make-ready days to an average of 7 days or less on vacant units.
2. Make improvements to public housing units by utilizing Capital Improvement Funds within the timeframe.
3. Install energy efficient products when available.
4. Ensure public housing units blend into the neighborhoods by maintaining exterior appearance of units and landscaping. Do not receive any property maintenance violations.
5. Explore capital improvement projects that will ensure accessibility of units to tenants (e.g. not steps).

Goal #2 - Improve the quality of service

Objectives:

1. Conduct a bi-annual customer service survey. At least 90% of survey recipients are satisfied or very satisfied with service provided by housing authority staff.
2. Review policies and procedures and update as needed.
3. Maintain "High Performer" status.
4. Concentrate on efforts to improve specific management functions: (e.g. finance reports, tracking inspections and tenant initiated work orders, energy audit)
5. Staff takes an active role in the community and within the City of Olathe organization.
6. Enhance Tenant Participation Program by promoting quality of life issues.

HOUSING CHOICE VOUCHER PROGRAM

Goal #1 - Maintain and/or increase the availability of decent, safe and affordable housing opportunities for voucher holders.

Objectives:

1. Apply for additional rental vouchers, when available.
2. Conduct outreach with landlords by conducting an annual meeting.
3. Offer an avenue for landlords to list unit availability at housing office.
4. Partner with codes department when conducting initial HQS inspections of potential units.
5. Offer a listing of units located throughout the community to avoid a concentration of tenants.
6. Partner with Housing Rehabilitation program through City of Olathe to make minor improvements to homeownership homes to ensure unit passes inspection

Goal #2 - Improve the quality of service

Objectives:

1. Conduct a bi-annual customer service survey with tenants and landlords. At least 90% of survey recipients are satisfied or very satisfied with service provided by housing authority staff.
2. Review policies and procedures and update as needed.
3. Maintain "High Performer" status.
4. Concentrate on efforts to improve specific management functions: (e.g. finance reports, tracking inspections)
5. Staff takes an active role in the community and within the City of Olathe organization.

Goal #3 - Promote self-sufficiency and asset development of families and individuals

Objectives:

1. Increase the number of participants by promoting the FSS program to voucher holders at briefing.
2. Create partnerships with local organizations that can offer services to improve recipient's employability and quality of life.
3. Support FSS families that identify homeownership as a goal.

HOUSING AUTHORITY

Goal #1 - Ensure equal opportunity and affirmatively further fair housing

Objectives:

1. Undertake affirmative measures by working closely with our Human Relations office to ensure access to housing regardless of race, color, religion, national origin, sex, familial status and disability.
2. Undertake affirmative measures to provide a suitable living environment for families living in housing by working closely with our Human Relations office regardless of race, color, religion, national origin, sex, familial status and disability.

Goal #2 - Violence Against Women Act (VAWA)

Objectives:

1. Working relationship with local shelters and police department in Olathe that help child and adult victims of domestic violence, dating violence, sexual assault or stalking when in housing.
2. Support amended VAWA policy approved by Board of Housing Commissioners on 12/05/2007 as it relates to the activities, services or programs provided or offered by HA that helps families obtain or maintain housing as well as preventing violence among our assisted families.

6.0	<p>PHA Plan Update (a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:</p> <p>Updates and Accomplishments</p> <ol style="list-style-type: none"> 1) Maintain and/or increase the availability of decent, safe and affordable housing by: <ol style="list-style-type: none"> a) Housing Authority has partnered with City of Olathe to manage eight (8) Neighborhood Stabilization rental units. b) To ensure units have utilities on at all times, utility reimbursement checks are now made out to tenant and the utility company of tenants choice. 2) Improve the quality of services by: <ol style="list-style-type: none"> a) Continuing to update procedures for Section 8 Program and Public Housing b) Clarified allowable medical expenses being used as deductions. c) Enhancing the public housing inspection form to ensure REAC items are being identified and addressed throughout the year. d) Implemented a 30 day notice when vacating unit. e) Continuing to update HCV Administrative Plan f) Updated Admissions and Continued Occupancy Handbook g) Updated Complaints and Appeals Policy and Procedure h) Updated Grievance Procedure i) Established a transportation partnership that transports tenants to grocery shopping establishments once a week. j) Currently expanding the number of social events and educational activities for tenants. Some of the activities are being made available by the local 50 Plus Program. k) Updated Declaration of Trust l) Contracted out this year our Utility Allowances updates m) Revised our maintenance charges. 3) Promote self-sufficiency and asset development of families and individuals by: <ol style="list-style-type: none"> a) Modified homeownership voucher program. Families now receive down payment assistance with pre-2004 Admin Fee reserves instead of converting the voucher from a rental voucher to a homeownership voucher. b) Housing Authority is utilizing the monthly Continuum of Care Meeting as our PCC committee. c) Applied and received a FSS grant 4) Ensure equal opportunity and affirmatively further fair housing by: <ol style="list-style-type: none"> a) Working with local Human Relations/Fair Housing Office to conduct a landlord workshop Fall of 2011 b) Human Relations Manager scheduled to speak at Housing Choice Voucher group briefings <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>Housing Authority Administrative Office located at 201 North Cherry Street, Olathe, Kansas 66061</p> <p>Parkview Manor Office located at 300 North Chestnut, Olathe, Kansas 66061</p>
7.0	<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><i>The Olathe Housing Authority has a Homeownership Program directed toward Housing Choice Voucher program participants. We encourage families wanting to participate in the Homeownership Program to enroll in the Family Self-Sufficiency Program.</i></p>
8.0	<p>Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable.</p>
8.1	<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>Attached is HUD Form 50075.1 for 2009, 2010 and 2011.</p>
8.2	<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><i>Attached is HUD Form 50075.2 for 2011 through 2015</i></p>
8.3	<p>Capital Fund Financing Program (CFFP). <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>NA</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.

In reviewing some demographics we found that in Olathe, residents with income below the poverty level in 2009:

Olathe: 7.4%
Whole state: 13.4%

Residents with income below 50% of the poverty level in 2009:

Olathe: 3.5%
Whole state: 5.6%

Poverty rate among disabled males:

Olathe: 8.3%
Kansas: 12.6%

Disability rate in this city among poor males (it is 12.4% among residents who are not classified as poor):

Olathe: 28.6%
Kansas: 12.6%

Poverty rate among disabled females:

Olathe: 9.5%
Kansas: 17.0%

Disability rate in this city among poor females (it is 11.3% among residents who are not classified as poor):

Olathe: 26.4%
Kansas: 17.0%

Race below poverty are White – 10%, African American – 28%, American Indian – 23%, Asian – 9%, Native Hawaiian – 11%, Some other race – 25% and Hispanic – 26%.

The above information has been provided by the following website <http://www.city-data.com/poverty/poverty-Olathe-Kansas.html>. The information above and below shows that there is a significant need for affordable housing in Olathe.

9.0

Following is justification of the need in Olathe for affordable housing since it shows we currently have a little over a 1,000 families on the waiting list. Approximately 75% of them applied during the two week window in April that preliminary applications were being accepted. We do not conduct the final determination of eligibility until the family's name comes to the top of the waiting list.

Housing Needs of Families on the PHA's Waiting Lists			
	# of families	% of total families	Annual Turnover
Waiting list total			
Extremely low income <=30% AMI	298	69	
Very low income (>30% but <=50% AMI)	83	21	
Low income (>50% but <80% AMI)	35	9	
High – Above 80%	3	1	
Families with children	660	64	
Elderly families	35	3	
Families with Disabilities	344	33	
Race/ethnicity Latino	60	6	
Race/ethnicity Black	481	47	
Race/ethnicity White	501	49	
Race/ethnicity Indian/Alaskan	9	1	
Race/ethnicity Asian	16	1.5	
Race/ethnicity Mixed	17	1.5	
Race/ethnicity Unknown/other	0		
Characteristics by Bedroom Size (Public Housing Only)			1-1-2011 thru 8-31-2011
1BR	537	53	0
2 BR	287	27	7
3 BR	167	16	2
4 BR	34	3	0
5 BR	5	1	0
5+ BR	0	-	0

**Housing Needs of Families on the PHA's Waiting Lists
Parkview Manor (Public Housing) – Four Story High-rise**

	# of families	% of total families	Annual Turnover
Waiting list total			
Extremely low income <=30% AMI	221	22	
Very low income (>30% but <=50% AMI)	640	62	
Low income (>50% but <80% AMI)	115	11	
Over 80%	51	5	
Families with children	107	26	
Elderly families	142	34	
Families with Disabilities	170	40	
Race/ethnicity - Latino	20	5	
Race/ethnicity – Black	174	42	
Race/ethnicity – White	223	55	
Race/ethnicity – Indian/Alaskan	1		
Race/ethnicity - Asian	6	1.5	
Race/ethnicity – Mixed	6	1.5	
Race/ethnicity – Unknown/other	0		
			1-1-2011 thru 8-31-2011
Characteristics by Bedroom Size (Parkview Only)			
1BR	98	74	9
2 BR	9	23	0
3 BR +	11	3	0

9.1	<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.</p> <p>Not submitting a 5-Year Plan</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.</p> <p>NA – Not required to submit annually since we are a “High Performer”</p> <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of “significant amendment” and “substantial deviation/modification”</p> <p>NA – Not required to submit annually since we are a “High Performer”</p>

11.0	<p>Required Submission for HUD Field Office Review. In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. Note: Faxed copies of these documents will not be accepted by the Field Office.</p> <p>(a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights)</p> <p>(b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only)</p> <p>(c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only)</p> <p>(d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only)</p> <p>(e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only)</p> <p>(f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.</p> <p>(g) Challenged Elements</p> <p>(h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only)</p> <p>(i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)</p>
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Housing Authority Scattered Site Addresses Olathe, Kansas

High-Rise – 300 North Chestnut

Project No. KS043002

401 N. Mahaffie
403 N. Mahaffie
405 N. Mahaffie
407 N. Mahaffie

729 N. Hamilton

501 E. Johnston
503 E. Johnston
507 E. Johnston
509 E. Johnston

720 N. Walker

407 N. Iowa
411 N. Iowa
413 N. Iowa

406 W. Prairie
408 W. Prairie
410 W. Prairie
412 W. Prairie

514 Monroe Circle
516 Monroe Circle
518 Monroe Circle
520 Monroe Circle
522 Monroe Circle
524 Monroe Circle
526 Monroe Circle
528 Monroe Circle
530 Monroe Circle
532 Monroe Circle
534 Monroe Circle
536 Monroe Circle

714 W. Cedar

1129 West Elm Terr.

535 N. Chestnut

700 N. Woodland
704 N. Woodland

Project No. KS043003

504 W. Elm
506 W. Elm
508 W. Elm
510 W. Elm

317 S. Pine
319 S. Pine

121 S. Walnut
123 S. Walnut

314 N. Kansas
316 N. Kansas

127 S. Blake
129 S. Blake

309 N. Church
311 N. Church
313 N. Church
315 N. Church

100 S. Cory Circle
101 S. Cory Circle
102 S. Cory Circle
103 S. Cory Circle
104 S. Cory Circle
105 S. Cory Circle
106 S. Cory Circle
107 S. Cory Circle
108 S. Cory Circle
109 S. Cory Circle
110 S. Cory Circle
111 S. Cory Circle
113 S. Cory Circle
115 S. Cory Circle

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

Part I: Summary		FFY of Grant: 2012 FFY of Grant Approval: 2012	
PHA Name: Housing Authority of Olathe, Kansas		Grant Type and Number Capital Fund Program Grant No: KS16P04350112 Replacement Housing Factor Grant No: Date of CFFP:	
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending:		<input type="checkbox"/> Revised Annual Statement (revision no:) <input type="checkbox"/> Final Performance and Evaluation Report	
Line	Summary by Development Account	Total Estimated Cost Revised ²	Total Actual Cost ¹ Expended
1	Total non-CFP Funds	Original	
2	1406 Operations (may not exceed 20% of line 21) ³		
3	1408 Management Improvements	25,000.00	
4	1410 Administration (may not exceed 10% of line 21)		
5	1411 Audit		
6	1415 Liquidated Damages		
7	1430 Fees and Costs	15,000.00	
8	1440 Site Acquisition		
9	1450 Site Improvement	25,000.00	
10	1460 Dwelling Structures	340,000.00	
11	1465.1 Dwelling Equipment—Nonexpendable	40,000.00	
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

Part I: Summary		FFY of Grant: 2012 FFY of Grant Approval: 2012	
PHA Name:	Grant Type and Number		
Housing Authority of Olathe, Kansas	Capital Fund Program Grant No: KS16P04350112 Replacement Housing Factor Grant No: Date of CFFP:		
Type of Grant	Type of Grant		
<input checked="" type="checkbox"/> Original Annual Statement	<input type="checkbox"/> Reserve for Disasters/Emergencies		
<input type="checkbox"/> Performance and Evaluation Report for Period Ending:	<input type="checkbox"/> Revised Annual Statement (revision no:)		
Summary by Development Account	Total Estimated Cost	Revised ²	Obligated
Line	Original		Total Actual Cost ¹ Expended
18a	1501 Collateralization or Debt Service paid by the PHIA		
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)	445,000.00	
21	Amount of line 20 Related to LBP Activities		
22	Amount of line 20 Related to Section 504 Activities	50,000.00	
23	Amount of line 20 Related to Security - Soft Costs	10,000.00	
24	Amount of line 20 Related to Security - Hard Costs		
25	Amount of line 20 Related to Energy Conservation Measures	70,000.00	
Signature of Executive Director		Signature of Public Housing Director	
<i>Mary "Kathy" Barber</i>		<i>[Signature]</i>	
Date		Date	
10-4-11			

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 Statements for Capital Fund Years

2009, 2010 and 2011

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

Part I: Summary		FFY of Grant: 2009 FFY of Grant Approval: 2009	
PHA Name:	Grant Type and Number		
Housing Authority of Olathe, Kansas	Capital Fund Program Grant No: KSI6P04350109 Replacement Housing Factor Grant No: Date of CFFP:		
Type of Grant	<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending:	<input checked="" type="checkbox"/> Revised Annual Statement (revision no: 2) <input type="checkbox"/> Final Performance and Evaluation Report	
Line	Summary by Development Account	Total Estimated Cost Revised ²	Total Actual Cost ¹ Expended
	Original	Obligated	
1	Total non-CFP Funds		
2	1406 Operations (may not exceed 20% of line 21) ³	10,000.00	
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	7,478.00	
8	1440 Site Acquisition		
9	1450 Site Improvement	25,000.00	
10	1460 Dwelling Structures	400,000.00	
11	1465.1 Dwelling Equipment—Nonexpendable	66,000.00	
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

Part I: Summary		FFY of Grant: 2009 FFY of Grant Approval: 2009	
PHA Name: Housing Authority of Olathe, Kansas	Grant Type and Number Capital Fund Program Grant No: KS16P04350109 Replacement Housing Factor Grant No: Date of CFFP:		
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending:		<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 Cost¹
		Original	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)	549,000.00	172,478.00
21	Amount of line 20 Related to LBP Activities		
22	Amount of line 20 Related to Section 504 Activities	25,000.00	
23	Amount of line 20 Related to Security - Soft Costs		
24	Amount of line 20 Related to Security - Hard Costs		11,478.00
25	Amount of line 20 Related to Energy Conservation Measures		145,000.00
Signature of Executive Director <i>Kathy Rankin</i>		Signature of Public Housing Director	Date 6-14-11

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

Part I: Summary		FFY of Grant: 2010 FFY of Grant Approval: 2010	
PHA Name: Housing Authority of Olathe, Kansas KS043		Grant Type and Number Capital Fund Program Grant No: KS16P04350110 Replacement Housing Factor Grant No: Date of CFFP:	
Type of Grant	<input checked="" type="checkbox"/> Original Annual Statement <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending:	<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 Revised ²	Total Actual Cost ¹ Expended
1	Total non-CFP Funds	.00	
2	1406 Operations (may not exceed 20% of line 21) ³	15,000.00	10,000.00
3	1408 Management Improvements	15,000.00	
4	1410 Administration (may not exceed 10% of line 21)	.00	
5	1411 Audit	12,000.00	5,000.00
6	1415 Liquidated Damages	.00	
7	1430 Fees and Costs	27,000.00	10,000.00
8	1440 Site Acquisition	.00	
9	1450 Site Improvement	10,000.00	
10	1460 Dwelling Structures	505,000.00	70,500.00
11	1465.1 Dwelling Equipment—Nonexpendable	80,000.00	75,362.00
12	1470 Non-dwelling Structures	.00	
13	1475 Non-dwelling Equipment	4,000.00	
14	1485 Demolition	.00	
15	1492 Moving to Work Demonstration	.00	
16	1495.1 Relocation Costs	.00	
17	1499 Development Activities ⁴	.00	

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		FFY of Grant: 2010 FFY of Grant Approval: 2010	
PHA Name: Housing Authority of Olathe, Kansas KS043	Grant Type and Number Capital Fund Program Grant No: KS16P04350110 Replacement Housing Factor Grant No: Date of CFFP:		
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending:		<input type="checkbox"/> Revised Annual Statement (revision no:) <input type="checkbox"/> Final Performance and Evaluation Report	
Type of Grant	<input type="checkbox"/> Reserve for Disasters/Emergencies		
Line	Summary by Development Account	Total Estimated Cost	Total Actual Cost¹
		Original	Obligated
18a	1501 Collateralization or Debt Service paid by the PHA	.00	
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment	.00	
19	1502 Contingency (may not exceed 8% of line 20)	.00	
20	Amount of Annual Grant:: (sum of lines 2 - 19)	668,000.00	170,862.00
21	Amount of line 20 Related to LBP Activities	.00	.00
22	Amount of line 20 Related to Section 504 Activities	150,000.00	.00
23	Amount of line 20 Related to Security - Soft Costs	.00	.00
24	Amount of line 20 Related to Security - Hard Costs	40,000.00	.00
25	Amount of line 20 Related to Energy Conservation Measures	67,000.00	85,362.00
Signature of Executive Director <i>Mary "Kathy" Barber</i>		Signature of Public Housing Director	
Date		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.

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

Part I: Summary		FFY of Grant: 2011 FFY of Grant Approval: 2011	
PHA Name:	Grant Type and Number		
Housing Authority of Olathe, Kansas	Capital Fund Program Grant No: KS16P04350111 Replacement Housing Factor Grant No: Date of CFFP:		
Type of Grant	<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending:	<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 Revised ²	Total Actual Cost ¹ Expended
1	Total non-CFP Funds		
2	1406 Operations (may not exceed 20% of line 21) ³	15,000.00	10,000.00
3	1408 Management Improvements	10,000.00	10,000.00
4	1410 Administration (may not exceed 10% of line 21)		
5	1411 Audit		
6	1415 Liquidated Damages		
7	1430 Fees and Costs	15,000.00	12,000.00
8	1440 Site Acquisition		
9	1450 Site Improvement	125,000.00	15,965.00
10	1460 Dwelling Structures	115,000.00	94,000.00
11	1465.1 Dwelling Equipment—Nonexpendable	85,000.00	
12	1470 Non-dwelling Structures	10,000.00	
13	1475 Non-dwelling Equipment	5,000.00	
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		FFY of Grant: 2011	
PHA Name:	Grant Type and Number	FFY of Grant Approval: 2011	
Housing Authority of Olathe, Kansas	Capital Fund Program Grant No: KS16P04350111 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 type="checkbox"/> Performance and Evaluation Report for Period Ending:		
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)	380,000.00	141,965.00
21	Amount of line 20 Related to LBP Activities		
22	Amount of line 20 Related to Section 504 Activities	225,000.00	15,965.00
23	Amount of line 20 Related to Security - Soft Costs		
24	Amount of line 20 Related to Security - Hard Costs	45,000.00	
25	Amount of line 20 Related to Energy Conservation Measures	25,000.00	
Signature of Executive Director		Signature of Public Housing Director	
Mary "Kathy" Rankin		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.

Five Year Capital Fund Program

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 Housing Authority of Olathe, Kansas KS043 Only one Development – KS043000001		Locality (City/County & State) Olathe, Kansas			X Original 5-Year Plan <input type="checkbox"/> Revision No:	
A.	Development Number and Name	Work Statement for Year 1 FFY <u>2011</u>	Work Statement for Year 2 FFY <u>2012</u>	Work Statement for Year 3 FFY <u>2013</u>	Work Statement for Year 4 FFY <u>2014</u>	Work Statement for Year 5 FFY <u>2015</u>
B.	Physical Improvements Subtotal	/	405,000.00	370,000.00	408,000.00	506,000.00
C.	Management Improvements	/	25,000.00	15,000.00	32,000.00	35,000.00
D.	PHA-Wide Non-dwelling Structures and Equipment	/	.00	65,000.00	4,500.00	107,000.00
E.	Administration	/	.00	.00	.00	.00
F.	Other – FEES AND COST	/	15,000.00	20,000.00	20,000.00	20,000.00
G.	Operations	/	.00	20,000.00	20,000.00	20,000.00
H.	Demolition	/	.00	.00	.00	.00
I.	Development	/	.00	.00	.00	.00
J.	Capital Fund Financing – Debt Service	/	.00	.00	.00	.00
K.	Total CFP Funds	/	.00	.00	.00	.00
L.	Total Non-CFP Funds		.00	.00	.00	.00
M.	Grand Total		445,000.00	490,000.00	484,500.00	688,000.00

RESOLUTION #585

Approval of the amended VAWA language for our Annual and 5-Year Plan. Update to ACOP to reflect amended language.

