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: TOWN OF MAMARONECK PHA Code: NY 117

PHA Type: ☐ Small ☒ High Performing ☐ Standard ☐ HCV (Section 8)

PHA Fiscal Year Beginning: (MM/YYYY): 01/2012

2.0 Inventory (based on ACC units at time of FY beginning in 1.0 above)

Number of PH units: _____ Number of HCV units: 647

3.0 Submission Type

☐ 5-Year and Annual Plan ☒ Annual Plan Only ☐ 5-Year Plan Only

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

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

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

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

Not applicable to this year's Annual Plan.

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

Not applicable to this year's Annual Plan.

6.0 PHA Plan Update

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

There have been no revisions to the PHA Plan since the last submission.

(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.

The Town of Mamaroneck PHA Plan is available at the PHA offices and the Town Clerk's Office, First Floor, 740 W. Boston Post Road, Mamaroneck, NY 10543. The plan is also available on the Town's website at www.townofmamaroneck.org

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

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

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

8.2	**Capital Fund Program Five-Year Action Plan.** As part of the submission of the Annual Plan, PHAs must complete and submit the *Capital Fund Program Five-Year Action Plan*, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.
8.3	**Capital Fund Financing Program (CFFP).** ☐ Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.
9.0	**Housing Needs**. Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. The Town of Mamaroneck PHA has an active waiting list of 1135 applicants as of August 2011: 737 are families with children; 36 are elderly families; 131 are families where the head of household or spouse is a person with a disability; 994 applicants are extremely low income; 88 are very low income. Of those applicants who have self-identified, 30% represent various racial and ethnic groups. Based on the Westchester County Urban County Consortium Consolidated Plan 2009-2013, the Town of Mamaroneck has identified the following issues that impact housing in our jurisdiction: 1. The high cost of rental housing within the Town of Mamaroneck's jurisdiction makes housing unaffordable for families earning less than 50% of the median income. Within the Town of Mamaroneck's jurisdiction the average rent for a one bedroom can be as high as $1,500 or more. With affordability defined as paying no more than 30% of one's income for rent, the average rent for a one bedroom apartment of $1,385 requires an annual income of $60,000. Elderly families on a fixed income, people with disabilities and very low income families cannot afford the cost of housing without some form of rental assistance. 2. Many of the more affordable rental units in jurisdiction were lost as a result of a federally-declared disaster following a major flood in April 2007, forcing many families to relocate. As these damaged rental units have been restored, the rental cost has increased accordingly, making those units unaffordable to many low income families. 3. The preponderance of rental housing in the Town of Mamaroneck consists of one and two bedroom apartments. Three bedroom units that would accommodate larger families are very limited, or only available in single or two family homes. Rents in these units are generally much higher, and tenants often are required to pay for all of the utility costs including heat, making these units unaffordable as well. 4. There are a limited number of rental units that are wheelchair/handicapped accessible, making it difficult for people with disabilities and the elderly to live in this jurisdiction.

9.1	**Strategy for Addressing Housing Needs**. Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. **Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.** Not applicable to this year's Annual Plan.

10.0	**Additional Information**. Describe the following, as well as any additional information HUD has requested. (a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year Plan. Goals set forth in the most recent 5 Year Plan 1. Maintain an open waiting list to receive applications for the Housing Choice Voucher Program from families who qualify in accordance with the Town's mission and priorities, including giving preference on the waiting list to victims of domestic violence, dating violence and stalking. Outcome: Forty-five new applications were received between 1/1/2011 and 8/31/2011 consisting of 19 families with children, 10 elderly families and 22 disabled families. Among those applicants receiving preference are 5 families who have been victims of domestic violence. 2. Assist families receiving assistance to access housing in low impact areas. Outcome: Eight new households received assistance between 1/1/11 and 8/31/11. All were able to secure housing in low impact areas within the Town's jurisdiction. 3. Maximize utilization of available housing assistance payment funds by ensuring that all families are housed in the appropriate size units that are under contract for a reasonable rent, are reporting all sources of income to the PHA as required, and are paying the appropriate share of the rent. Outcome: The Town of Mamaroneck reviewed unit sizes, evaluated contract rents and executed and enforced repayment agreements. The Town has collected $21,935 in repayments through August 17, 2011. (b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification"

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

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced 5-Year and Annual PHA Plans. The 5-Year and Annual PHA plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form is to be used by all PHA types for submission of the 5-Year and Annual Plans to HUD. Public reporting burden for this information collection is estimated to average 12.68 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

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

Instructions form HUD-50075

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

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

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

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

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

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

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

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

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

(a) Identify specifically which plan elements have been revised since the PHA's prior plan submission.

(b) Identify where the 5-Year and Annual Plan may be obtained by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central off ice of the PHA. PHAs are strongly encouraged to post complete PHA Plans on its official website. PHAs are also encouraged to provide each resident council a copy of its 5-Year and Annual Plan.

PHA Plan Elements. (24 CFR 903.7)

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

2. **Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA Operating, Capital and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources.

3. **Rent Determination.** A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units.

4. **Operation and Management.** A statement of the rules, standards, and policies of the PHA governing maintenance management of housing owned, assisted, or operated by the public housing agency (which shall include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA.

5. **Grievance Procedures.** A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants.

6. **Designated Housing for Elderly and Disabled Families.** With respect to public housing projects owned, assisted, or operated by the PHA, describe any projects (or portions thereof), in the upcoming fiscal year, that the PHA has designated or will apply for designation for occupancy by elderly and disabled families. The description shall include the following information: **1**) development name and number; **2**) designation type; **3**) application status; **4**) date the designation was approved, submitted, or planned for submission, and; **5**) the number of units affected.

7. **Community Service and Self-Sufficiency.** A description of: (**1**) Any programs relating to services and amenities provided or offered to assisted families; (**2**) Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs under Section 3 and FSS; **(3)** How the PHA will comply with the requirements of community service and treatment of income changes resulting from welfare program requirements. **