Approved by Board on 12/05/2007

Donna Lee
Mohr King
Debra Hardy

Paul Smith
Darin McDaniel
Cozy Doff

XIV. REPAYMENT AGREEMENTS

Repayment Agreement and Promissory Note are synonymous terms.

Repayment Agreements are executed with families who owe the HA money. For example, if a tenant did not report a change they were supposed to report, the HA calculates a retroactive payment. The tenant is usually allowed to enter into a Repayment Agreement to pay the HA back over a period of time.

The family is required to sign a Repayment Agreement and if the family is paying on the Repayment Agreement, there is no reason to terminate the tenancy.

There is no dollar limit for repayment. However, the HA requires a minimum down payment of one-fourth of the balance at the time the Repayment Agreement is executed. The Director may modify or waive this requirement to accommodate special circumstances if the family has previously established a good payment history with the HA.

Families who are in default of an executed Repayment Agreement by missing two payments must pay their outstanding balance to the HA in full or the HA will terminate their tenancy in accordance with their lease agreement for nonpayment of rent and other charges.

If a family has been charged retroactive rent for changes they were required to report and did not, the family must sign a Repayment Agreement or pay the amount due in full. If the family does not pay retroactive rent due the HA, the HA will terminate their tenancy and may forward the case to HUD's Regional Inspector General for investigation of fraud.

XV. Domestic Violence, Dating Violence, Sexual Assault and Stalking

The seriousness of domestic violence has increased to the point that it is of national importance. Domestic violence knows no race, gender, or nationality and its impact on the lives of its victims can be devastating. HA shall not discriminate against an applicant, public housing resident or program participant on the basis of the rights or privileges provided under the Violence Against Women Act (VAWA).

As result of national attention, HA has become more aware of the consequences of domestic violence-related tenancy and have implemented a policy to address challenges posed by domestic violence situations.

Purpose of policy is to reduce domestic violence, dating violence and stalking and to prevent homelessness by.

- 1) protecting the safety of victims;
- 2) creating long-term housing solutions for victims
- 3) building collaboration among victim service providers and
- 4) response appropriately to the violence while maintaining a safe environment for HA, employees, tenants, applicants and others.

A. Screening and Admissions

HA should screen family on the basis of their family behavior and suitability for tenancy. In doing so, HA may consider an applicant's previous rental and tenancy history, as well as past criminal activity. In determining whether domestic violence was a factor in the poor rental and tenancy history or criminal activity, staff should exercise discretion and inquire about the circumstances that may have contributed to the negative reporting. If it is determined the negative reporting was consequences of domestic violence against the applicant, the HA may exercise discretion and approve admission.

B. Continue Occupancy and Transfer Policies

Complications may arise by the fact the victim of domestic abuse may remove themselves from the unit as result of the acts by their abuser. HA may assist these victims, with proper documentation, in avoiding their abusers and continuing occupancy in housing by transferring them to another unit or issuing them a Housing Choice Voucher.

Tenants claiming protection under the VAWA may be required to provide HA certification of incident on HUD approved form, a police report or court record or documentation from a professional person who tenant consulted about the incident. Tenant must deliver certification to HA within 14 business days from date HA was made aware of incident.

C. Eviction and Termination

HA will carefully review circumstance where victims of domestic violence may be evicted due to circumstances beyond their control. HA may remove the perpetrator from the household, while allowing the victim to remain in the unit. HA should connect victim to agencies or organizations trained in domestic violence, counseling or law enforcement entities.

In the case of a mixed family, HA may refer immigrant victims to agencies that can offer immigration relief and counsel the victim on steps of obtaining eligible status.

If it is determined domestic violence did occur and was reported to appropriate agencies, HA may bar perpetrator from the unit, building or HA development; establish a list of individuals that have been barred and share with staff and law enforcement office;

D. Tools to better serve domestic violence victims

- 1) Provide resources to staff to appropriately handle situations that may arise when working with waiting list applicants or current tenants.
- 2) Create working relationships with domestic violence service provider
- 3) Create partnerships with local law enforcement entity.
- 4) Provide training to staff
- 5) Provide opportunities for tenants to participate in activities, programs or classes that would enhance their safety.

Tenant and Resident Committee Input on 2012 Annual Plan

Meeting – Olathe Housing Authority combines their Annual Meeting with the meeting to obtain input from tenants for the Annual Plan. We have learned we get better participation and input.

Input – Attached is the priority tenants have for Capital Improvement Projects for Olathe Housing Authority. These will be in cooperated into the Five Year Capital Fund Projects.

Public Hearing and Challenges

No-One challenged any of the comments shared at the tenant meeting and no-one attended the Public Hearing.

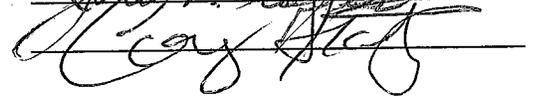
RESOLUTION #716

Consideration and approval of updated
Admissions and Continued Occupancy
Policy Handbook

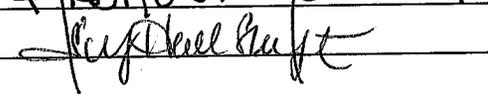
Approved by Board on 08/24/2011











Olathe Housing Authority
Admissions and Continued Occupancy
Policy and Handbook

Updated August 2011

I. STATEMENT OF POLICIES AND OBJECTIVES

The Low-Rent Public Housing Program was created by the United States Housing Act of 1937. Administration of the program by the Olathe Public Housing Authority (PHA) shall be in compliance with federal housing laws, regulations issued by the U.S. Department of Housing and Urban Development (HUD), the Kansas Landlord-Tenant Act, federal, state and local Fair Housing Laws and the policies adopted by the Olathe Board of Housing Commissioners in this Admission and Continued Occupancy Policy Handbook for Low-Rent Housing adopted by Resolution No. 316 on September 17, 1991 by the Board of Commissioners. Most recent update to ACOP was approved by the Board of Housing Commissioners on August 24, 2011 by Resolution NO. 716.

A. PURPOSE OF THE POLICY

The public housing program exists to provide decent, safe, and sanitary housing for eligible households; providing improved living conditions for the participant with affordable rents. The purpose of the Admission and Continued Occupancy Policy is to:

1. Establish fair and equitable practices for selecting applicants to occupy housing units owned by the Housing Authority of the City of Olathe, Kansas.
2. Establish fair and reasonable procedures to govern the occupancy of housing units in accordance with the regulations of HUD.
3. Establish local policies for those areas where there are options available to the PHA, or for which there are no specific federal regulations.
4. Establish policies which give a preference in selection of tenants to applicants who qualify for our local preference.
5. Establish policies which will preclude admission of applicants whose Habits and practices could reasonably be expected to have a detrimental effect on tenants or the physical or social environment of the project.
6. Establish policies which will attain, to the maximum extent feasible, a tenant body in each project which is comprised of families with a broad range of incomes so as to avoid concentrations of the most economically deprived families with serious social problems.

The policy covers both admission and continued occupancy in housing projects owned by the city of Olathe and managed by the PHA. Changes to the policy must be approved by the PHA Board of Commissioners and HUD. The PHA shall always comply with current federal housing laws and HUD regulations. Federal regulations will have precedence if there are any current or future inconsistencies between this policy and relevant federal statutes and regulations.

B. POLICY ON NON-DISCRIMINATION

It is the policy of the Housing Authority of the City of Olathe to comply fully with federal, state, and local non-discrimination laws and to operate in accordance with the rules and regulations governing fair housing and equal opportunity in housing and in its employment practices.

The PHA shall not discriminate on account of race, color, sex, religion, creed, national or ethnic origin, age, family or marital status, Handicap or disability, or source of income in the leasing, rental, or other disposition of housing or related facilities (including land) included in any projects under its jurisdiction, covered by an Annual Contributions Contract.

The PHA shall take steps per Executive Order 13166 to take affirmative steps to communicate with people who need services or information in a language other than English

The PHA shall not deny any family or individual the opportunity to apply for or receive assistance under the Low-Rent Public Housing Program, within the requirements and regulations of the HUD regulations, in such housing suitable to the families' needs.

The PHA shall not automatically deny admission to a particular group or category of otherwise eligible applicants. Each applicant shall be treated without prejudice as an individual using explicit criteria applied consistently and fairly.

C. PRIVACY RIGHTS

All final applicants for admission to public housing shall be required to sign the Federal Privacy Act Statement which states the conditions under which HUD will release tenant information supplied by the PHA on forms required by HUD and identified as HUD 50058.

It is the policy of the PHA to conform to the general guidelines provided by the Federal Privacy Act and to release information requested of the PHA as landlord only if:

1. The request is in written form, submitted to the PHA with the consent and authorization of the affected party.
2. The PHA will not respond to telephone inquiries except for current tenants seeking credit or utility services in which case the PHA will confirm a tenant lives at a specific address.
3. The PHA will release information to other governmental agencies with the authorization of the Director.

D. OTHER RULES AND REGULATIONS

The PHA is obligated to administer its low income housing program in accordance with fundamental national policy and objectives which are included in HUD regulations at 24 Code of Federal Regulations

(CFR), parts 902, 903, 960 and 966. The PHA is also controlled by the provisions of the Annual Contributions Contract between the City of Olathe and HUD.

The PHA is governed by applicable local and state laws which are consistent with federal housing laws and all relevant civil rights laws including:

Title VI of the Civil Rights Act of 1964 (42 U.S.C. 3601) and the implementing regulation at 24 CFR part 1;

The Fair Housing Act (42 U.S.C. 3601-3619) and the implementing regulations at 24 CFR parts 100, 108, 109, and 110;

Executive Order 11063 on Equal Opportunity in Housing the implementing regulations at 24 CFR part 107;

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and the implementing regulations at 24 CFR part 8;

The Age Discrimination Act of 1975 (42 U.S.C. 6101-6107) and the implementing regulations at 24 CFR part 146;

The Americans with Disabilities Act of 1990 (42 U.S.C. 12101-12213) and the implementing regulations at 28 CFR Part 35) and

Executive Order 13166 on Improving Access to Services for Persons with Limited English Proficiency

Tenant selection policies of the PHA are consistent with HUD's affirmative fair housing objectives. All issues not addressed in the PHA Methods of Administration or this document related to tenants and applicants are governed by the HUD Public Housing Occupancy Guidebook, federal regulations, HUD memoranda and notices, and guidelines or other applicable law.

II. ELIGIBILITY FOR ADMISSION

To be eligible for admission, an applicant must meet HUD's criteria for eligibility. HUD has four factors which determine eligibility:

Family Composition
Income Limits
Provision of Social Security Number(s)
Suitability for Housing

The family's initial eligibility for placement on the waiting list will be made in accordance with the following factors and will not be verified until selection from the applicant pool for a public housing unit is made.

A. FAMILY COMPOSITION

The applicant must qualify as a Family. A Family consists of:

1. Two or more persons who identify themselves as a family and who have a designated head of the family who is the responsible person for the family, legally and morally responsible for the group, and is actually looked to and held accountable for the family's needs. Roommates who wish to have their incomes calculated separately by the PHA for the purpose of determining individual rent do not qualify as a family.

2. An expectant mother with no other children will qualify as a family in the low income housing program. She will be listed on the waiting list and qualifies for admission unless she should abort or miscarry prior to admission. Once admitted as a single pregnant woman, she will remain in the program as a residual family member should she abort or miscarry.

3. Eligible individuals who meet the following definitions:

a. A family with or without children

b. An elderly family (Head of Household or spouse is 62 years of age or older);

c. Disabled within the meaning of Section 223 of the Social Security Act or Section 102(7) or 6001(7) of the Developmentally Disabled Act, or has a physical impairment which is expected to be of long, continued and indefinite duration and which substantially impedes the individuals ability to live independently, and is of such nature that such ability could be improved by more suitable living conditions;

d. Remaining member of a tenant family;

e. Displaced by governmental action or whose dwelling has been extensively damaged or destroyed as a result of a declared disaster or otherwise formally recognized pursuant to federal disaster relief laws. Government is defined as federal, state, or local.

f. A single person who is not elderly (62 or older) or displaced, or a person with disabilities, or the remaining member of a tenant family.

4. Spouse

A person is a spouse if they are legally married or if applicable state law recognizes a spousal relationship. The PHA accepts declarations of spousal relationships for admission and eligibility but may require the couple to provide documentation of a legal marriage if it appears the couple has declared their marriage for the purpose of claiming allowances and deductions not otherwise available under federal housing regulations.

5. Adoptive Children

The PHA considers a single applicant in the process of securing legal custody of a person under 18 as an eligible family.

6. Foster Children

The PHA may consider a single applicant who has foster children as an eligible family. The PHA may make an exception to this exclusion upon being presented evidence from the Kansas Social and Rehabilitation Services District Office that the single individual has provided continuous foster care for a period of not less than one year prior to date of application for admission and shows every indication of continuing to serve the community as a single foster parent.

7. Live-in Aide

A family may include a live-in aide who:

Has been determined by the PHA to be essential to the care and well being of the elderly or disabled family member; and

Is not obligated for the support of the elderly or disabled member; and

Would not be living in the unit except to provide care of the elderly or disabled family member; and

Will not have their income counted for purposes of determining eligibility or rent; and

Will not be considered the remaining member of the tenant family.

Relatives are not automatically excluded from being live-in aide, but they must meet the above criteria.

Live-in aides cannot be the remaining member of the tenant family if the person they were attending is no longer a resident in the public housing project because the aide would not have been living in the unit except to provide care and did not have their income counted for the purposes of determining rent.

The family may not convert a live-in aide to a member of the tenant family for the purpose of obligating the PHA to consider the former live-in attendant as a remaining member of the tenant family. As a general guideline, a live-in aide whose status has been changed to a family member will not qualify as a remaining family member if the other members of the household leave the PHA unit within 180 days of the date of changing the status of a live-in attendant to a member of the family.

To determine whether a live-in attendant is "essential to the care and well being of the elderly or disabled person", on an annual basis, the PHA will send a third party verification to an appropriate resource who has recommended or required that the person have a live-in care attendant.

Persons proposed as live-in aides must meet the suitability requirements for tenancy. Their income will have no bearing on an applicant's eligibility, preference status, or rent.

PHA, at any time, may refuse to approve a particular person as a live-in aide, or may withdraw such approval, if the person:

- Commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
- Commits drug-related criminal activity, violent criminal activity or exhibits of pattern of criminal activities.
- Currently owes rent or other amounts to the PHA or another PHA in connection with Section 8 or public housing assistance.

8. Citizenship and Eligible Immigrant Status

A family receiving housing assistance must:

All family members must be citizens or nationals of the United States or non-citizens that have eligible immigration status.

If not U.S. Citizen or nationals may be eligible if:

Can claim or document eligibility for housing assistance
or

Choose not to contend status and relinquish housing assistance.

As long as at least one family member is either a citizen or eligible immigrant, the family will qualify as a "mixed family" and will have their housing assistance pro-rated.

If PHA has information the family's self reporting may not be accurate, proof of information may be required.

If family member can not show proof of citizenship, PHA will use documentation from INS's SAVE system.

B. DEFINITION OF TEMPORARILY ABSENT

Families must report in writing to the PHA any absence from the household of more than 30 consecutive days.

If the family leaves the household for more than three consecutive months, or more than 120 days per calendar year, except for medical circumstances described in Section F. of this chapter, the unit will not be considered their principal place of residence and they will be evicted.

If there is one parent in the family and the children are removed by the State, the PHA will consult with the District Social and Rehabilitation Services Office to determine if the single parent should remain in the unit assigned the family or should be transferred, as a remaining family member, to a smaller unit.

If a single parent leaves the household and another adult is brought in to take care of the children while the parent is away, as long as the household continues to meet the definition of family, the family is not terminated. A change in family composition will be made if the stay is longer than the visitor provision defined in the lease which is 30 days per calendar year.

C. SPOUSES AND SPOUSAL RELATIONSHIPS

If the spouse leaves the household and will be gone for three months or more of the recertification period and the family declares them permanently absent on an application for continued occupancy or interim recertification, that person will be determined by the PHA to be permanently absent and will be removed from the lease.

If one spouse leaves the household and the period of time is estimated to be less than three months, that family member will be determined temporarily absent unless one of the following situations occurs.

If the husband or wife has filed a legal action (restraint, divorce or separation), the person out of the household will be considered to be permanently absent.

If the spouse with legal custody of the children advises the PHA of a pending legal action affecting occupancy the PHA will discuss the family circumstances and make a determination as to who will retain the unit.

In circumstances where both parties are still in the unit or one spouse has notified the PHA that they will vacate the unit, the PHA will make an effort to contact both parties to ascertain their desires as to the disposition of the unit. If only one spouse can be contacted, whether or not listed as head of the household, the person who remains in contact with the PHA will retain the unit and/or status as remaining family member if the family composition no longer meets the definition of family in the public housing program.

If a spouse is incarcerated, the family must obtain a document from the court or prison to determine how long they will be incarcerated.

D. ADULT CHILD

If an adult child goes into the military and leaves the household, they will be determined permanently absent.

A student (other than husband or wife) who attends school away from home, but lives with the family during school recesses, may be considered permanently absent or temporarily absent at the family's option.

E. JOINT CUSTODY OF CHILDREN

Children who are subject to a joint custody agreement but live in the unit a minimum of 51% of the time will be considered members of the household. "51% of the time" is defined as 183 days of the year, which do not have to run consecutively. So long as both parents do not live in federally subsidized housing, the PHA may consider written requests to include as members of tenant household children who live with tenant more than ninety days but less than 183 days if the PHA determines it is in the best interests of the children to do so. In making that determination the PHA will consider the tenant request together with any supporting documentation from the court, social workers or counselors working with the family.

F. SOLE MEMBER OF HOUSEHOLD

If the sole member of the household has to leave the household for more than three consecutive months, or more than 120 days in a calendar year, the unit will not be considered to be their principal place of residence and they will be terminated from the program unless the tenant requests an extension by submitting documentation from a medical source that s/he will return within a total of six months (an additional three months.)

If the sole member of the household has to leave the unit to go to a medical or care facility, the sole member and/or relative, case manager, social worker or other representative of the tenant should provide the PHA with independent, third-party verification as to the likelihood and timing of the tenants return so that the PHA may extend the period of time the tenant can be away from the unit and still have it considered his or her principal residence. In no event will the PHA continue to consider the public housing unit the principal resident for a sole member of the household who will be absent for a period exceeding six months.

G. VISITORS

Visitors are defined as persons who can provide documentation they maintain a separate residence, e.g. rent receipts or utility bills in their names at their residence, and who stay in the public housing unit no more than 30 days within a calendar year.

If an adult "visitor" stays in the unit for more than thirty (30) calendar days per year, the tenant will be in violation of the "reasonable accommodation" provision of their lease. Adults who cannot provide documentation they maintain a separate residence in their name and who stay in a public housing unit for more than thirty (30) calendar days per year will be considered a member of the household, unless the PHA has approved an extension in writing for special circumstances.

Minors may visit for up to 120 calendar days per year without being considered a member of the household as long as the head of the household claims them as temporary members.

Minors in joint custody arrangements will generally be considered eligible visitors and will not be considered as members of the

household if they will be in the household less than 183 days per year.

H. REPORTING TO THE PHA

The family is required to declare a member as permanently or temporarily absent in writing to the PHA. The family will be advised at that time, or at re-examination, of the PHA general guidelines and the effect on bedroom size and Total Tenant Rent of temporary versus permanent absences of family members.

Permanently absent members are not on the lease, are not included for bedroom size occupancy standards, and do not have their income included in total household income for rent determinations. Temporarily absent family members continue to be included for occupancy and household income.

The applicant must be income eligible. The family's annual income for admission, as defined in Chapter VI., shall not exceed the Income Limits as established by HUD and adopted by Resolution of the PHA Board of Commissioners annually. Current Income Limits which were adopted by Board Resolution are posted in PHA's office. Income Limits are generally revised annually by HUD. After adoption by the Board of Housing Commissioners, changes in Income Limits are incorporated into this policy by reference.

I. MANDATORY SOCIAL SECURITY NUMBERS

Families are required to provide proof of Social Security Numbers for all family members prior to admission. Refusal to provide a social security number or certification renders an applicant ineligible for housing.

All family members defined above must either:

1. Submit documentation of their Social Security Number; or
2. Sign a certification statement if the household member is a noncitizen with ineligible immigration status
3. Sign a certification if they have not been assigned a Social Security Number. Members who have certified that they have not been assigned a Social Security Number must provide the PHA with a number as soon as one is obtained but no later than 60 days from the date of certification to obtain documentation to verify the SSN disclosed. Elderly may be given an additional 60 day extension.

Verification will be done through the provision of a valid Social Security Card issued by the Social Security Administration.

The PHA will accept copies of the Social Security Card only when the family documents the card is lost and they have applied for a replacement. The PHA has forms available for applicants and tenants to submit to the Social Security Administration for replacement of lost cards.

The only document that may be submitted to the PHA in lieu of a Social Security Card is the benefit award letter from the Social Security Administration. The letter must include the Social Security number as part of the identification.

If the PHA independently verifies Social Security benefits with the Social Security Administration with an account number the applicant or tenant has reported as assigned to them; the acceptance of such Social Security Number by the Social Security Administration may be considered documentation of its validity.

Family can not be placed on the waiting list until PHA has a Social Security Number or Identification number for Head of Household. Family members may not become tenants until the documentation is provided per CFR 5.218 (a) and (c). If an applicant or tenant is able to disclose their Social Security Number, but cannot meet the documentation requirements, the applicant or tenant must sign a certification to that effect.

Changes in household composition involving an individual subject to the requirement to document their Social Security number run concurrent with the requirement to report the change in household composition.

J. SUITABILITY AS A PROSPECTIVE TENANT

The applicant household must meet the tenant selection criteria established by the PHA in order to ensure that the public housing developments and the neighborhoods in which the developments are located remain decent, safe and livable.

The PHA will deny admission to applicants whose Habits or practices may reasonably be expected to have a detrimental effect on the physical environment, financial stability of the PHA, or the health, safety or welfare of other tenants and neighbors.

In determining suitability for tenancy, the PHA will consider the following individual history for each applicant:

- Record of meeting financial obligations, particularly rent, child support and utilities;

- Any history of disturbing the neighbors;

- Any history of destroying property;

- A record of living or housekeeping habits which could adversely affect the health, safety or welfare of other tenants;

- Criminal convictions, especially crimes against persons involving violence or the threat of violence or a person with a habitual criminal history;

- Drug-related criminal activity which is defined as the felonious manufacture, sale or distribution, or the

possession with intent to manufacture, sell or distribute, a controlled substance (as defined in the Controlled Substance Act). "Felony" means criminal activity defined as a felony under federal, state or local law; (5 years)

Drug-related activity also means the felonious use or possession (other than with the intent to manufacture, sell or distribute) of a controlled substance or paraphernalia will result in denial of admission to public housing if activity occurred within last five (5) years;

Drug related criminal activity does not include the use or possession of controlled substances if the family member can demonstrate that s/he has successfully completed a treatment program since charge/conviction occurred.

Housing will also be denied housing if the applicant or a family member/s:

Were evicted from federally assisted housing for drug related criminal activities for three years following the date of eviction or

Are currently engaging in illegal use of a drug; or

Have shown a pattern of use of illegal drugs that may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents; or

Are subject to a lifetime registration requirement under a State sex offender registration program; or

Whose abuse of alcohol or pattern of abuse of alcohol would interfere with the health, safety or right to peaceful enjoyment of the premises by other residents; or

Who have ever been convicted of drug-related criminal activity for manufacture of methamphetamine on the premises of federally assisted housing?

Currently owes rent or other amounts to a landlord or another public housing agency for any previous tenancy in the public housing or Section 8 Housing Choice Voucher Program;

Committed fraud in connection with any federal housing assistance program;

Was previously evicted from Olathe's public housing or left the Section 8 Housing Certificate or Housing Voucher program in violation of the family's obligations.

Elderly or disabled applicants or tenants may not be denied admission or continued occupancy by reason of ownership of a common household pet as long as pet meets OHA's pet policy. Animals certified as companion animals or to assist household members with

disabilities are not considered pets by the PHA and are not subject to pet restrictions or regulations in any of the PHA projects. Tenant requesting a companion animal must provide documentation of need from medical or mental health doctor or professional.

III. APPLYING FOR ADMISSION

Applications are taken to compile a waiting list. Due to the demand for housing in the PHA jurisdiction, the PHA will only take applications during the advertised "open enrollment period".

The application process is undertaken in three phases: a preliminary application (referred to as a pre-application) will be taken first. When the family nears the top of the waiting list, the PHA will take a formal application (referred to as a full application) and verify the information provided by the family. The PHA maintains a combined waiting list for its scattered site family units and its Section 8-Housing Choice Voucher program. The PHA also has a separate waiting list for its four story high-rise known as Parkview Manor.

Applicants will be advised of the waiting lists given the opportunity to apply for any of the PHA housing programs. A combined waiting list is printed for the Section 8 Housing Choice Voucher Program and Public Housing Scattered Sites, for the purpose of letting tenants know their current position on the waiting list.

When an opening for an appropriate bedroom size becomes available, the family will complete a full application to determine their eligibility for admission to the public housing program.

Waiting list applications must be made in person at the PHA Office during designated hours. Applications are dated in accordance with the waiting list procedures.

Individuals who are elderly or have a physical impairment which would prevent them from making application in person may make special arrangements to complete a pre-application by mail.

A. PRE-APPLICATION PROCEDURES

The PHA will utilize a basic pre-application form. The information is to be filled out by PHA staff whenever possible to insure the information is accurate and complete. Applicant will sign that information provided to staff is correct and accurate.

The purpose of the pre-application is to preliminarily assess family eligibility or ineligibility and to determine placement on the waiting list.

The pre-application will contain the following basic information:

Names, ages and Social Security Numbers for all family members (Application can not be processed without Social Security Number or Identification Number for head of household);

Date and time of application;
Address (Mailing and/or current primary residence);
Household Type (Family, elderly, disability member);
Unit size required (Number of family members);
Race and ethnicity of head of household;
Accessibility requirements;
Hours employed per week and city where employed; and
Amount and source of all income and assets.

Placement on the initial waiting list is based on information provided on pre-application. The information on the form will not be verified until the family has been selected from the waiting list for final processing. Final eligibility and placement on the list will be determined when the full application process is completed and verified.

Applicants are responsible for informing the PHA of changes in family circumstances (including address, income and number of hours working per week) in writing. Applicants are responsible for responding to requests from the PHA to update pre-applications. Refusal to provide current information to PHA or not returning pre-application updates will result in the applicant's waiting list being closed and name being removed from the waiting list.

B. NOTIFICATION OF FAMILY STATUS

Based on the information on the application, if the family is preliminarily determined eligible, the applicant will be informed of the probable date their name will be reached and they will be offered the first form of assistance available. The PHA communication will in no way lead applicants to believe that the estimated date of admission to public housing is exact, but will stress that the estimated date of admission is subject to a number of variables beyond the PHA control, e.g. preference determinations and waiting list updates. The estimate will be based on the best historical data available to the PHA at the time of the application. An applicant does not have a "right" or entitlement to any particular position (number) on the PHA waiting list(s).

C. COMPLETION OF A FULL APPLICATION

Due to the length of the waiting list and time involved in verification of eligibility, applicants will be required to come into the office to complete a formal application when their name nears the top of the waiting list so that they may be housed as expeditiously as possible when a unit becomes available.

The family will be notified in writing by first class mail that their name is nearing the top of the waiting list and must contact office within five (5) working days of the date of letter to schedule a time to complete a full application. Failure to contact PHA staff within allowed time frame or if letter is returned to office as undeliverable, the file will be closed.

The family head of household will complete the Application for Continue Occupancy which incorporates the Personal Declaration Form and bring it with him/her to their scheduled meeting with PHA staff. Tenants are also asked to bring Social Security cards, birth certificates, picture IDs for adults, medical, banking and income information for all household members. Families will be interviewed by the PHA staff member who will enter the information provided by the family on the full application form.

1. Requirement to Attend Scheduled Meeting

It is the applicant's responsibility to re-schedule within five (5) working days if they miss the appointment. If the applicant does not re-schedule or misses two scheduled meetings, the PHA has the right to close the public housing waiting list application.

All adult family members, 18 years of age or older, are required to attend the appointment with the head of the household and sign appropriate certifications. Reasonable accommodation of adult family members who are disabled will be made by the PHA, including waiving the requirement to attend the interview.

2. Verification of Full Application Information

Information provided by the applicant will be verified including information on family composition, income, assets, allowances and deductions, preference status, full time student status, and other factors relating to eligibility determination before the applicant is admitted to public housing. PHA will obtain an Earned Income Verification (EIV) document for all annual recertification's and interim's.

Third party verifications in writing (sent by mail) are preferred. If written third party documentation is unavailable, PHA may utilize other forms of verification. Oral third party verifications are acceptable if written documentation is unobtainable and is properly documented.

If third party verification is impossible, the PHA will use documents provided by applicants. Documents will be photocopied when not prohibited by law. When documents cannot be photocopied, staff certification forms noting the document viewed will be used for recording the source of information, the information obtained, signed and dated by the staff person who viewed the original document.

If the PHA requests the applicant to provide the documentation and determines that the prospective tenant has access to the

documentation but does not provide it within ten (10) working days of the PHA request, the applicant will be determined ineligible.

If the PHA requests the applicant to provide documentation and determines the applicant does not have access within ten (10) working days, the PHA may use a statement from the applicant. When the document is received, it will be compared to the provided statement.

In general, PHA staff will assist the applicant in providing appropriate sources for verification of all required information to determine final eligibility and rent. Applicants will not be burdened with documenting negatives, e.g. if an applicant has no current source of income the PHA will provide applicant with a no-income certification form that must be completed. Applicants will not be required to provide the PHA with statements from the Social Security Administration and/or Social and Rehabilitation Services Office that they are not receiving any form of federal or state cash assistance unless they had reported they were receiving at time of application.

Acceptable verification of preferences is listed under the PREFERENCE SECTION. Preferences claimed by the applicant will be verified prior to completing the full application.

D. FINAL DETERMINATION AND NOTIFICATION OF ELIGIBILITY

After the verification process is completed, the PHA makes its final determination of eligibility, based on the same factors as preliminary eligibility, but with verified data for the final determination.

The household is not actually eligible for an offer of a public housing unit until this final determination has been made, even though they may have been preliminarily determined eligible and may have been listed on the waiting list.

E. GROUND FOR DENIAL OF ADMISSION

The PHA will not admit families to public housing who:

1. Currently owe rent or other amounts to the Olathe PHA or other PHA (Repayment Agreements are not acceptable for admission, the family must have repaid the Olathe PHA or other PHA in full or they will be denied admission.)
2. Have committed fraud in connection with any federal housing program.
3. Were previously evicted from Olathe's public housing or who abandoned a public housing unit without notifying management.
4. Do not meet the requirements of suitability for tenancy.

5. Did not provide information required within the time frame/s specified.

If an applicant claims not to have received the requests for information or to attend an interview, the PHA will determine whether the letter was returned to the PHA. If the letter was not returned to the PHA, the applicant will be assumed to have received the letter unless the applicant can prove otherwise.

If the letter was returned to the PHA and the applicant can provide evidence that s/he was living at the address to which the letter was sent, the applicant will be reinstated with the date and time of the application in effect at the time the letter was sent.

If an applicant is denied admission, s/he is eligible to reapply for the PHA programs if the waiting list is currently open. Applicants denied admission to public housing (Parkview Manor or scattered site units) may remain on the PHA waiting list for a Section 8-Housing Choice Voucher if the reason for denial is not grounds for denial of assistance in the PHA Administrative Plan for the Section 8-Housing Choice Voucher Program. Applicants who are eligible for the Section 8-Housing Choice Voucher Program but are not eligible for admission to public housing retain the date and time of their original application. Waiting list applicants that do not return their updates have thirty (30) calendar days from the date the updates were to be submitted to the PHA to request an Informal Settlement Meeting—with the PHA Director.

IV. ESTABLISHING PREFERENCES AND MAINTAINING THE WAITING LIST

A. WAITING LIST

The PHA shall maintain the Parkview Manor and Scattered Site Public Housing waiting list in accordance with the following factors:

1. The application will be in a permanent file.
2. Applicants may elect to be on waiting list for more than one bedroom size if the family composition falls within general PHA guidelines to prevent overcrowding. Applicants who elect to accept the bedroom size offered by the PHA will not be placed on a transfer list so long as their family composition remains within general PHA guidelines to prevent overcrowding.
3. Applications equal in preference will be maintained by date and time families completed waiting list application.
4. Applicants for public housing project numbers KS043001 and KS043002 may have incomes between 50% and 80% of the areas median (as determined by HUD). These projects have Annual Contributions Contracts executed prior to October 1, 1981. Applicants for public housing project number KS043003 must have incomes at 50% or below the area median since this project has an Annual Contributions Contract executed after October 1, 1981.

5. Applicants applying for Parkview Manor, Project number KS043001 must meet the household composition requirements for a one bedroom unit two bedroom unit.

B. WAITING LIST PREFERENCES

Applicants will be informed of the preferences which affect placement on the waiting list and admission to public housing. They will be given the opportunity to claim any of the preferences for which they believe they qualify. The preferences are as follows:

Displacement due to Natural Disaster
Local Working Preference

C. DISPLACEMENT PREFERENCE

Emergency Disaster Preference established for families that are being permanently displaced from their homes due to the following disasters - Flooding, Tornado, Earthquakes and Fire.

Families showing proof of being displaced as result of one of the natural disasters listed above will go to the top of Olathe's waiting list for public housing and/or Section 8 (even if waiting list is closed.)

If families are able to find other affordable permanent housing, the emergency preference will be removed and their names will be moved to the appropriate place on the waiting list.

This preference will only be available to families up to ninety (90) calendar day from the date of incident that caused the displacement. Families must meet PHA eligibility requirements.

D. LOCAL PREFERENCE

PHA Has established the following local preferences for both waiting list. PHA established a Local Working Preference in compliance with CFR 982.207 through Resolution No.501 on April 27, 2004 by the Olathe Board of Housing Commissioners

Parkview Manor Waiting List

1. Elderly and/or disabled Olathe residents are given highest priority
2. Elderly and disabled non Olathe residents.
3. Families that meet the one and/or two bedroom guidelines and live in Olathe and work at least 25 hours a week.
4. Families that meet the one and/or two bedroom guidelines and live in Olathe but do not work at least 25 hours a week.

Scattered Site Waiting List Local Working preference

Local Working Preference includes the following:

1. Family lives in Olathe and the Head of Household and/or spouse are working for wages at least 25 hours per week.
2. Family does not live in Olathe but the Head of Household and/or spouse are working for wages in Olathe at least 25 hours per week.
3. Family lived in Olathe and worked at least 25 hours per week when current waiting list application was opened and must still be working at least 25 hours per week.
4. The Head of Household and/or spouse are elderly (62 or older).
5. The Head of Household and/or spouse are disabled.

E. PREFERENCE ELIGIBILITY

An applicant who has an adult member in the household who was evicted from federally assisted housing (public, Indian, Section 8, or Section 23) because of drug-related activity will not qualify for any selection preference for a period of five (5) years from the date of the eviction. An applicant may seek a waiver from this prohibition by appearing before the Director to establish that the applicant has successfully completed a Rehabilitation program and will not adversely affect the social environment of the public housing project if admitted with a preference.

1. FEDERAL PREFERENCES

The Quality Housing and Work Responsibility Act of 1998 repealed the use of federal preferences effective October 1, 1998, and references to federal preferences were removed from HUD regulations as of 3/29/2000.

All applicants will be informed of the PHA selection preferences and given the opportunity to claim any preference for which they certify they qualify. Applicants are placed on the waiting list according to their date and time of application and preference. Preference claims are not verified at the time of the preliminary application but are subject to verification at the time of the full application for admission.

Applicant circumstances may change while awaiting admission. These changes may affect entitlement to a preference. Whenever applicants claim a different preference, they will be placed on the waiting list according to date and time applied and in the order of their claimed preference(s).

However, to be finally determined eligible, applicants must still meet a preference category cited at the time that a PHA unit is expected to be available and a full application is completed.

If the applicant's preference(s) cannot be verified, the applicant will be notified of the preference denial and moved on the waiting list utilizing the original date and time for applications without a preference. Applicants are entitled to an Informal Settlement meeting with PHA Director when preference can not be verified.

F. ORDER OF SELECTION

Selection from the PHA waiting list will be made without regard to race, color, sex, religion, creed, national or ethnic origin, age, family or marital status, ancestry, place of birth, sexual preference, disability or source of income. Applications will be filed in the following hierarchical order:

1. Bedroom size needed by applicants according to Occupancy Standards and applicant requests.
2. Applicants based on time and date of waiting list application and qualifying for a local working preference will be given a preference over applicants without a preference.
3. Non-preference applicants, based on time and date of application.

Interviews for completion of a full application are scheduled on this basis.

Applications are taken and preferences for admission are given by the PHA to families who can claim and verify a local working preference.

Families who qualify for admission will be offered an appropriate unit. If the family declines the offer of a public housing unit and wishes to remain on the waiting list, if opened, the family will be placed at the bottom of the waiting list; with the date and time they declined the unit. If family declines unit and waiting list is closed, the family's name will be removed from the public housing waiting list.

The only exception to this policy will be for families who have initially elected to be on a waiting list for more than one bedroom size. They may decline an offer from one bedroom list and retain their original date and time on the waiting list for the other bedroom list. They may not retain their original application date on both bedroom waiting lists.

The PHA shall rank applicants who qualify for a preference based on the following:

Local preference in priority of preference (Parkview Manor)

1. Elderly and disabled Olathe residents.

2. Elderly and disabled non-Olathe residents.
3. Family meets the one and/or two bedroom guidelines and lives in Olathe and works at least 25 hours a week
4. Family meets the one and/or two bedroom guideline and lives in Olathe but do not work at least 25 hours a week.

Local Working preference (Projects KS043002 and KS043003)

PHA established the Local Working Preference in compliance with CFR 982.207 through Resolution No.501 on April 27, 2004 by the Olathe Board of Housing Commissioners. All of the following situations qualify for a Local Working Preferences.

1. Family lives in Olathe and the Head of Household and/or spouse are working for wages at least 25 hours per week.
2. Family does not live in Olathe but the Head of Household and/or spouse are working for wages in Olathe at least 25 hours per week.
3. The Head of Household and/or spouse are elderly (62 or older).
4. The Head of Household and/or spouse are disabled.
5. Family lived in Olathe and worked at least 25 hours per week when current waiting list application was opened and must still be working at least 25 hours per week.

G. FORMER FEDERAL PREFERENCE

The Quality Housing and Work Responsibility Act of 1998 repealed the use of federal preferences effective October 1, 1998, and reference to federal preferences were removed from HUD regulations as of 3/29/2000.

H. MAINTAINING THE WAITING LIST

After the preliminary eligibility determination has been made, applicants are placed on the appropriate waiting list in the order of preference. The PHA will maintain an accurate waiting list which conforms to HUD requirements.

The waiting list will provide the following information on apparently eligible households who have an active pre-application:

1. Name of head of household;
2. Date and time the pre-application was received;

3. Unit size(s) required or requested and accessibility requirements;
4. Preference status codes;
5. Minority/Family status;
6. Social Security Numbers of all family members.

I. UPDATING THE WAITING LIST

The PHA will annually update the waiting list to ensure that it is current and accurate.

The PHA will mail one first class letter to the applicant's last known address, requesting information regarding their continued interest in maintaining a place on the waiting list.

If waiting list applicants name is removed from the waiting list, they have thirty (30) calendar days after the established due date to request an Informal Settlement meeting with the PHA Director.

If the applicant did not notify the PHA of a move as required, the PHA will not be responsible for the applicant's failure to receive the update request in a timely manner.

The requested letter will include a deadline date by which applicants must return the required document to the PHA expressing their continued interest in housing. Document may be returned by mail, fax or in person. If the PHA fails to receive the applicant's document by the deadline date, the applicant's name will be removed from the waiting list.

Applicants will be given at least fourteen (14) calendar days to return the notice of continued interest. The PHA does not accept responsibility for lost mail or mail delays.

J. BROAD RANGE OF INCOME

The PHA is required by federal regulation to attain, to the maximum extent feasible, a tenancy with a broad range of income in each of the three public housing projects. The PHA will attain the broad range of incomes by taking steps to improve the income levels for current tenants, not by admitting eligible applicants with relatively higher incomes.

V. OCCUPANCY STANDARDS

A. GENERAL GUIDELINES

HUD guidelines require that the PHA establish standards for the determination of bedroom size for which the family is qualified. The intent of the PHA guidelines is to assist as many people as possible and minimize vacancies, while avoiding overcrowding of the unit or project. The PHA, to the extent practicable will accept

requests from families for smaller units than the PHA would generally assign.

The occupancy standards will determine the bedroom size for placement on the waiting list. Applicants may choose to be on more than one bedroom size waiting list if they elect to accept a unit which is smaller than that which would be assigned to the family using the PHA general guidelines. Those general guidelines are:

Persons of different generations, persons of the opposite sex (other than spouses) and unrelated adults should have separate bedrooms;

Children of the same sex who are under the age of 12 should share a bedroom. Children of the same sex who are over the age of 12 may be assigned separate bedrooms.

Children of the opposite sex may share a bedroom. Children of the opposite sex who are over the age of two (2) may be assigned separate bedrooms.

Persons with verifiable medical needs or other extenuating circumstances may be provided a larger unit; Live-in Attendants will generally be provided a separate bedroom;

Foster children will be provided separate bedrooms;

Children may be assigned separate bedrooms from parents, a child is defined as a minor and includes an unborn child or a person under the age of 18 being adopted by the applicant;

Units will be assigned so that a minimum of one person and a maximum of two people will occupy each bedroom;

Units will be assigned so that families will not be required to use rooms other than bedrooms for sleeping purposes.

These suggested standards are used to accommodate a family of a given size which will generally conform to the following unit size requirements:

Number of Bedrooms	Number of persons	
	Minimum	Maximum
1	1	2
2	2	4
3	3	6
4	4	8

B. ACCESSIBLE UNITS

The PHA has units which were designed for persons who use wheelchairs. When these units are vacant, the PHA will utilize an over-ride preference to offer the accessible unit of the appropriate bedroom size to an applicant who has indicated on their preliminary application that they require an accessible unit.

Accessible units will be offered to non-mobility impaired applicants if there are no families toward the top of the waiting list with family members who require the accessible design.

Non-mobility impaired families may be required to move from an accessible unit when a family who needs the unit comes to the top of the waiting list. Non-mobility impaired families who have been housed in an accessible unit will be transferred to another unit if a qualified family is at the top of the PHA waiting list who requires the accessible design and an appropriate unit is available for the non-mobility impaired family.

The PHA is committed to making reasonable accommodations in all of its units for applicants and tenants with disabilities. The PHA considers the person with the disability as the best source of information as to the form of accessibility necessary to accommodate their housing needs. Applicants and tenants who use wheelchairs are not limited to those units designed to be accessible to persons using wheelchairs.

VI. INCOME CONSIDERATIONS AND DETERMINATION OF TOTAL TENANT PAYMENT

A. GENERAL POLICY

Annual Income is used to compare to the Income Limits. It is the gross amount of income to be received by the household.

HUD has five allowable deductions from Annual Income. When these applicable deductions are made from Annual Income, the result is Adjusted Income.

- Dependent Deduction
- Elderly Household Deduction
- Child Care
- Allowable Handicap Assistance
- Allowable Medical Expense

B. DEFINITION OF ANNUAL INCOME

Annual Income is defined as the full amount of income (prior to any deductions) anticipated to be received by the family 12 months after certification or recertification.

1. Employment Income

Total or full amount earned before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services. Severance pay is included in income.

Earned income identified as temporary, nonrecurring and sporadic will be included in annual income. The average monthly amount earned from temporary, nonrecurring and sporadic employment is used as a monthly income projection when determining annual income.

Example of temporary, nonrecurring or sporadic income is daily income not regularly anticipated by worker.

Employment income of minors (family members 17 and under who are not head, spouse, foster child or live-in attendant) is not counted as income.

Income of a Live-In Aide is not included as income.

2. Business Income

Net income from operation of a business or profession is included.

Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income.

An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations.

Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family.

3. Income from Assets

Interest, dividends and other net income of any kind from real or personal property is included.

Expenditures for amortization of capital indebtedness shall not be used as a deduction in determining net income. An allowance for depreciation is permitted based on straight line depreciation, as provided in Internal Revenue Service regulations.

Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family.

When Net Family Assets are \$5000 or less, use the actual income from assets.

Where the family has Net Family Assets in excess of \$5000, Annual Income shall include the greater of:

Actual income from assets; or

Imputed income from assets based upon the current passbook savings rate, as determined by HUD (multiply times total cash value of assets).

PHA will use the current HUD identified passbook rate for the Kansas City Metro Area when determining income.

Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses are not included in income.

4. Retirement Incomes

Full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including a lump-sum payment for the delayed start of a periodic payment or a settlement due to a dispute, are included.

5. Public Assistance

Payments in lieu of earnings such as unemployment and disability compensation and worker's compensation are counted as income.

Welfare Assistance is included as income as long as amount is specifically designated for shelter or utilities or the maximum amount could allow the family to use for shelter and utilities.

Payments received for the care of foster children are not included as income.

6. Alimony and Child Support

Regular alimony and child support payments are counted.

If the child support is not received on a regular basis, the PHA must count the amount of child support in the divorce decree or separation agreement unless the PHA verifies that the income is not provided.

In order to calculate with any other amount than the amount in the award, the PHA must obtain a certification from the tenant as to how much is being received on an annual basis plus they must have documentation in the file that the family has filed with the agency responsible for enforcing the payments.

If a printout from the District Court office is available, the amount received over the last 12 months would be used if no projection of anticipated income can be made.

7. Regular Contributions and Gifts

Regular contributions and gifts received from persons outside the household are counted as income.

This includes regular payments on bills or other services, including rent and utility payments paid on behalf of the family and other similar cash or non-cash contributions provided on a regular basis.

It does not include casual contributions or sporadic gifts. It also excludes regular cash or non-cash contributions for groceries or other food items such as food stamps or donations from local agencies.

Tenants that identify very little or no income are required to complete a No/Low Income form every sixty (60) calendar days outlining how living cost are paid. The costs of items identified on this form are counted as income.

8. Military Pay

Regular pay, special pay and allowances of a member of the armed forces (whether or not living in the dwelling) who is head of the family, spouse or identified as household member is counted as income.

The special pay to a family member serving the Armed Forces who is exposed to hostile fire is not included as income. Income of adult children in the military, as long as they are not living in the household, is not counted as income.

9. Lump-Sum Receipts

Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses are not included in income.

Deferred periodic payments of supplemental security income (SSI) and social security benefits that are received in a lump-sum are not counted as income.

Contributions to company retirement/pension funds are handled in following manner:

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

After retirement or termination of employment, count any amount the employee elects to receive as a lump-sum.

Lump-sum payments caused by delays in processing periodic payment (unemployment, worker's compensation) are counted as income.

Treatment of accumulated periodic payments because the income was deferred due to a dispute is handled no differently than periodic payments which are deferred because of processing problems.

If the family receives a lump-sum payment of income, it will be added to the balance of Annual Income and calculated prospectively, if reported within the month the payment was received.

If the lump-sum payment was not reported within the month the payment was received the PHA will calculate the lump-sum

retroactively for Public Housing, going back to the date the lump-sum payment was to be considered, as long as that date is not prior to program participation.

If the lump-sum payment period started 5 months ago, the entire lump-sum amount is added to the Annual Income at that time and the new Total Tenant Payment and Tenant Rent are recalculated. The new Tenant rent is taken times the number of months that had elapsed until the current calculation had the difference between what was paid and what should have been paid is determined.

At the PHA option, the tenant will enter into a Repayment Agreement or repay the entire amount at this time.

10. Grants and Scholarships

Educational scholarships include various educational entitlements, grants, work-study programs, and financial aid packages. They also include amounts received by veterans for educational purposes.

The PHA will determine the purpose of the grant or scholarship from the financial aid office or other scholarship source. The PHA will not verify how the student actually uses the funds that are provided. None of the "expense" categories have to be defined because there is no verification of expenses.

Amounts of educational grant or scholarship or payment to a veteran for educational purpose that is over and above the exclusions allowed. The portions of the grant for the items listed below are excluded from income:

Tuition	Supplies
Fees	Materials
Books	Transportation
Equipment	Miscellaneous Personal Expense

The portions of educational scholarships which are made available for general living expenses such as room and board are counted as income.

Full time and part time students will be treated the same under this provision of income.

Where there is no portion made available for general living expenses such as room and board, the entire scholarship will be excluded from income.

If the educational institution or their scholarship source does not designate which part of the scholarship is made available for attendance costs and which part is for general living expenses, the PHA will not include in income the portion of the scholarship which is made available for "attendance costs".

The method which will be used is to apply the educational scholarship first to "attendance costs", as determined by the

financial aid office or other scholarship source, and then count as income amounts that are left over.

In cases where a family member is attending school away from home, the family may request and the PHA may authorize removing the person's name from the lease and excluding the person's income completely, whether that income is from a scholarship or any other source.

Student loans are not considered income.

11. Medical Expense Reimbursement

Amounts received by the family that are specifically for or in reimbursement of the cost of medical expenses for any family member are not included as income.

If a PHA receives a verification document that provides a person's diagnosis or details of treatment for a disability or medical condition, the PHA should dispose of it. The PHA should note in the file that a disability (in place of the specific disability information) and any other information requested has been verified, the date the verification was received, and the name and address of the knowledgeable professional who sent the information

12. Program-Related Expense Reimbursement

Reimbursements provided by publicly assisted programs to cover a person's out of pocket expenses which are made solely to allow participation in the program are not considered income.

Examples include transportation, child care and other work-related expenses when a welfare recipient works in a nonprofit agency to acquire job skills or, if skilled, look for a job.

13. Training Program Income

All payments to trainees participating in a job training program through the State of Kansas Social and Rehabilitation Services are not counted as income. (i.e. Welfare to Work)

Payments to disabled persons pursuing a plan for achieving self-support that are disregarded by SSI will be disregarded by PHA for as long as SSI disregards the income.

HUD's definition of training program is "A learning process with goals and objectives, generally having a variety of components, and taking place in a series of sessions over a period of time. It is designed to lead to a higher level of proficiency, and it enhances the individual's ability to obtain employment. It may have performance standards to measure proficiency. Training may include, but is not limited to: classroom training in a specific occupational skill, on-the-job training with wages subsidized by the program, or basic education."

14. Other Federally Mandated Exclusions

Relocation payments made pursuant to Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;

Value of allotment provided to an eligible household under the Food Stamp Act of 1977;

Payments to volunteers under the Domestic Volunteer Services Act of 1977 are excluded such as VISTA, RSVP, Foster Grandparents, Peace Corps and Senior Companions Programs;

Payments or allowances made under HHS' Low-Income Home Energy Assistance Program;

Earned income tax credit refund payments received on or after 1/1/1991.

Payments received from programs funded under Title V of the Older Americans Act of 1985 (Senior Community Service in Employment Program funded through the Department of Labor and administered by national contractors such as Green Thumb, National Council on Aging, American Association of Retired Persons, National Council of Senior Citizens {sometimes called Senior Aides}, U.S. Forest Service, National Council on Black Aging, Urban League, and National Association for the Spanish Elderly);

Allowances, earnings and payments to AmeriCorps residents under the National and Community Service Act of 1990 are excluded from annual income.

Payments received after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the Agent Orange product liability litigation.

Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Act because of the commission of a crime against the applicant.

Earnings in excess of \$480 for each full-time student 18 years of age or older (excluding the head of household or spouse)

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

C. SPECIAL CONSIDERATIONS IN DEALING WITH ANNUAL INCOME

1. Averaging Income

There are two ways to figure income when the income is not received for a full year.

Annualizing current income (and subsequently conducting an interim reexamination if income changes); or averaging known

sources of income that vary to compute an annual income (no interim adjustment if income remains what was calculated).

The PHA will use the annualizing current income method for all families unless the supervisor approves a deviation based on known income patterns in the past for seasonal workers.

Last year's income could be analyzed to determine the amount of income to be anticipated when it cannot be clearly verified.

If the last three months of income are representative of the income which may be anticipated for the next year, such as overtime worked when the employer cannot anticipate how much overtime the family member will have over the next year, the last three months may be used to anticipate the income.

If the last three months of income are not representative of the income which may be anticipated for the next year, such as overtime worked only at Christmas, the overtime worked for the entire past year basis will be used to anticipate income.

If the anticipated income from the employer shows a raise in pay which is to occur 4 months from the effective date of the recertification, income is to be calculated at the old rate for 4 months and at the new rate for 8 months.

If there are bonuses to be anticipated, but the employer does not know how much the bonus will be, the bonus from last year, if any, will be used for calculation purposes.

If, by averaging, a reasonable estimate can be made, that estimate is used instead of changing the rent every month.

Examples

- a) Family member is working with a temporary agency. To determine annual income - average total amount earned during previous 12 month period from all sources. If family member is currently working through temporary agency/s they must provide income documentation to PHA every three months.
- b) Family member is working with a company associated with a school district's calendar. Income is calculated on a thirty eight week year unless family member can provide third party documentation that hours are more or less.
- c) Family's that report no income must meet with PHA staff and complete a "No Income Verification" form every sixty days. Funds provided by family members, agencies or acquaintances will be averaged to determine annual income. Examples of cash assistance are paying utilities, vehicle expenses, cigarettes, food and personal hygiene.

Use documents submitted and send in the third party verification, especially on interims. Therefore, the calculation can be made right away and put into effect within the notices required for increases and decreases at interims.

At reexamination, last year's income may be used if it is impossible to anticipate the income for the coming year and average.

2. Minimum Income

There is no minimum income requirement, but the staff should use good interviewing skills to determine whether there actually is income, but it is not being reported.

Families that report no income will be required to fill out a No-Income Form every 60 days as long as they are reporting they have no income.

Families may not be required to apply for welfare, but it may be suggested to them.

The interim reporting requirement should be impressed upon families who report no income.

3. Temporarily Absent Family Members' Income

Income of temporarily absent family members is counted. Guidelines for determining whether a person is temporarily or permanently absent can be found under the Eligibility section.

If the spouse or the head of household is temporarily absent, his/her entire income is counted, whether or not s/he is on the lease.

For example, a husband and wife are on welfare and the husband is ordered to leave the household for 3 months. He gets a job after he leaves the household to support himself. Then he is reunited with his wife and he quits his job.

The husband is temporarily absent and the income from his job while he was out of the household is counted.

If the spouse is temporarily absent and in the military, all military pay and allowances (except hazardous duty pay when exposed to hostile fire) is counted as income.

4. Income of Person Permanently Confined to Nursing Home

If a family member is permanently confined to the hospital or nursing home, and there is a family member left in the household, the PHA will calculate the total tenant payment, using both of the methods listed below, and uses the result which most benefits the tenant:

Exclude the income of the person permanently confined to the nursing home and give the tenant no medical deductions paid on behalf of the confined family member;

Include the income of the person permanently confined to the nursing home and give the tenant the medical deductions they have to pay on behalf of the person in the nursing home.

(For determination as to whether the person is confined to a nursing home on a temporary or permanent basis, see the definition of Temporarily/Permanently Absent in this Policy.)

D. DEFINITION OF ASSETS

1. Accessibility

The accessibility of assets is a factor in determining whether something is or is not an asset. If the asset is not accessible by the family, it is not counted as an asset.

For example, an elderly person may state that her only asset is a burial fund which (to them) would not be an accessible asset. However, it depends on where the burial fund is located. If the burial fund is in a savings account, it is counted because it is accessible. If it is paid to a funeral home and cannot be returned, it is not counted because it is not accessible by the applicant.

2. Cash Value of Assets

The CASH VALUE of assets is used. It is the amount of cash the family would have left IF they converted their asset into cash. Therefore, expenses involved in converting assets to cash may be deducted.

In order to get to the Cash Value of Assets, this formula is used:

Market Value
Less HUD Asset Expenses

Broker Fees
Legal Fees
Settlement Costs
Penalty for Withdrawing Asset Early

Cash Value

a. Checking Accounts:

Count the average monthly balance for the last six months in checking accounts.

b. Savings Accounts:

Count current amounts in savings accounts.

c. Investments:

Count stocks, bonds, savings certificates, money market funds, and other investment accounts.

d. Equity in Real Property:

Count the equity in real property by using the method to arrive at Cash Value above, and also subtract out the unpaid balance on all loans secured by the asset.

e. Trusts:

Count the cash value of trusts that are available to the household. Do not include irrevocable trusts.

f. Retirement Accounts:

Count IRA, Keogh and similar retirement savings accounts, even though withdrawal would result in a penalty.

Contributions to company retirement/pension funds are handled in this manner.

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

g. Joint Ownership of Assets:

Count assets which, although owned by more than one person, allow unrestricted access by the applicant.

h. Lump-Sum Receipts:

Lump-sum receipts such as inheritances, capital gains, lottery winnings, insurance settlements and other claims are counted as assets.

i. Personal Property:

Personal property held as an investment is counted as assets such as gems, jewelry, coin collections, antique cars, etc.

j. Life Insurance Policies:

Cash value of life insurance policies is counted as an asset. Policies which are most likely to have a cash surrender value include ordinary life and whole life.

k. Assets Disposed of for Less than Fair Value:

The PHA must count assets disposed of for less than fair market value during the two years preceding examination or reexamination. The PHA will count the difference between the market value and the actual payment received.

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

HUD does not specify a minimum threshold for counting assets disposed of for less than Fair Market value, but allows PHA to establish a threshold in their policy that will enable them to ignore small amounts such as charitable contributions.

The PHA minimum threshold for counting assets disposed of for less than Fair Market value is \$500. If the total amount of assets disposed of within a one year period is less than \$500, they will not be considered an asset for the two year period.

If the total amount of assets disposed of within a one year period is more than \$500, all assets disposed of for less than Fair Market value will be counted as assets for two years from the date the asset was disposed of.

The PHA may require verification to substantiate decreases in total assets in excess of \$1000 that occur between recertification's and are not attributed to disposal for less than fair market value.

E. ADJUSTED INCOME

Adjusted Income is Annual Income less HUD-approved allowances and deductions.

There are five allowable deductions:

- Dependent Deduction
- Elderly/Disabled Household Deduction
- Child Care
- Allowable Handicap Assistance
- Allowable Medical Expense

1. Dependent Deduction

A dependent is a family member who is:

17 or under; or

18 or over (no age restriction) AND

Full time student carrying a full time subject load as defined by the institution at an institution with a degree or certificate program; or Handicapped according to HUD definition; or

Disabled according to HUD definition.

A dependent can never be:

Head
Spouse
Foster Child
Live-in Attendant

The dependent deduction is \$480..

2. Elderly/Disabled Household Deduction

An Elderly/Disabled Household is one whose head or spouse or sole member of household is:

62 years of age or older; or

Person with disability according to HUD definition;

The Elderly or Disabled Family deduction is \$400 per household. There is only one deduction per household even if both head and spouse are elderly or disabled.

3. Child Care

Reasonable child care expenses (unreimbursed) amounts paid by the family) for the care of children, including foster children, age 12 and younger may be deducted from Annual Income if all of the following are true:

The care is necessary to enable an adult family member to work or further his/her academic or vocational education;

The expense is not reimbursed by an agency or individual outside the household; and

The expenses incurred to enable a family member to work do not exceed the amount earned.

Care expenses for the care of handicapped or disabled family members over the age of 12 cannot be deducted as a child care expense.

Child support payments to guardians or estranged partners on behalf of a minor who is not living in the applicant household cannot be deducted.

Child care will not be given for attending a private school, rather than a public school. However, if the private school also provides day care or after-school care, in addition to regular school hours for school-age children, the after-hours care can be counted as child care, as long as the family is eligible for child care.

Child care cannot be given if there is an adult household member capable of caring for the child who can provide the child care. Examples of those adult members who would be considered unable to care for the child include:

The adult member in a documented child abuse situation;

A medically feeble older person unable to take care of a small child.

The reasonableness standard for child care uses the following standards:

Child care to work: The maximum child care allowed will be based on the amount earned of the person enabled to work. The "person enabled to work" will be the adult member of the household who earns the least amount of income from working.

Child care for school: The PHA will compare the number of hours the family member is attending school and base the reasonableness standard on the number of hours attending school (with the addition of some travel time to and from school) versus the number of hours claimed for child care.

Rate of Expense: The PHA will survey the local day care providers in the area/community to determine a reasonableness standard. The determination will be made only on a reasonable HOURLY rate. If child care is provided by extended family member, the PHA may verify the provider is actually receiving payments by reviewing provider's income tax returns or canceled checks.

4. Handicap Assistance Allowance

Families may deduct anticipated expenses for care attendants and auxiliary apparatus for handicapped or disabled family members if such expenses:

Enable an adult family member (including the handicapped family member) to work; and

Exceed the 3% of annual income; and

Do not exceed the earned income of the household member(s) enabled to work.

Attendant Care includes

In-home or adult day care

Nursing

Housekeeping

Personal Care and errands services

Interpreter for hearing impaired
Reader for persons with visual disabilities

Auxiliary apparatus includes items such as:

Wheelchairs, walkers, scooters
Service animals
Ramps
Hand brakes for cars or vans
Lifts for vans (adaptations to vehicles)
Special equipment to enable a blind person to read

To calculate Allowable Handicap Assistance:

Total Handicap Assistance
- 3% of Annual Income
Allowable Handicap Assistance

5. Medical Expenses

Allowable medical expenses can be deducted ONLY for elderly/disabled households. If the household is eligible for a medical expense deduction, the medical expenses of all family members are counted.

Allowable medical expenses can be deducted if the non-elderly head of household is disabled. Only the disabled head of household member's medical expenses may be deducted.

If a PHA receives a verification document that provides a person's diagnosis or details of treatment for a disability or medical condition, the PHA should dispose of it. The PHA should note in the file that a disability (in place of the specific disability information) and any other information requested has been verified, the date the verification was received, and the name and address of the knowledgeable professional who sent the information.

Medical expenses are expenses anticipated to be incurred during the 12 months following certification or recertification which are not covered by an outside source such as insurance.

They may include:

Services of doctors and health care professionals

Services of health care facilities

Laboratory fees, X-rays and diagnostic tests, costs for blood and oxygen

Medical insurance premiums

*Prescription and non-prescription drugs (non-prescription items must be prescribed by licensed medical professional)

and as listed by the Internal Revenue Service (IRS) per Resolution #708)

Transportation to treatment

Dental expenses, eyeglasses, hearing aids, batteries

Live-in or periodic medical assistance

Monthly payment on accumulated medical bills

Medical care of a permanently institutionalized family member IF his/her income is included in Annual Income.

Any other medically necessary service, apparatus or medication, as documented by third party verification.

If a PHA receives a verification document that provides a person's diagnosis or details of treatment for a disability or medical condition, the PHA should dispose of it. The PHA should note in the file that a disability (in place of the specific disability information) and any other information requested has been verified, the date the verification was received, and the name and address of the knowledgeable professional who sent the information.

Where there is a question regarding whether something can be taken as a medical expense, IRS Publication **502** will be used as a guide.

The calculation for allowable medical expense deduction when there are no handicap assistance expenses is:

Total Medical Expenses
- 3% of Annual Income
Allowable Medical Expense

*Non-prescription medicines must be doctor recommended with a specific dosage in order to be considered as a medical expense. The calculation for allowable medical expense deduction when there are handicap assistance expenses is:

Total Handicap Assistance Expense
- 3% of Annual Income
Allowable Handicap Assistance Expense

Total Medical Expense
- Remainder of 3% of Annual Income (not deducted from
Allowable Medical Expense Handicap Assistance
Expense)

F. CALCULATION OF THE TOTAL TENANT PAYMENT AND TENANT RENT

The Total Tenant Payment is calculated as the greatest of:

30% of Monthly Adjusted Income
10% of Monthly Income

Minimum Rent

The Total Tenant Payment is the payment the family makes toward rent and an allowance for utilities.

If the family pays for some or all utilities, the PHA will provide the family with a utility allowance. The allowances are based on actual rates and average consumption estimates, not on a family's actual energy consumption.

The Tenant Rent is calculated by subtracting the Utility Allowance from the Total Tenant Payment.

Family would be exempted from Minimum rent if financial hardship would result in termination of lease. Staff will notify family to inform them they may request a hardship.

Where the Utility Allowance exceeds the Total Tenant Payment of the family, the PHA will provide a Utility Reimbursement Payment to the family each month.

Check will be made out to tenant and utility company of tenant's choice.

G. FLAT RENT

Flat rents are based on the market rent charged for comparable units in the private unassisted rental market. Flat rent is the unsubsidized amount any landlord could charge and lease the unit promptly after preparing for occupancy.

1. Determining Flat Rents

In setting Flat Rents for PHA the following are taken into consideration.

- Location of unit
- Quality of Condition of Unit
- Unit size and number of bedrooms
- Unit type (single family, duplex or apartment)
- Age of unit
- Amenities
- Maintenance provided with unit
- Utilities provided

PHA may use the same criteria used to determine rent reasonableness in the Housing Choice Voucher Program or they may choose to conduct a market analysis using census data, surveys or the service of a company.

PHA will take utility payment into consideration when setting flat rents. The flat rent would be higher in property where utilities are included compared to unit where tenant pays the utilities.

2. Flat Rents Amounts

The flats rents that have been established for PHA include the following:

Parkview Manor	
1-Bedroom	\$350.00
2-Bedroom	\$400.00

Scattered Site Units	
1-Bedroom	\$300.00
2-Bedroom	\$325.00
3-Bedroom	\$400.00
4-Bedroom	\$475.00

PHA may amend flat rent amounts with approval of the Board of Housing Commissioners.

3. Rent Choice

Upon signing a lease and yearly there after, the PHA must offer families the choice between a flat rent and an income-based rent. Enough information is provided on the rent choice form for the family to make an informed choice.

4. Reexamination

If a family chooses flat rent, PHA is required to do in-depth reexamination of income at lease every three year.

Family will still be required to meet with PHA annually to examine family composition, community service and other criteria related to continue occupancy.

5. Switching from Flat Rent to Income Based

At any time families experiencing financial hardship and unable to pay flat rents may opt to switch to an income based rent per PHA policy. PHA will explain policy to family that switching from flat rent due to hardship is acceptable. Families are informed prior to switching from flat rent to income based that if family request switching back to flat rent when financial situation improves that they may only switch back on flat rent at their annual reexamination.

Hardship reasons families may request switching from flat rent to income based:

- Decrease in income
- Loss or reduction in employment
- Death in Family
- Reduction or loss of earning or other assistance
- Increase in expenses including:
 - Medical Cost
 - Childcare
 - Education

H. QUALITY CONTROL

A quality control check is made of at least 15% of all PHA files.

VII. VERIFICATION PROCEDURES

A. GENERAL POLICY

The PHA verifies family income, family composition, status of full time students, value of assets, factors allowing a preference, and other factors relating to eligibility determinations before an applicant is offered a dwelling unit. The verification of annual income requires PHA conducting a thorough interview the applicant/tenant. The initial interview will set the groundwork for future interims and annual recertification's.

To ensure that only eligible households receive the limited housing subsidies and to ensure that the subsidies provided are the correct level of subsidy, the PHA will adhere to the provisions of the regulations, HUD Public Housing Guidebook, and related Memorandums and Notices, governing verification of all factors affecting eligibility and rent.

B. METHODS OF VERIFICATION

In the order presented, the PHA will attempt to effectuate:

1. Third Party Verification

Third party verification is considered to be the most effective means of verifying information provided by the family. Verification forms will be sent via mail, fax or email to the appropriate third party with a request that the form be returned via mail or fax. It is the intent of the Authority that the form shall never pass through the hands of the applicant/participant. PHA may review (and copy) pay stubs provided by applicant/participant if third party written documentation is not available. PHA may also utilize the EIV for income verification if third party verification is not obtainable or is cost prohibitive. An EIV must always be printed off HUD system when conducting Annual Recertification's or Interim's.

In the event that third party written verification is not possible (due to an unwillingness by the source to respond or in the event that the information is not returned within a four (4) week period) staff will be advised to note the file accordingly and then to proceed with the third party oral verification.

Oral verification will be effectuated through a phone call to the source or via an "in person" meeting. When third party oral verification is used, staff will be required to complete a "Staff Affidavit" noting who they spoke with, the date of the conversation, and the nature (facts provided) of the conversation.

The PHA will not allow tenants to "hand carry" or bring back verifications from the source to be considered third party

verifications. Third party verifications will be mailed directly to the third party source.

When the PHA uses oral third party verification, a "Document Viewed or Person Contacted" form will be filled out by the staff person.

a. Use of Computer Print-Outs

In as much as many agencies have gone to the use of computer-generated forms as their response to the PHA request for "third party written verification", the PHA will accept all such computer forms as documentation of third party written verification. Such sources and forms might include (but are not limited to):

- Social Security Administration
- Veteran's Administration
- Welfare Area
- Unemployment Compensation Board
- Child Support through Agency Enforcement
- HUD generated Earned Income Verification report

2. Review of Documents

In the event neither third party written nor oral verification is possible, staff will request the applicant/participant to bring in actual documents at the time of the application.

All documents, excluding government checks, will be photocopied and retained in the applicant file.

Where "review of documents" occurs and forms cannot be photocopied, staff viewing document(s) will be required to complete a Document Viewed form.

Examples of documents family might provide include:

- Benefit checks or award letters
- IRS tax forms
- W-2 forms
- Paycheck stubs (at least three is preferred)
- Child support payment canceled checks and/or award letters

3. Applicant Certification/Self-Declaration(s)

When verification cannot be effectuated by either form of third party verification nor review of documents, applicants may be required to submit a notarized statement.

Notarized statements are only to be used as a last resort, with the other forms of verification impossible to obtain. A non-notarized tenant statement as a form of verification is not acceptable.

Certifications which do not have to be notarized include the Certification of the Divestiture of Assets.

No government checks will be photocopied! The Document Viewed form will be used to record the verification.

C. RELEASE OF INFORMATION

At the application stage, families will be asked to sign appropriate verification forms, as well as a blanket verification. Each member requested to consent to the release of information will be provided with a copy of the appropriate forms for their review and signature.

Each and every verification form will contain the appropriate family members' signature as proof of:

Their consent to the "third party" for release of specified information; and

Evidence of their understanding of the type/nature of information being sought.

Family refusal to cooperate with the HUD prescribed verification system will result in the termination of the household's application and will result in ineligibility status.

D. UP-FRONT INCOME VERIFICATION OR EARNED INCOME VERIFICATION (EIV) REPORTS

The use of up-front or the Earned Income Verification report is increasing the accuracy and efficiency when determining family eligibility and rent calculations. This verification allows PHA to obtain income information prior to admission and prior to reexam process.

PHA will always obtain up-front income verification, if available. Information that may be obtained include: wages, welfare benefits, social security benefits, child support and other income sources.

Where allowed by HUD and/or other State or local agencies, computer matching will be conducted. Where computer printouts are a feasible method of verification, those sources will be utilized. Some of sources that may be utilized include:

Tenant Assessment Sub-System (TASS)
State Wage Information Collection Agencies
The Work Number
IRS letter 1722
Credit Bureau
EIV Report

E. ITEMS TO BE VERIFIED

ALL INCOME unless specifically excluded by the regulations;

CURRENT ASSETS (for those assets disposed of for less than fair market value in preceding two years, verification will simply be a "self certification");

FULL TIME STUDENT ("FTS") STATUS (as defined by the institution for persons carrying equivalent of what school considers to be full time for "day" students) - includes High School students who are 18 or over;

TOTAL MEDICAL EXPENSES for "elderly" families only whose head or spouse is 62 years of age or older or handicapped or disabled according to the HUD definition;

CHILD CARE EXPENSES where it allows an adult family member to be gainfully employed or to further their education;

HANDICAPPED ASSISTANCE EXPENSES to include only those costs associated with attendant care or auxiliary apparatus which allows an adult family member to be gainfully employed;

FAMILY REQUESTING A LARGER UNIT THAN APPLICABLE under the PHA Occupancy Standards only where family can show that larger unit is needed for "medical purposes" or other extenuating circumstances;

PERSONS REQUESTING "PREFERENCE" STATUS based upon preference approved in the applicable policies pertaining to the various programs;

SUITABILITY FOR TENANCY will be verified initially and whenever the family requests a change in family composition for a new person to join the family. The PHA may request, at the PHA expense, a credit and rental history to determine suitability for tenancy.

CRIMINAL BACKGROUND CHECK must conduct on all tenants. If a conviction has occurred since the last annual recertification, lease may be terminated.

F. MINIMUM INCOME

There is no minimum income requirement, but the staff should use good interviewing skills to determine whether there actually is income, but it is not being reported.

Families may not be required to apply for welfare, but it may be suggested to them.

G. ACCEPTABLE FORMS OF VERIFICATION

Specific information must be obtained on verifications to independently document the information received from the applicant. The following verification information will be considered acceptable by the PHA in the order listed:

1. Employment Income

Any verification form MUST request the employer to specify the:

Frequency of pay;

Pay rate and hours worked;

Effective date of the last pay increase; and

Probability and effective date of any increase during the next 12 months.

Acceptable forms of verification include (in this order):

a. Employment verification form completed by the employer **or** a work reporting agency (i.e. The Work Number).

b. Check stubs or earning statements showing employee's gross pay per pay period and frequency of pay.

c. W-2 forms if applicant has had the same job for at least two years and pay increases can be accurately projected.

d. Notarized statements, affidavits or income tax returns signed by the applicant describing self-employment and amount of income or income from tips and other gratuities.

e. EIV

2. Social Security, Pensions, Supplementary Security Income (SSI), Disability Income

a. Benefit verification form completed by agency providing the benefits.

b. Award or benefit notification letters prepared and signed by the authorizing agency. (Since checks or bank deposit slips show only net amounts remaining after deducting SSI or Medicare, they may be used only when award letters cannot be obtained.)

c. EIV

d. If a local Social Security Administration (SSA) office refuses to provide written verification, tenant will be responsible for obtaining a printout from SSA office. The PHA Director may meet with the SSA office supervisor.

(1) If the supervisor refuses to complete the written forms in a timely manner, the PHA may accept a check or automatic deposit slip as interim verification of Social Security or SSI benefits as long as any Medicare or State health insurance withholdings are included in Annual Income.

(2) The PHA should immediately notify the local HUD Field Office of the SSA's refusal to verify.

3. Unemployment Compensation

- a. Verification form completed by the unemployment compensation agency.
- b. Records from unemployment office stating payment dates and amounts.
- c. Contact local unemployment office by phone to obtain the information through an oral interview.
- d. EIV

4. Welfare

- a. All Welfare Programs. Welfare agency's written statement as to type and amount of assistance family is now receiving, and any changes in assistance expected during the next 12 months; or
- b. Telephone verification and clarification properly documented by PHA staff noting the name and title of the welfare staff providing the information.

5. Alimony or Child Support Payments

- a. Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedule.
- b. A letter from the person paying the support.
- c. Copy of latest check. PHA must record the date, amount, and number of the check.
- d. Applicant's notarized statement or affidavit of amount received or that support payments are not being received and the likelihood of support payments being received in the future.

If payments are irregular:

- a. Copy of separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.
- b. Statement from agency responsible for enforcing payments to show that family has filed.
- c. Applicant's notarized statement or affidavit of amount received.

6. Net Income from a Business

The following documents show income for the prior years. PHA's must consult with tenants and use this date to estimate income for the next 12 months.

a. IRS Tax Return, Form 1040, including any:

Schedule C (Small Business)
Schedule E (Rental Property Income)
Schedule F (Farm Income)

b. An accountant's calculation of depreciation expense, computed using straight-line depreciation rules. (Required when accelerated depreciation was used on the tax return or financial statement.)

c. Audited or un-audited financial statement(s) of the business.

d. Loan application listing income derived from the business during the previous 12 months.

e. Applicant's notarized statement or affidavit as to net income realized from the business during previous years.

7. Families - No income

PHA will require all families reporting very little or zero income to complete a No-Income form. Form asks families to identify how they are paying for essential services and supplies and the monthly cost of those items.

PHA will use the cost of monthly expenses as income unless they identify the funds or items are being provided through an emergency assistance program offered by a local organization or agency.

Families may be asked to complete the No-Income form every 60 days until interim is conducted showing change in income status.

8. For a Baby-Sitting Business

Differences in handwriting between a document the tenant provides, signed by the person they are providing child care for and the statement they provide from the same person stating they do not baby-sit for them anymore, will be observed.

An employment verification may be requested. For either verification used, the name, address, and telephone number of the "employer" should be provided if they work for the same person all year. It should also be signed and dated.

9. Recurring Gifts

a. Notarized statement or affidavit signed by the person providing the assistance. Must give the purpose, dates and value of gifts.

b. Applicant's notarized statement or affidavit that provides the information in Paragraph H.1. above.

10. Scholarships, Grants, and Veterans Administration Benefits for Education

a. Benefactor's written confirmation of amount and purpose of assistance with a breakdown which includes the amount of the grant for the student's tuition, fees, books, equipment, supplies, materials, transportation, and miscellaneous personal expense.

b. Statement from school showing amount of grant for costs of attendance figured into grant or scholarship, hand carried by applicant.

11. Family Assets Now Held

For non-liquid assets, collect enough information to determine the current cash value - the net amount the family would receive if the asset were converted to cash.

a. Verification forms, letters, or documents from a financial institution, broker, etc.

b. Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.

c. Quotes from a stock broker or realty agent as to net amount family would receive if they liquidated securities or real estate.

d. Real estate tax statement if tax authority uses approximate market value.

e. Copies of closing documents showing the selling price, the distribution of the sales proceeds and the net amount to the borrower.

f. Appraisals of personal property held as an investment.

g. Applicant's notarized statements or signed affidavits describing assets to verify cash held at the applicant's home or in safe deposit boxes.

12. Assets Disposed of for Less Than Fair Market Value (FMV) During Two Years Preceding Effective Date of Certification or Recertification

a. For all Certifications and Recertifications, the PHA will obtain the family's certification as to whether any member has disposed of assets for less than fair market value during the two years preceding effective date of the certification or recertification.

b. If the family certifies that they did dispose of assets for less than fair market value - a certification that shows: (a) all assets disposed of for less than FMV; (b)

the date they disposed of the assets; (c) the amount the family received; and (d) the assets' market value at the time of disposition.

13. Savings Account Interest Income and Dividends

a. Account statements, passbooks, certificates of deposit, etc., if they show enough information and are provided by the financial institution.

b. Broker's quarterly statements showing value of stocks or bonds and the earnings credited the applicant.

c. If the PHA accepts an IRS Form 1099 from the financial institution, the PHA must adjust the information to project earnings expected for the next 12 months.

14. Interest Income from Sale of Real Property Pursuant to a Purchase Money Mortgage, Installment Sales Contract, or Similar Arrangement

a. A letter from an accountant, attorney, real estate broker, the buyer, or a financial institution stating interest due for next 12 months. (A copy of the check paid by the buyer to the applicant is NOT sufficient since appropriate breakdown of interest and principal are not included.)

b. Amortization schedule showing interest for the 12 months following the effective date of the certification or recertification.

15. Rental Income from Property Owned by Applicant

a. IRS Form 1040 with Schedule E (Rental Income).

b. Copies of latest rent checks, leases, or utility bills.

c. Documentation of applicant's income and expenses in renting the property (tax statements, insurance premiums, receipts for reasonable maintenance and utilities, bank statements or amortization schedules showing monthly interest expense).

d. Lessee's written statement identifying monthly payments due the applicant and applicant's affidavit as to net income realized.

16. Full-Time Student Status

a. Written verification from the registrar's office or appropriate school official.

b. School records indicating enrollment for sufficient number of credits to be considered a full-time student by the school.

17. Child Care Expenses

- a. Written verification from the person who receives the payments.
- b. Verifications must specify the child care provider's name, address, and phone, the names of the children cared for, and the frequency (number of times the baby-sitting occurs), the rate of pay, and the typical yearly amount, including school and vacation periods.
- c. Applicant's certification as to whether any of those payments have been or will be reimbursed by outside sources.

18. Medical Expenses

- a. Written verification by a doctor, hospital or clinic personnel, dentist, PHARMacist, etc., of:
 - (1) the estimated medical costs to be incurred by the applicant and of regular payments due on medical bills; and
 - (2) extent to which those expenses will be reimbursed by insurance or a government agency.
- b. The insurance company's or employer's written confirmation of health insurance premiums to be paid by the applicant.
- c. Social Security Administration's written confirmation of Medicare premiums to be paid by the applicant over the next 12 months.
- d. For attendant care:
 - (1) Doctor's certification that the assistance of an attendant is medically necessary.
 - (2) Attendant's written confirmation of hours of care provided and amount and frequency of payments received from the family (or copies of canceled checks the family used to make those payments).
 - (3) Applicant's certification as to whether any of those payments have been or will be reimbursed by outside sources.
- e. Receipts, canceled checks, or pay stubs that indicate health insurance premium costs, etc., that verify medical and insurance expenses also likely to be incurred in the next 12 months.
- f. Copies of payment agreements with medical facilities or canceled checks that verify payments made on outstanding

medical bills that will continue over all or part of the next 12 months.

g. Receipts or other record of medical expenses incurred during the past 12 months that can be used to anticipate future medical expenses. PHA may use this approach for "general medical expenses" such as approved non-prescription drugs and regular visits to doctors or dentists, but not for one-time, non-recurring expenses from the previous year.

h. If a PHA receives a verification document that provides a person's diagnosis or details of treatment for a disability or medical condition, the PHA should dispose of it. The PHA should note in the file that a disability (in place of the specific disability information) and any other information requested has been verified, the date the verification was received, and the name and address of the knowledgeable professional who sent the information.

The PHA will use mileage at the rate approved by the **federal government** for the PHA or cab receipts with to/from addresses listed for verification of the cost of transportation directly related to medical treatment.

19. Medical Need for Larger Unit

A reliable medical source must certify that such arrangements are medically necessary.

20. Assistance to Handicapped

a. Attendant Care

(1) Attendant's written certification as to: amount received from the applicant/tenant; frequency of receipt; hours of care provided; and/or copies of canceled checks applicant/tenant used to make those payments. PHA must receive an annual certification from a medical doctor stating the need for on-going attendant care.

(2) Certifications required below.

b. Auxiliary Apparatus

(1) Receipts for purchases of, or evidence of monthly payments for, auxiliary apparatus.

(2) In the case where the handicapped person is employed, a statement from the employer that the auxiliary apparatus is necessary for employment.

c. In All Cases

(1) Annual written certification from a doctor or a rehabilitation agency that the handicapped person

requires the services of an attendant or the use of auxiliary apparatus to permit the handicapped person to be employed or to function sufficiently independently to enable another family member to be employed.

(2) Family's written certification as to whether they receive reimbursement for any of the expenses in paragraph 1 and 2 above and the amount of any reimbursement received.

21. Local Preferences

a. Emergency Disaster Involuntarily Displaced

1. Applicants who have been permanently displaced due to either a disaster or government action: written verification by a unit or agency of government. Families meeting emergency disaster guidelines would go to the top of the waiting list for public housing/or Section 8 (even if list is closed). If families are able to find other affordable permanent housing, the emergency preference will be removed and their names will be moved to the appropriate place on the waiting list. This preference will only be available to families up to 90 days from the date of natural disaster that caused displacement. Families must also meet PHA eligibility requirements.

Natural disasters are identified as Flooding, Tornado, Earthquakes and Fire (not caused by resident)

b. Local Preference for Parkview Manor (Highrise Local preference) They are listed in the order of priority.

1. Elderly and disabled Olathe residents.
2. Elderly and disabled non Olathe residents.
3. Family meets the one bedroom guidelines and lives in Olathe and works at least 25 hours a week
4. Family meets, the one bedroom guideline and lives in Olathe but does not work at least 25 hours a week.

c. Local Working preference (Projects KS043002 & KS043003)

All of the following situations qualify for a Local Working Preferences for families wanting to live in our scattered site units.

1. Family lives in Olathe and the Head of Household and/or spouse are working for wages at least 25 hours per week.
2. Family does not live in Olathe but the Head of Household and/or spouse are working for wages in Olathe at least 25 hours per week.

3. The Head of Household and/or spouse are elderly (62 or older).
4. The Head of Household and/or spouse are disabled.
5. Family lived in Olathe and worked at least 25 hours per week when current waiting list application was opened and must still be working at least 25 hours per week.

VIII. APPLICANT SCREENING AND FINAL ELIGIBILITY DETERMINATION

It is the policy of the PHA to deny admission to applicants whose habits and practices may reasonably be expected to have a detrimental effect on the operations of the projects or on the quality of life for PHA residents.

As a part of the final eligibility determination, the PHA must screen each applicant household to assess suitability. PHA must perform necessary criminal history background checks in the state where the housing is located and in other states where household members are known to have resided.

Elements to be considered during the screening include housekeeping habits, disturbance of neighbors, destruction of property, rent paying habits, credit records, prior history as a tenant and criminal records.

An authorized representative of the PHA will document all pertinent information relative to the following:

A. HISTORY OF RECENT SERIOUS CRIMINAL ACTIVITY

Includes cases in which a member of the family who is expected to reside in the household was or is involved in criminal activity that would adversely affect the health, safety or welfare of other tenants or drug related criminal activity can be verified through police records and/or reports. It is the responsibility of the PHA to check all potential household members to determine if applicant has a history of criminal activities. Depending on seriousness of activities, actions may not be grounds for denial of admission if it occurred more than five years ago.

B. PATTERN OF VIOLENT BEHAVIOR

If information obtained shows evidences of repeated acts of violence on the part of an individual, or a pattern of conduct constituting a danger to neighbors being able to peacefully enjoy their housing accommodations housing may be denied.

C. CONFIRMED DRUG ADDICTION

Includes evidence of confirmed current drug addiction during the last five years such as having a record of more than one arrest for possession or use of narcotics, or reports from a probation

officer, a social agency, or the family itself to the effect that the individual is addicted may be ground for ineligibility. In cases where the confirmed addict is undergoing follow-up treatment by a professional agency after discharge from an institution, the applicant shall not be considered ineligible.

Persons convicted of methamphetamine production in assisted housing are permanently prohibited from public housing.

D. LIFE TIME SEX OFFENDER REGISTRANTS

Includes individuals who have been identified as lifetime sex offenders under a State or Federal sex offender registration program are barred from public housing.

E. INITIATING THREATS

Initiating threats or behaving in a manner indicating an intent to assault employees or other tenants.

F. ABANDONMENT OF A PUBLIC HOUSING UNIT

Abandoning a public housing unit without advising the PHA so that staff may secure the unit and protect its property from vandalism.

G. NON-PAYMENT OF RIGHTFUL OBLIGATIONS

Including rent and/or utilities.

H. INTENTIONALLY FALSIFYING AN APPLICATION FOR ADMISSION

Including giving false information regarding family income, household composition, rental history, or utilizing an alias on the application forms for admission.

I. RECORD OF SERIOUS DISTURBANCES OF NEIGHBORS, DESTRUCTION OF PROPERTY OR OTHER DISRUPTIVE OR DANGEROUS BEHAVIOR

Consists of patterns of behavior which endanger the life, safety, morals, or welfare of other persons by physical violence, gross negligence or irresponsibility; which damage the equipment or premises in which the applicant resides, or which are seriously disturbing to neighbors, or disrupt sound family and community life, indicating the applicant's inability to adapt to living in the PHA projects. Includes neglect of children which endangers their health, safety or welfare; judicial termination of tenancy in previous housing on the grounds of nuisance or objectionable conduct, or frequent loud parties, which have resulted in serious disturbance of neighbors.

J. GROSSLY UNSANITARY OR HAZARDOUS HOUSEKEEPING

Includes the creation of a fire hazard through acts such as multiple cigarette burn marks on bed, furniture or carpet, hoarding rags, papers, etc.; severe damages to premises and equipment, if it is established that the family is responsible for the condition;

seriously affecting neighbors by causing infestation, foul odors, depositing garbage in halls; or serious neglect of the premises. This category does not include families whose housekeeping is found to be superficially unclean or due to a lack of orderliness, where such conditions do not create a problem for neighbors.

K. DESTRUCTION OF PROPERTY

PHA will request information from current and previous landlords as well as checking police records to determine if there has been evidence of destruction of property that might have resulted in arrest.

L. DISREGARD FOR RULES OF OCCUPANCY AND RIGHT OF OTHERS

In the event of the receipt of unfavorable information with respect to an applicant, consideration shall be given to the time, nature, and extent of the applicant's conduct and to factors which might indicate a reasonable probability of favorable future conduct or financial prospects.

M. RENT PAYING HABITS AND CREDIT HISTORY

The PHA may request credit histories on each adult member of each applicant household, will examine Housing Authority records from a prior tenancy, and will request references from the applicant's current and two previous landlords.

Based upon these reports, the PHA will determine if the applicant was chronically late with rent payments, was evicted for nonpayment of rent, or had other legal action initiated against him/her for debts owed. Any one of these circumstances could be grounds for an ineligibility determination, depending on the control the applicant PHA over the situation. Applicants who have failed to pay in full any amounts owed any PHA, landlord or utility company will be ineligible for admission until they can provide documentation that amount has been paid in full within a designated timeframe, not to exceed thirty(30)calendar days.

Now that electronic credit checks are available (and inexpensive) the PHA will utilize this valuable tool. In evaluating the reports, staff will be looking only at bills not paid related to shelter or child support.

The lack of a credit history will not disqualify a family; a poor credit history will, with the exceptions noted above.

N. HISTORY OF RESPONSIBLE TENANCY, BEHAVIOR AND CONDUCT

The PHA will request credit information from the applicant's current and two previous landlords and may obtain criminal records on each adult member of each household or obtain information from company hired to conduct credit and/or criminal background history.

Based upon rental history obtained, the PHA will determine if the applicant has demonstrated an ability and willingness to live peacefully with neighbors and refrain from behavior that jeopardizes the safety and security of the housing community.

Applicants will not be considered to have a poor history of tenancy when records show relatively minor lease violations, or minor offenses which were corrected by the applicant after being warned of possible lease termination by a former landlord as long as the violations did not include physical violence to persons or property, domestic violence, sales of narcotics and/or criminal activity including drug related criminal activity, illegal weapons possession, any form of assault, breaking and entering or burglary.

All other infractions that are considered serious may be grounds for denial of admission to public housing.

O. UTILITY SERVICES

When the applicant is being admitted to a project where s/he must carry utility service in their name, the PHA requires written confirmation that the prospective tenant has utilities in their name as of the effective date of their lease with the PHA.

Keys will not be issued to new tenant until proof of utility service in applicants name is obtained.

If the applicant has a past due balance with a utility company which must be paid prior to obtaining service for a PHA scattered site unit. The applicant will not be eligible for admission unless, and until they settle the amount owed and obtain service in their name. The PHA will not hold an available unit for more than 48 hours for a family which cannot obtain utility service in their name. If the family cannot obtain utility services within 48 hours, the unit will be offered to the next family on the waiting list. The unassisted family will then be given thirty (30) calendar days to pay the outstanding balance in order to remain at the top of the waiting list. If family is unable to pay outstanding utility balance within the thirty (30) calendar days, the family will be removed from the waiting list and would need to re-apply when waiting list is open. If family pays the outstanding balance within thirty (30) calendar days, they would remain on the waiting list according to the date and time they applied.

P. FINAL DETERMINATION AND NOTIFICATION TO APPLICANT

After all relevant eligibility criteria have been verified the PHA makes its final determination and notifies the family. The household is not actually eligible for the offering of a unit until this final determination has been made even though they may have been preliminarily qualified for the next form of assistance available.

Applicants who are denied admission to public housing based upon the PHA selection criteria have the right to request an Informal Settlement meeting.

Q. APPEALS BY APPLICANTS

Applicants who are determined to be ineligible, or who do not meet the PHA admission standards will be promptly provided with a letter notifying them of their status, which may include remedial actions to become eligible. Applicants will also be advised of their right to request a meeting with the Executive Director to discuss the findings. If after meeting with Executive Director, applicant does not agree with determination they may request an informal hearing before the Board of Housing Commissioners. The applicant must request the informal hearing in writing to the PHA Office within five (5) working days of the date of the notification of ineligibility for admission to public housing.

If the applicant requests an informal hearing, the PHA will inform the applicant, in writing, of the date, place and time of the next meeting of the Board of Housing Commissioners. Informal hearings will be conducted in executive sessions by a quorum of the Board of Housing Commissioners. The Board will make their determination based upon the information presented by the applicant and the PHA staff. The PHA Director will mail a written notice to the applicant of the Board's determination within fourteen (14) calendar days of the date of the informal hearing and place a copy of the written notice in the applicant's file.

The Grievance Procedures for public housing tenants do not apply to PHA determinations affecting admission of applicants for public housing. Grievance Procedures are incorporated by reference in tenant leases and are not in effect for prospective tenants who have not been admitted and executed leases.

IX. LEASING

A. EXECUTION OF THE LEASE

Prior to occupancy a lease briefing shall be scheduled. The head, spouse and all adult members of the household must attend the lease briefing.

One executed copy of the lease is given to the tenant and one is retained by the PHA in the tenant's file. The lease is incorporated into this policy by reference.

The lease is to be current at all times and must be compatible with PHA policies as well as federal, state and local law. The following provisions govern lease execution and amendments:

1. A lease is executed at the time of admission for all new tenants. The PHA minimum age for admission is 18, except for emancipated minors according to state law. In order to avoid entering into leases which would not be valid or enforceable under applicable law?

2. A new lease is executed at the time of the transfer of a tenant from one unit to another.

3. If, for any reason, a signer of the lease ceases to be a member of the household, the lease is canceled and a new lease is executed by a remaining member of the tenant family if the family is otherwise eligible for continued occupancy.

Lease signers must be adults competent and legally eligible to execute contracts. If no member of the household is qualified to sign a lease, a qualified person must be added to the household, subject to PHA approval, or the family will be required to vacate.

4. The names of all household members are listed on the lease at initial occupancy and on the Application for Continued Occupancy each subsequent year. This application is an attachment to lease. No other persons are permitted to occupy the unit. Changes in household composition (other than lease signers) are effective upon the execution of a new application. A new lease will be created listing all household member names when there is a change in household composition.

5. Changes in tenant rents are made upon the preparation and execution of a "Notice of Rent Adjustment" by the PHA. Rents are effective upon appropriate notice from the PHA to the tenant. While it is not required for a rent to go into effect, the PHA does ask the tenant to sign a lease addendum so the lease document in the tenant's file clearly indicates current rent.

The PHA may modify its form of lease from time to time, giving tenants an opportunity to comment on proposed changes prior to implementing any changes. A tenant's refusal to accept permissible and reasonable lease modifications is grounds for termination of tenancy.

B. UTILITY SERVICE

Tenants responsible for direct payment of utilities must abide by any and all regulations of the specific utility company, including regulations pertaining to advance payments of deposits.

Failure to maintain utility services at all times during tenancy is a lease violation and grounds for eviction.

C. SECURITY DEPOSITS

New tenants must pay a security deposit to the PHA at the time of admission. The amount of the deposit required is specified in the initial lease and shall be carried forward to subsequent leases executed by households in the same unit.

If tenants have a pet and have met all of the requirements to have a pet they are required to pay the pet deposit before occupancy unless pet has been identified as a companion animal. Tenants are not required to pay a pet deposit on companion or service animals.

In accordance with State law the PHA has established a schedule for security deposits for its low-income public housing program based

on bedroom size. Housing Board Resolution No. 592 was adopted April 23, 2008 and established the following schedule:

BEDROOM SIZE	AMOUNT OF STANDARD SECURITY DEPOSIT
One.	\$.75.00
Two.	\$125.00
Three.	\$175.00
Four.	\$225.00

PHA may amend security deposits with approval of the Board of Housing Commissioners.

The PHA will hold the security deposit for the period the tenant occupies the unit. If the tenant transfers to another unit, the PHA will provide a Statement of Refund of Security Deposit and any charges to the tenant. An appropriate amount of deposit is transferred to the tenant's new account number. If the tenant is transferring to a smaller bedroom size which requires a smaller deposit or has accrued interest, the PHA will refund those amounts not applicable to the required deposit on the new unit. If the tenant is transferring to a new larger unit the tenant must pay the difference between the accrued interest and security deposit and new deposit on larger unit prior to transferring. If tenant has a pet, the pet deposit will transfer to new unit.

However, the transferring tenant will have charges to their security (and/or) pet deposit if any amounts are needed to pay the cost of unpaid rent or damages listed on the Move-Out Inspection Report that exceed normal wear and tear, cleaning or other charges due under the lease.

Using the above procedures, transferring tenants will have net credits or charges carried forward to their new account number with the PHA.

For tenants moving from the PHA, the PHA will refund the Security Deposit less any amounts owed, within fourteen (14) calendar days after the determination of damages or charges to the tenant which will be deducted from the tenant's deposit. In any event, the PHA must provide the tenant a Statement of Refund of Security Deposit no more than thirty (30) calendar days after the return of possession of our unit. Possession is defined as when the tenant has vacated the unit and returned the keys to the PHA.

The PHA credits all tenants' security/pet deposit accounts with a 5% (non-accrued) annual interest from the date the entire deposit was paid to the PHA.

The PHA will refund a pet deposit to the tenant upon removal of the pet from the unit after inspection of unit has taken place to determine if any damages occurred as result of the pet/s. If damages occurred, amount of deposit will be adjusted accordingly. Tenants will only be allowed to request the refund of a pet deposit

once while residing in unit. If tenant obtains a second pet, the deposit will remain until unit is returned to PHA.

In the event the former tenant is incapacitated or deceased, the PHA will return deposits to the person who identifies themselves as responsible for the financial affairs of the former tenant. It is not the responsibility of the PHA to search out such a person or to make a determination as to whether the person has been formally designated by the former tenant to receive the deposit. The PHA will document the payee should other persons dispute who should have received the return deposit, so the payee can respond to a claim of other persons seeking the return.

The tenant must leave the dwelling unit in a clean and good condition, reasonable wear and tear excepted, furnish a forwarding address on an "Intent to Vacate" form, and return the keys to the PHA office when s/he vacates the unit. Rent will be charged to the tenant until the date the keys are returned or the date the PHA declares the unit abandoned.

If the tenant has not provided the PHA with forwarding address the PHA will mail a Statement of Refund of Security Deposit to the tenant's last known address, which would be the PHA unit.

D. RENT PAYMENTS

Rent and other charges are due in accordance with lease. Rents are due on the first day of each month and are considered late when not received by the close of business on the 5th day of each month. Tenants will be assessed a late fee of \$10.00 and a termination of lease (14/30 notice) will be hand-delivered and/or mailed to the tenant.

Tenants vacating unit during the month are still required to pay the full amount of rent owed the PHA by the 5th of month. Balance will be returned to tenant based on Statement of Refund form.

The main PHA Office is located at 201 N. Cherry Street, Olathe, Kansas. Tenants residing in Parkview Manor may pay rent at office located in that building. To avoid creating a threat to the safety of staff or residents of the Parkview Manor building, rent and other charges must be paid by check or money order.

New tenants are required to pay initial prorated rent payment and deposit by money order unless approved by the Director.

E. FRAUD

If PHA determines family may have committed program fraud the following may occur:

- 1) Turning families over to Inspector General's office if they owe the PHA more than \$3,000.00.
- 2) Families leaving PHA owing money will be given the opportunity to repay amount owed. If repayment

arrangement is not established or maintained, amount owed will be submitted to the State of Kansas Set-Off Program.

3) PHA may submit tenants owing money to Credit Bureau.

4) PHA may terminate tenants for any incidents of fraud.

F. TERMINATION OF THE LEASE

Termination of the tenant's lease is to be in accordance with the provisions of the lease agreement.

When the PHA has terminated a lease and evicted a family for engaging in criminal activity, including drug-related criminal activity, the PHA will notify the local post office that the family is no longer living at that address. (The purpose of this notification is to insure that mail delivery for the family is terminated so that they will not return to PHA premises to pick up or claim mail.)

X. ANNUAL REEXAMINATION

A. ANNUAL RECERTIFICATION

Families will be asked to provide information on income, assets, allowances and deductions, and household composition at least annually.

Annual recertification's for mid-month move-in's (e.g. May 15) will be conducted not later than the following year by the first of the move-in month (e.g. May 1).

Income limits are not used as a test of eligibility for continued occupancy of public housing.

1. Reexamination Notice to the Family

The PHA will maintain a reexamination tracking system and at least 90 days in advance of the scheduled annual reexamination effective date, the head of the family will be notified by mail that s/he must call the PHA staff within five (5) working days of the date of the notice. Families paying flat rent are also required to meet with PHA annually.

The Application for New/Continued Occupancy which incorporated the Personal Declaration information will be enclosed with the notice. The tenant is instructed to fill out the form and bring it with them to the interview along with other items listed on the notice.

2. Verification of Information Provided

The PHA will contact the EIV verification system/s used by PHA at the same time they send out third party verifications. If third party verifications are not returned within a four week period, PHA

will utilize another form of verification including documentation provided by the tenant.

3. Changes in Tenant Rent

During the interview all the information is analyzed so that all necessary documents are prepared and signed by the tenant. When all of the requirements have been met the PHA will recalculate the tenant's rent.

The PHA provides the tenant with a written notice of its determination and if there is an adjustment in the rent. If there is a rent increase, the new rent will go into effect following a full thirty day notice prior to the first of the month (rent paying period).

If the tenant has caused a delay in the reexamination processing or if there has been misrepresentation or a failure to report income by the tenant, the PHA may make a rent increase retroactive to the effective date had not the tenant caused a delay, misrepresented, or failed to report income.

If there is a rent decrease it will be effective the month following the month in which the change occurs, if reported by the 20th of the month. The advanced effective date will not affect the family's recertification date.

4. Criminal Background

PHA must conduct a criminal background check on all tenants annually. If background check identifies drug related charges, violent and/or felony convictions or a criminal conviction against a child that has occurred since January 1, 2011 and was not identified on a previous background check, tenant may be terminated. If charges or conviction has occurred since the last annual recertification, lease may be terminated.

5. Switching from income based to flat rent

Families that switched from flat rents to income based rents during previous year will be given the opportunity to switch back to flat rent at annual reexamination.

B. RECERTIFICATION INTERVIEW

If the tenant has responded to the PHA notice and makes an appointment for an interview, the process continues. If the tenant fails to call PHA staff to schedule an appointment for their annual recertification interview, the staff will send a second notice with a scheduled date for the tenant's annual recertification interview. If the tenant attends the scheduled interview or calls to adjust the staff-scheduled date and time for the interview, the process continues. If the tenant does not show up for the second interview opportunity, it will be considered cause for eviction, unless

extenuating circumstances can be demonstrated to the PHA, such as hospitalization.

If the PHA has caused the delay, the tenant must be given a thirty (30) calendar day notice of the increase and any decrease must be retroactive to the scheduled effective date of the tenant's annual recertification.

When the tenant has caused a delay, so that the reexamination could not be completed to allow the PHA to provide the thirty (30) calendar day notice prior to the reexamination effective date, any increase in tenant rent will be retroactive to the scheduled effective date and any decrease will not be retroactively.

Tenants are required to furnish the PHA requested information in a timely basis. Non-cooperating tenants will not benefit from their failure to abide by their lease obligations during the annual recertification process.

C. COMMUNITY SERVICE

Household members 18 years of age or older will be required to perform at least eight (8) hours per month of community service (volunteer work) or participate in eight (8) hours of training, classes, or other activities that help an individual toward self sufficiency and economic independence if not employed at least 10 hours per month, full time student, have a disability that prevents the individual from working, is a caretaker of a community service exempt disabled person, receives TANF and is participating in a required self sufficiency program work activity, or age 62 or older.

At least thirty (30) calendar days before annual reexamination and/or lease expiration, the PHA must begin reviewing the compliance of household members required to perform community service hours.

If PHA finds a family member to be noncompliant, the PHA must enter into an agreement with the noncompliant member of the Head of Household to make up the deficient hours over the next twelve (12) month period. If, at the next annual re-examination, the family member still is not compliant, the PHA may not renew the lease and the entire family will have to vacate, unless the noncompliant member agrees to move out of the unit. The family is eligible to use the Grievance Procedure to protest the lease termination. If no-compliant member is found to still be residing in the unit illegally the whole family will be terminated and must move.

XI. INTERIM RECERTIFICATIONS

A. REQUIRED CHANGES TO REPORT

The tenant rent will remain in effect for the period between regularly scheduled reexaminations except:

1. The tenant must report all changes in the household's composition.
2. The tenant may report any of the following changes which would result in a decrease in the family's rent:
 - a. Decrease in income;
 - b. Increase in allowances or deductions.

Decreases in the tenant's rent will be effective the first day of the month following the month in which the change occurs if reported by the 20th of the month.

3. The tenant must report any of the following kinds of changes which could result in an increase in rent:
 - a. Any new source of income regardless of amount or an increase in current gross household income of \$50 or more per month. If increase to the \$50 limit takes place over several months, tenant must report when total increase reaches the 50.00 increase limit;
 - b. Any change in family composition (whether or not such change provides additional income or affects deductions and allowances. Tenant wanting to add a person (16 years of age or older) to lease must have person approved prior to moving them into the unit.
 - c. Receipt of a deferred payment in a lump sum which is the start of periodic payments such as unemployment or deferral due to a dispute (such as back child support payments). SSI and Social Security Benefits paid in a lump-sum are not counted as income. The periodic payment will be counted as income and must be reported.

4. Families whose income cannot be projected with any reasonable degree of accuracy, shall be scheduled for an interim reexamination within 30, 60, or 90 days depending on the circumstances.

B. TIMELY REPORTING

1. Standard for Timely Reporting of Changes

The standard for reporting changes for interims (other than changes in family composition which are described below) in a timely manner is for the family to report the change by the 20th of the month in which the change occurs. If change occurs after the 20th, tenant must report immediately.

If the tenant does not bring the required documents/verifications information with him/her to the interview, s/he is asked to return with the documentation as soon as possible during that month. In addition, third party verification is sent out, verifying the change.

If the tenant does not return by the end of the month, the Total Tenant Payment is calculated when the verification is received, and it will be considered "untimely reporting" by the tenant. The tenant must make an appointment to "report" the change on the PHA Interim Recertification form. The staff will schedule the interim recertification interview as soon as practicable for tenant and staff. The PHA staff will make a file notation of when the tenant called to discuss the change and make an appointment for the interim recertification.

Tenants signing interim reports for changes around the 20th will be required to bring any documents with them to their appointment to prove the change. The tenant will also be required to sign a third party verification form unless such verification is impossible to obtain. If the tenant does not bring documentation with them to the interview, the change will not be made until third party verification can be obtained.

2. Procedures When the Change is Reported in a Timely Manner

The PHA will notify the family of any change in the tenant rent to be effective according to the following:

a. The family will always be given a thirty (30) calendar day notice prior to the first of the month for a rent increase. Increases in tenant rent are to be made effective with a minimum of thirty (30) calendar days notice so that the family has the opportunity to plan their family budget to incorporate the increased rent charge. The increases are always effective the first day of the month, not some date within the month.

b. Decreases in the tenant rent are to be made effective the first of the month following the month in which the change was reported if reported by the 20th of month. However, no rent decreases are implemented until all of the facts have been verified, even if a retroactive adjustment results.

The rent change may be based on the documentation the tenant brought with them to the interview, followed up by third party verification sent directly to the third party by the PHA. Verbal confirmation by the tenant is never acceptable. In some cases third party verification may not be required, e.g. an award letter from the state Social and Rehabilitation Services Office or the Social Security Administration or other government agency may be accepted with no further action by the staff.

If the tenant does not bring the information with them, they will be required to return with the documentation within five (5)

working days or it will be considered untimely reporting of the interim change.

Tenants may not waive the 30 day written notice for an increase.

3. Procedures when the Change is Not Reported in a Timely Manner

If the family does not report the change by the 20th of the month in which the change occurred,

a. Increased tenant rent will be effective retroactive to the date it normally would have been effective, had it been reported on a timely basis.

b. Decreased tenant rent will be effective on the first of the month following completion of processing by the PHA (not on a retroactive basis).

4. Procedure When the Change Is Not Processed by the PHA in a Timely Manner

"Processing in a timely manner" means that the change is effective on the date it would have been effective when the tenant reported the change in a timely manner.

If the change cannot be made effective on those dates, using the required notice periods, the change has not been processed by the PHA in a timely manner.

If changes are not processed by the PHA staff in a timely manner, an increase will be effective within the required thirty (30) calendar days notice prior to the first of the month after completion of processing by the PHA.

If the change resulted in a decrease, the resulting overpayment by the tenant will be calculated retroactively to the date it should have been effective and a check will be mailed to the tenant.

5. Timing of Next Annual Recertification

In the event there is an interim adjustment completed, the next regular reexamination date will not be changed. Families will keep their move-in annual recertification dates whether or not there are interim changes.

6. Changes in Family Composition

All changes in family composition must be reported within seven working days of the change. Families will be placed on a transfer list for an appropriate bedroom size should the change affect the unit size required. The PHA gives preferences to moving in families on the waiting list over transfers.

New household members may be added to the tenant's lease only after all proposed members 16 years of age or older have been approved

according to program eligibility. Family member/s **being** added as the result of birth or legal adoption will be added to the lease.

7. Misrepresentation

The tenant is to be notified in writing if the PHA finds evidence that the tenant has misrepresented facts affecting the family's eligibility or rent.

Intentional or willful misrepresentation of facts may result in retroactive charges, eviction action, and/or criminal prosecution.

Section 1001 of Title 18 of the United States Code makes it a criminal offense to knowingly make a false statement to any department or agency of the United States as to any matter within. However, no new household member 16 years of age or older may be added unless and until that person has provided the required information to the PHA and been determined eligible for admission according to the guidelines specified in this policy. The PHA has the right to deny admission to any person found to be ineligible.

A tenant must provide documentation as required by the PHA when reporting that a family member has left the household. In the case of an income producing household member, the PHA will require at least one document verifying the new address or other evidence acceptable by the PHA.

Utility bills, automobile registration, voter registration, employer's verification, or lease, bearing the family member's name, new address and a date are examples of acceptable evidence.

Court papers indicating that a family member has left the household such as a Petition for Dissolution of Marriage, a Petition for an Order of Protection, or a Petition for Legal Separation are also acceptable.

A tenant eligible for a transfer to a larger or smaller unit as the result of approved changes in household composition will be placed on a transfer list.

XII. LEASE TERMINATION

A. TERMINATION BY TENANT

The tenant may terminate the lease by providing the PHA with thirty (30) calendar day's written notice as defined in the lease agreement.

B. TERMINATION BY PHA

The lease may be terminated by the PHA at any time by giving written notice for good cause such as, but not limited to, chronic rent delinquency, failure to pay service charges, serious or repeated interference with the rights of other tenants or

neighbors, serious or repeated damages to the leased premises, creation of physical or health hazards, failure to fulfill tenant obligations set forth in the lease, engaging in criminal activity, including drug-related criminal activity, on or near public housing premises, or other condition specified in the lease; so long as the PHA abides by the notification provisions specified in the lease agreement.

C. REPAYMENT AGREEMENTS

If the PHA has allowed the family to enter into a Repayment Agreement and the family misses two payments, the family must repay the entire amount due under the agreement or the PHA will evict the tenant.

D. APPEALS BY TENANT

Grievances or appeals concerning the obligations of the tenant or the PHA under the provisions of the lease shall be processed and resolved in accordance with the Grievance Procedure of the PHA which is in effect at the time such grievance or appeal arises. The PHA is not required to afford the tenant an Informal Settlement meeting or hearing if the eviction pertains to rent and possession or forcible detainer.

XIII. MISSED APPOINTMENTS

An applicant or tenant who fails to keep an appointment without notifying the PHA shall be sent a notice of termination of tenancy for failure to supply such certification, release, information (or documentation as the PHA or HUD determines to be necessary) or failure to allow the PHA to inspect the dwelling unit at reasonable times and after reasonable notice, if applicable during the following PHA processes:

- Pre-application
- Final (full) Application
- Bring in verification information
- Annual Inspection
- Lease briefing
- Recertification
- Interim reexaminations
- Other appointments or requirements to bring in documentation

For most of the processes above, the family will be given two appointments. If the family does not show up or call to re-schedule the appointment(s) required, the PHA will begin termination procedures in accordance with this policy and/or the lease agreement. Missed appointments during the pre-application process will result in removal from the waiting list.

No more than three appointments will be given to any applicant or tenant.

XIV. REPAYMENT AGREEMENTS

Repayment Agreement and Promissory Note are synonymous terms.

Repayment Agreements are executed with families who owe the PHA money. For example, if a tenant did not report a change they were supposed to report, the PHA calculates a retroactive payment. The tenant is usually allowed to enter into a Repayment Agreement to pay the PHA back over a period of time.

The family is required to sign a Repayment Agreement and if the family is paying on the Repayment Agreement, there is no reason to terminate the tenancy.

There is no dollar limit for repayment. However, the PHA requires a minimum down payment of one-fourth of the balance at the time the Repayment Agreement is executed. The Director may modify or waive this requirement to accommodate special circumstances if the family has previously established a good payment history with the PHA.

Families who are in default of an executed Repayment Agreement by missing two payments must pay their outstanding balance to the PHA in full or the PHA will terminate their tenancy in accordance with their lease agreement for nonpayment of rent and other charges.

If a family has been charged retroactive rent for changes they were required to report and did not, the family must sign a Repayment Agreement or pay the amount due in full. If the family does not pay retroactive rent due the PHA, the PHA will terminate their tenancy and may forward the case to HUD's Regional Inspector General for investigation of fraud.

XV. Transfer of Tenants

Transfers

Families may be transferred to another unit within the PHA for the following reasons:

- Change in household composition
- Unit is damaged due to a natural disaster or extended maintenance issues
- Tenant extenuating circumstances/issues (i.e. allergies, health, accommodations)
- Other reasons approved by Director

Under extreme circumstances and with PHA Director approval, a family may be transferred between the public housing program and the Section 8 program.

XVI. Domestic Violence, Dating Violence, Sexual Assault and Stalking

The seriousness of domestic violence has increased to the point that it is of national importance. Domestic violence knows no race, gender, or nationality and its impact on the lives of its victims can be devastating. PHA shall not discriminate against an applicant, public housing resident or program participant on the basis of the rights or privileges provided under the Violence Against Women Act (VAWA).

As result of national attention, PHA has become more aware of the consequences of domestic violence-related tenancy and has implemented a policy to address challenges posed by domestic violence situations.

Purpose of policy is to reduce domestic violence, dating violence and stalking and to prevent homelessness by.

- 1) protecting the safety of victims;
- 2) creating long-term housing solutions for victims
- 3) building collaboration among victim service providers and
- 4) response appropriately to the violence while maintaining a safe environment for PHA, employees, tenants, applicants and others.

A. Screening and Admissions

PHA should screen family on the basis of their family behavior and suitability for tenancy. In doing so, PHA may consider an applicant's previous rental and tenancy history, as well as past criminal activity. In determining whether domestic violence was a factor in the poor rental and tenancy history or criminal activity, staff should exercise discretion and inquire about the circumstances that may have contributed to the negative reporting. If it is determined the negative reporting was consequences of domestic violence against the applicant, the PHA may exercise discretion and approve admission.

B. Continue Occupancy and Transfer Policies

Complications may arise by the fact the victim of domestic abuse may remove themselves from the unit as result of the acts by their abuser. PHA may assist these victims, with proper documentation, in avoiding their abusers and continuing occupancy in housing by transferring them to another unit or issuing them a Housing Choice Voucher.

Tenants claiming protection under the VAWA may be required to provide PHA certification of incident on HUD approved form, a police report or court record or documentation from a professional person who tenant consulted about the incident. Tenant must deliver certification to PHA within fourteen (14) working days from date PHA was made aware of incident.

C. Eviction and Termination

PHA will carefully review circumstance where victims of domestic violence may be evicted due to circumstances beyond their control. PHA may remove the perpetrator from the household, while allowing the victim to remain in the unit. PHA should connect victim to agencies or organizations trained in domestic violence, counseling or law enforcement entities.

In the case of a mixed family, PHA may refer immigrant victims to agencies that can offer immigration relief and counsel the victim on steps of obtaining eligible status.

If it is determined domestic violence did occur and was reported to appropriate agencies, PHA may bar perpetrator from the unit, building or PHA development; establish a list of individuals that have been barred and share with staff and law enforcement office;

D. Tools to better serve domestic violence victims

- 1) Provide resources to staff to appropriately handle situations that may arise when working with waiting list applicants or current tenants.
- 2) Create working relationships with domestic violence service provider
- 3) Create partnerships with local law enforcement entity.
- 4) Provide training to staff
- 5) Provide opportunities for tenants to participate in activities, programs or classes that would enhance their safety.

GLOSSARY OF TERMS

1. ACC Reserve Account - The account established and maintained in accordance with HUD regulations. It is the amount left in your Annual Contributions Contract that you have not used.
 2. Adjusted Income - Same as Income after Allowances. Income which remains after exclusion of such amounts or type of income as the Secretary may prescribe. After October 1, 1984, the definition will be Annual Income less:
 - a. \$480 for each dependent
 - b. \$400 for any Elderly family
 - c. Medical expenses in excess of three percent of Annual Income for any Elderly family; and
 - *d. Handicapped Assistance Expense
 - e. Child care expenses
 3. Allocation Plan - To designate a public housing project for occupancy by elderly families or disabled families public housing authorities are required to prepare a plan which contains all of the elements contained in 24 CFR 945 and 960.
 4. Allowance for Utilities and Other Services ("Allowance") - An amount determined by the PHA as an allowance for the cost of utilities (except telephone) and charges for other services payable directly by the family.
 5. Annual Income - The anticipated total annual income, before deductions, of an eligible family from all sources for the 12 month period following the date of determination of income including all net income derived from assets in excess of \$5000. The annual income shall include the greater of the actual (real) income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate (imputed income) as determined by HUD.
 - a. Multiply an hourly wage by 2,080
 - b. Multiply a weekly wage by 52
 - c. Multiply a biweekly wage by 26 (paid every 2 weeks)
 - d. Multiply semi-monthly wage by 24 (i.e., paid on the first {1st} and fifteenth {15th}).
 6. Annual Income After Allowances - Same as Adjusted Income.
 7. Assets - The value of equity in real property, savings, stocks, bonds, checking, and other forms of capital investment. (The value of necessary items of personal property such as furniture and automobiles is not to be considered as an asset.)
- *The term "Handicapped" is used by the Olathe PHA only in the context of HUD regulations and the 1973 Rehabilitation Act. The term is generally offensive to people with disabilities.
8. Child Care Expenses - Amount anticipated to be paid by the family for the care of children under 13 years of age during the

period of which Annual Income is computed, but only where such care is necessary to enable a family member to be gainfully employed or to further his or her education. The amount deducted shall reflect reasonable charges for child care, and in the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of income received from such employment.

9. Community Service Hours - All members of household (excluding elderly and disabled) 18 years of age or older and not employed at least 10 hours a month are required to donate 8 hours a month to an approved not-for-profit organization, school or unit of government. Full time students are not required to perform community service hours.

10. Contract Rent - Means the rent charged a tenant for the use of the dwelling accommodation and equipment (such as ranges and refrigerators but not including furniture), services and reasonable amounts of utilities determined in accordance with the PHA schedule of allowances for utilities supplied by the project. Contract rent does not include charges for utility consumption in excess of the PHA schedule of allowances for utility consumption, or other miscellaneous charges.

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

12. Designated Family - May 13, 1994 Final Rule published in the Federal Register (24 CFR Parts 945 and 960) created this term which means the category of family for whom a public housing project is designated, either an elderly family or a disabled family.

13. Designated housing or designated project means a public housing project which has been designated in accordance with the May 14, 1994 Final Rule which created the option for public housing authorities to specify in their admission policies for some projects that either age-eligible or disability-eligible families would be admitted in advance of other applicants.

14. Disabled Person - A person under a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423) or in Section 102 of the Development Disabilities Services Facilities Construction Amendments of 1970 (42 U.S.C. 2691{1}).

15. Displaced Person - A person displaced by governmental action or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal Disaster Relief laws.

16. Earned Income Verification (EIV) - A wage and benefit report generated through the HUD online system that list all household members reported to HUD and all sources of income including wages, unemployment benefits, social security benefits, dual entitlement, Medicare data, supplemental security benefits and disability.

17. Elderly Family - A family whose head or spouse (or sole member) is a person who is an elderly, disabled or handicapped person. It may include two or more elderly, disabled or handicapped persons living together, or one or more such persons living with one or more persons who are determined to be essential to their care or well being.
18. Elderly Person - A person who is at least 62 years of age.
19. Eligibility Income - Annual Income is now used for eligibility determination to compare to income limits. (Eligibility/Annual Income includes the higher of {a} actual income from assets {b} if net Family Assets exceed \$5000, passbook rate, established by HUD.
20. Eviction - This means the dispossession of the tenant from the lease unit as a result of the termination of the lease prior to the end of a term, for serious or repeated violation of material terms of the lease such as failure to make payments due under the lease or to fulfill the tenant obligations set forth in HUD regulations, Federal, State, or local law, or for other good cause.
21. Excess Medical Expenses - Any medical expenses incurred by elderly families (only after October 1, 1984), in excess of 3% of Annual Income which are not reimbursable from any other source.
22. Family - Family includes but is not limited to an elderly family or single person as defined in 24 CFR Part 912.1, or the remaining member of a tenant family. PHA must establish their own criteria for definition of family, within this general framework, and include Occupancy Policy.
23. Flat Rent - The maximum a family may elect to pay per unit size as outlined by PHA.
24. Foster Child Care Payment - Payment to eligible households by state, local or private agencies.
25. Full-Time Student - A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree.
26. Gross Family Contribution - Former name for Total Tenant Payment.
27. Gross Rent - See definition under Total Tenant Payment.
28. Handicapped Assistance Expenses - Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a handicapped or disabled family member and that are necessary to enable a family member (including the handicapped or disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.

29. Handicapped Person - A person having a physical or mental impairment that (a) is expected to be of a long-continued and indefinite duration, (b) substantially impedes his or her ability to live independently, and (c) is of such a nature that such ability could be improved by more suitable housing conditions.
30. HUD - The Department of Housing and Urban Development or its designee.
31. Immigrant - Person who is not a United States citizen
32. Income - Income from all sources for each member of the household as determined in accordance with criteria established by HUD.
33. Income for Eligibility - The anticipated total annual income of a family for the 12 month period following the date of determination of income, computed in accordance with 913.106.
34. Lease - A written agreement between a PHA and a Public Housing eligible family for the leasing of an existing housing unit.
35. Live-In-Aide - A live-in-aide is a person who resides with an elderly, disabled, or handicapped person and:
- a. Is determined by the PHA to be essential to the care and well being of the person;
 - b. Is not obligated to support the person;
 - c. Would not be living in the unit except to provide necessary supportive services;
 - d. A relative may qualify if all of the above conditions are met;
 - e. Any member of tenant's household may have a live-in-aide who qualifies under the above conditions.
36. Local Preferences - A local preference identifies eligibility requirements that will allow one household to move ahead of another household depending on preferences. To adopt a local preference, a public hearing is required.
37. Lower Income Families - A family whose Annual Income does not exceed 80% of the median income for the area, as determined by HUD with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 80% of the median income for the area on the basis of its finding that such variations are necessary because of the prevailing levels of construction costs or unusually high or low family incomes.
38. Medical Expenses - Those medical expenses, including medical insurance premiums, that are anticipated during the period for which annual income is computed, and that are not covered by

insurance, including medical insurance premiums, payments on accumulated major medical bills, dental expenses, prescription medicines, eyeglasses, hearing aide, and batteries, cost of live-in resident assistant and transportation expenses directly related to medical treatment.

39. Minor - Revised definition under Dependent.

40. Minimum Rent - The minimum amount of rent PHA may charge tenant. Tenant may not be terminated if minimum rent causes undo financial hardship on family that would result in termination of lease.

41. Monthly Adjusted Income - One twelfth of Annual Adjusted Income.

42. Monthly Income - One twelfth of the gross Annual Income.

43. Negative Rent Payment - Now called Utility Reimbursement.

44. Net Family Assets - Value of equity in real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land. The value of necessary items of personal property such as furniture and automobiles shall be excluded.

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

In determining the Net Family Assets, PHA's and Owners shall include the value of any assets disposed of by an applicant or tenant for less than fair market value (Including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received thereof.

45. Net Family Contribution - Former name for Tenant Rent.

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

47. Ranking Preferences - A term created in the 1994 Final Rule. Ranking preferences may be established by an PHA. Ranking preferences allow the PHA to specify factors which will be used to prioritize admissions among families who qualify for a federal preference.

48. Recertification - Sometimes called reexamination. The process of securing documentation to show that tenants meet the eligibility requirements for continued federal assistance.

49. Remaining Member of the Tenant Family - Person left in assisted unit who may or may not normally qualify for assistance on own circumstances (i.e., widow age 47, not disabled or Handicapped). Excludes live-in-aides.

50. Secretary - The Secretary of Housing and Urban Development.

51. Security Deposits - An amount deposited with the PHA, set by PHA policy, which cannot exceed the family's Total Tenant Rent or such reasonable fixed amount as determined by the PHA and approved by HUD.

52. Selection Preferences - As used in this document, encompasses preferences which advance families on the waiting list for admission to public housing. Ranking preferences may be adopted by the PHA to select among families who qualify for a local preference. Applicants who qualify for one or more of the selection preferences are admitted sooner than applicants who do not qualify for any selection preference. Selection preferences adopted by the PHA, have the effect of making time and date of application less controlling for admission. Selection preferences create a system of relative advancement on the waiting list which renders obsolete the term "place" on the waiting list since the applicant is not given a "place" which remains constant over time until they are admitted. "Place" would have meaning only in an admissions system which lists each applicant based solely on the time and date of their application.

53. Tenant Rent - (Formerly called Net Family Contribution) The amount payable monthly by the family as rent to the PHA. Where all utilities (except telephone) and other essential housing services are supplied by the PHA, Tenant Rent equals Total Tenant Payment. Where some or all utilities (except telephone) and other essential housing services are not supplied by the PHA and the cost thereof is not included in the amount paid as rent. Tenant Rent equals Total Tenant Payment less the Utility Allowance.

54. Total Tenant Payment - (Formerly called Gross Family Contribution) The monthly amount tenant must pay toward rent. Total Tenant Payment does not include charges for excess utility consumption or other miscellaneous charges.

a. Total Tenant Payment shall not exceed 30 percent of monthly adjusted income with the exceptions that Total Tenant Payment for any dwelling unit shall not be less than 10 percent of the gross monthly income of the family occupying the dwelling unit.

55. Unusual Expenses - After October 1, 1984, this changes to Child Care definition. Prior to that, it is amount paid by the family for the care of minors under 13 years of age or for the care

of disabled or handicapped family household members, but only where such are necessary to enable a family member to be gainfully employed, and the amount allowable as unusual expenses shall not exceed the amount of income from such employment.

56. Unusual Occupational Expenses - These were expenses allowed by HUD to be used as a deduction in the rent calculation. They were deleted as of October 1, 1984.

57. Utility Allowance - If the cost of utilities (except telephone and cable TV) and other housing services for an assisted unit is not included in the Tenant Rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made or approved by a PHA of the monthly costs of a reasonable consumption of such utilities and other services for the unit by an energy conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.

58. Utility Reimbursement - The amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Tenant Payment for the family occupying the unit. (Formerly referred to as "Negative Rent Payment").

59. Violence Against Women's Act (VAWA) - Act that is addressing the housing needs of victims of domestic violence, dating violence, sexual assault and stalking.

60. Very-Low Income Family - A Lower Income Family whose Annual Income does not exceed 50 percent of the median income for the area, as determined by HUD.

61. Welfare Assistance - Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, state or local governments.

Olathe Housing Authority

Housing Choice Voucher Family Self-Sufficiency Program

Action Plan

Revised September 2011

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I. INTRODUCTION

The Olathe Housing Authority (OHA) currently administers the Family Self-Sufficiency (FSS) program. The goal of the FSS Action Plan is to outline policies and procedures of the FSS program. The OHA FSS Action Plan has been revised to more closely reflect the program's current status, future plans, goals, and objectives.

II. MISSION AND PHILOSOPHY

The primary goal of the OHA FSS program is to reduce the dependency of low-income families on welfare assistance and the Housing Choice Voucher (HCV) program, public housing or any Federal, State, or local rental or homeownership subsidies. The OHA believes that meaningful employment is the action step that leads families out of poverty and all its negative effects.

Each participant family comes to the program with different needs, barriers to independence, and goals. Knowing this, each participant and family is viewed holistically, making a full assessment of their needs and then empowering the family to reach the goals they have set for themselves. A family must first have its basic needs met and be stabilized before the true work towards self-sufficiency can begin.

Adhering to the OHA's philosophy, and the assessed skills, needs and current employment situation of the FSS participants, the program will emphasize:

- Employment – short-term paths to employment; job training; preparation and counseling; job retention and upward job change.
- Financial Education – household budgeting; debt reduction; credit repair; banking and financial services
- Education – remedial education; completion of secondary and post secondary schooling
- Homeownership Counseling – preparation and exploration of homeownership in the private housing market

III. PARTICIPANT PROFILE

To be eligible for the Family Self-Sufficiency program, potential applicants must be a current HCV participant and reside within the Olathe Housing Authority's service area. Selection of the participating families will be made without regard to race, religion, color, sex, handicap, age, familial status, or national origin. All current HCV participants will be offered the opportunity to participate in the FSS program on a continual basis.

Section IV of this Action Plan provides a breakdown of the demographic characteristics of our current FSS program participants.

IV. CURRENT FSS PARTICIPANT PROFILE

Required number of FSS Participants	16
Current number of FSS Participants	23
Female Head of Households	22
Male Head of Households	1
Low Income Households – 80% of AMI	2
Very Low Income Households – 50% of AMI	10
Extremely Low income Households – 30% of AMI	11
White	25%
Black/African American	75%
Hispanic/Latino	0%
Asian	0%
American Indian/Alaskan Native	0%
Number of Participants with Escrow	13
Number of Participants without Escrow	10
Number of Participants Employed Full-time	10
Number of Participants Employed Part-time	3
Number of Full-time Students	2
Number of Part-time Students	2
Participants 18-29 years old	3
Participants 30-39 years old	14
Participants 40-49 years old	3
Participants 50+ years old	3

V. HCV FSS PROGRAM COORDINATING COMMITTEE

The OHA is required to maintain a Program Coordinating Committee (PCC) per 984.202 of the Code of Federal Regulations (CFR). The purpose of the PCC is to assist the OHA in securing the commitments of public and private resources for the FSS program within the OHA's jurisdiction. Currently, there is a group that meets on a monthly basis in the OHA's jurisdiction called the Continuum of Care. This group consists of area non profit groups, social service agencies, and government entities that serve low income individuals and families in the service area of the OHA. Per CFR regulation 984.202c, the OHA may utilize an existing entity as the PCC if the membership consists of the required and suggested

members per the regulations. The OHA utilizes the existing entity in order to not duplicate a group that has already been created and meets on a regular basis. The existing committee consists of representatives from the following agencies and government entities;

- Social and Rehabilitation Services (SRS)
- Catholic Charities of Northeast Kansas – Olathe office
- Salvation Army
- Workforce Partnership
- Olathe School District USD 233
- Johnson County Transit
- Health Partnership Clinic of Johnson County
- Oxford House
- Johnson County Family Lodge
- Johnson County Interfaith Hospitality Network
- Johnson County Health Department

VI. FSS FAMILY SELECTION

A. Outreach and Recruitment

To recruit participants for the FSS program, the OHA markets the program to all current HCV program participants. During the annual recertification and interim process, each HCV participant is asked if they are interested in learning more about the FSS program. There is a question on the Application for Continued occupancy that asks HCV tenants if they want to know more about the FSS program. The FSS Coordinator has a supply of FSS interest forms to hand out to interested participants.

New HCV participants will receive FSS information in each briefing packet and the FSS Coordinator will make a presentation at all group briefing meetings.

A section of the OHA waiting area displays FSS program information, educational, employment, and other community resources.

B. Selection of Participants

The OHA screens families for interest and motivation to participate in the FSS program as follows:

1. Any HCV participant may complete an FSS Interest Form. Each HCV Housing Specialist is provided with FSS brochures and interest forms and supplies a form to any tenant that shows an interest in the FSS program on the annual recertification form. There are also FSS forms available in the OHA waiting area. All forms are date and time stamped by the OHA.

2. All families who have submitted an FSS Interest Form will be contacted by the FSS Coordinator to schedule an appointment to discuss the FSS program and their interest in the program. If at that time the family wants to complete the Individual Training and Services Plan (ITSP) and FSS Contract, the FSS Coordinator will assist the family through the process. If the family wants more time to think about the program and whether it is a fit, the family will need to make another appointment with the FSS Coordinator to fill out the ITSP and FSS Contract if they determine the program will be helpful to them.
3. Portable FSS participants, whose voucher is absorbed by the OHA, will immediately be eligible for the FSS program if there is an FSS slot available in the OHA's program.

VII. PARTICIPANT RIGHTS, RESPONSIBILITIES, AND INCENTIVES

The following section outlines the expectations of the FSS participants, their rights as FSS program participants, and the incentives for participating in the program. Each program participant's situation is unique, yet there are guidelines and program policies that must be followed by each FSS family.

A. Contract of Participation

Each HCV family that agrees to participate in the FSS program must enter into a voluntary five year Contract of Participation (COP) with the OHA. The COP must be signed by the head of the FSS family.

The COP, which incorporates the ITSP, shall be in the form prescribed by HUD. The COP shall set forth the principal terms and conditions governing participation in the FSS program, including the rights and responsibilities of the FSS family and the OHA, the services to be provided and the activities to be completed by the head of the FSS family and each adult member of the family who elects to participate in the program.

B. Individual Training and Services Plan

Individual rights and responsibilities and FSS program commitments to the participant are outlined in the FSS ITSP, a contractual agreement that specifies the services, achievements, and interim goals expected to lead the participant ultimately to the final goal of gainful employment and self-sufficiency. The ITSP will include interim goals so that progress may be monitored toward the final goal.

The OHA requires the following interim goals and activities are included in every FSS participant's ITSP.

- Interim Goal
 - Fulfill all OHA FSS program requirements
- Activities
 - Schedule and attend quarterly case management meetings with FSS Coordinator
 - Attend at least 9 out of 12 monthly FSS group meetings unless you are working and/or attending school during the meeting dates (Verification must be provided to FSS Coordinator prior to meeting date)
 - Remain in compliance with all HCV rules and regulations
 - Remain in good standing with current landlords while in the FSS program
 - Maintain at least an average of 30 hours per week of employment for at least the last six months prior to the COP expiration
 - Remain free of TANF cash assistance for at least 12 consecutive months prior to the COP expiration

Upon mutual consent, changes to the ITSP may be initiated by the FSS participant or the FSS Coordinator at any time.

C. Employment Obligation

Per the Housing and Urban Development (HUD) regulations governing the FSS program, the head of the FSS family shall be required under the COP to seek and maintain suitable employment during the terms of the contract and any extension thereof.

The obligation to seek employment means that the head of the FSS family has applied for employment, attended job interviews, and has otherwise followed through on employment opportunities.

A determination of suitable employment shall be made by the OHA based on the skills, education, and job training of the individual that has been designated as the head of the FSS family and based on the available opportunities within the jurisdiction served by the OHA.

The OHA requires that once a participating family has entered into a COP, the head of the household must actively seek employment on a continuous basis and report this activity to the FSS Coordinator on at least a monthly basis. The FSS participant shall have six months from the date of the COP to find employment.

The OHA requires the FSS participant to maintain an average of at least 30 hours per week for at least the last six months of the FSS participant's COP. If the FSS participant has recently completed their education program at the end of their COP, the OHA may extend the COP for at least six months in order for the FSS participant to complete their employment obligation.

This requirement to work at least 30 hours per week will be effective upon notification to all current participants and an additional page will be added to the ITSP outlining the new requirement. For participants entering the program for the first time, the requirement will be contained in all COPs.

D. Education

If the FSS participant has a goal of furthering their education, the FSS participant will be expected to begin the enrollment process within the first six months of signing the COP. This requirement will be effective upon notification to all current participants and shall be a requirement contained in all COPs for participants entering the program for the first time.

E. Consequences of Noncompliance Regarding the COP

The COP shall specify that if the FSS family fails to comply with the terms and conditions of the COP, which includes the HCV assisted lease, the OHA may:

- Withhold supportive services.
- Terminate the family's HCV assistance, except in the case where the only basis for noncompliance with the COP is noncompliance with the lease, or failure to become independent from welfare assistance because the head of the household failed to meet the employment obligation.
- Failure to meet any other obligations under the COP.

The COP shall provide that each FSS family will be required to fulfill those obligations to which the participating family has committed itself under the COP no later than 5 years after the effective date of the contract.

Extensions to the five year contract must be approved by the OHA FSS Review Team. FSS participants may request an extension to their COP in writing for "good cause". This means circumstances beyond the control of the FSS family, as determined by the OHA. Examples could include serious illness or involuntary loss of employment. The FSS Review Team will make the determination if the extension shall be approved. The FSS Review Team includes the FSS Coordinator, Executive Director and staff members of the OHA.

F. Termination and Grievance Procedure

The process leading to a termination from the FSS program must begin with a formal written notice to the participant specifying the violation(s).

The Grievance Procedures for FSS participants will be the same as those for non-FSS families as described in the OHA's Administrative Plan.

G. Incentives

1. Case Management

Each participant that signs an ITSP and an FSS COP will receive case management and service referrals. Participants are required to schedule and attend, at a minimum, quarterly case management appointments with the FSS Coordinator.

2. Escrow Accounts

The OHA will use the Escrow Account as one incentive for program participation.

Each participant will have an Escrow Account established in accordance with HUD regulations. The ledger will contain individual information on each FSS participant:

- The participant's name
- Escrow transaction by date and amount
- Interest earned on the balance
- Total account balance

The FSS Coordinator will provide an annual Escrow Account balance statement to all current FSS participants by January 30th of each year.

A family may make a written request for a one time disbursement of a portion of their escrow account. The interim disbursement must be used toward an educational goal outlined in the participants ITSP. Requests will be considered by the FSS Review Team only after the participant has met the following requirements;

- Must have been in the program at least one year
- Meeting all program goals and requirements
- Provides supporting documentation specifically addressing what the funds will be used for
- Participant must put some of their own funds towards the request separate from the escrow amount

Upon approval by the FSS Coordinator and the FSS Review Team, the FSS participant will receive the requested interim disbursement in the form of a check made out to the appropriate third party. Exceptions for on-going expenses (such as college tuition) must be approved by the FSS Coordinator and the Review Team.

Each month the FSS Coordinator will prepare a monthly schedule of FSS escrow to be deposited into a bank account specifically designated for FSS escrow funds.

Once the FSS participant has completed the goals outlined in their ITSP, the FSS participant will receive a final check for the accumulated balance and interest deposited into the escrow account. The funds can be used by the FSS participant without restrictions.

3. Monthly Educational Workshops

FSS participants are required to attend at least nine out of twelve monthly educational workshops per calendar year scheduled on the third Thursday of each month.

The educational workshops present information regarding employment, education, parenting skills, health, finances, and homeownership.

4. FSS Program Newsletters

The FSS Coordinator publishes a newsletter every two months for all current FSS participants. The newsletter highlights the upcoming monthly educational workshops, includes a calendar of upcoming job fairs and educational events, and includes resources and motivational articles. Additionally, FSS participants' accomplishments, such as a new job or enrolling in school, are listed in celebration of their achievements.

5. Rewards

One motivational tool in development during the coming year involves recognizing significant interim achievements at FSS graduations. Participants who have reached major goals such as obtaining a GED, getting a job or promotion or completing a training program will be recognized at the graduation celebration with an award certificate.

6. Graduation Celebrations

Graduation celebrations occur once per year where graduates are encouraged to invite their families and refreshments are served. The FSS Coordinator and OHA staff will preside over the celebration where each graduate is presented with a certificate and their escrow check.

7. Homeownership Opportunities

FSS participants who desire to purchase a home will have interim goals in their ITSP that prepare them for homeownership. The OHA offers a one time down payment assistance grant for eligible FSS participants. The eligibility, application process, and other requirements are outlined in Chapter 15 of the OHA's Administrative Plan.

VIII. ACTIVITIES AND SUPPORTIVE SERVICES

The supportive services needed for the FSS participants are those services that will provide economic independence and self-sufficiency. The supportive services offered to FSS participants include job training, education and literacy training, job placement, child care referrals, parenting skills, career and personal counseling services, transportation, budgeting, homeownership counseling, and case management.

IX. IDENTIFICATION OF SUPPORT NEEDS

The success of the FSS program will depend greatly on how effectively the participant's needs are addressed. Each participant's needs are unique. Therefore, each prospective participant's needs will be evaluated on a case-by-case basis.

The FSS Coordinator assists the FSS participants by providing support, identifying appropriate resources, assisting with the development of a service plan and providing advocacy towards the achievement of goals.

The FSS Coordinator is responsible for intake and assessment, assists in the development of the family's training and service plans, monitors the family's progress through to the achievement of all set goals, and supports the family towards their goal to become self-sufficient.

The FSS case management is a continual process of identifying and reviewing problems that block or interfere with the promotion and achievement of self-sufficiency and economic independence for FSS participants.

X. PORTABILITY

Portability for an FSS participant will be approved if all of the following apply:

- The family has resided in the OHA's jurisdiction for at least 12 months from the effective date of their FSS COP
- The family has met all their other family obligations under the HCV program

If the family wishes to go portable to another jurisdiction, but does not plan to continue in the FSS program at the new jurisdiction, the family's FSS COP will be terminated and the family will forfeit any funds in the escrow account.

If the family requests portability to another jurisdiction's FSS program, it will be approved if:

1. The family signs an FSS COP with the receiving housing authority's FSS program within 60 days after they lease in the receiving jurisdiction

2. The receiving jurisdiction requests, in writing, transfer of the family's escrow account

The family's FSS COP will be terminated if the receiving housing authority does not allow the family to participate in its FSS program and the family does not want to or is unable to continue to participate in the OHA FSS program. The family will lose the funds in their escrow account.

XI. MONITORING PROGRAM PERFORMANCE

The OHA FSS Coordinator is responsible for monitoring and assessing FSS program performance on a regular basis. The OHA has developed a number of key indicators and track this data on a monthly, quarterly, and annual basis.

- Total enrollment
- Number of participants enrolled in any given month
- Amount of escrow deposits in a current month
- Number of escrow deposits in a current month
- Percent of employed heads of household
- Percent of participants who obtain employment in a current month
- Percent of participants who are working on a GED or are in college
- Number of outside referrals made to service providers to support families' interim goals (training, education, job referrals, child care referrals, etc.)
- Number of contacts with FSS participants (case management, monthly educational meetings, interims, and annuals)
- Number of participants who meet an interim goal in a given month and the kind of goal they reached
- Evaluation of learning opportunities through monthly educational meetings

In addition to quantitative reports collected monthly, the FSS Coordinator will prepare quarterly reports that highlight special events, achievements, and developments of new resources and referrals.

XII. SUMMARY

The interaction between the OHA and the providers of social services are a vital link to the success of the FSS program. The FSS program is committed to continually developing partnerships and relationships with social service providers within the OHA's community. By expanding the knowledge of services available, the FSS participants will have more opportunities for support along their path to self-sufficiency.

The FSS Coordinator is committed to coordinating and arranging services and referrals but ultimately the FSS participant must assume the responsibility of

following through and obtaining the services they need to complete their path to self-sufficiency.

The FSS Coordinator and staff will consistently convey the message that FSS participants are in control of their lives and must assume responsibility in order to achieve their goals. The acknowledgement of their responsibility is critical to the FSS participants' success.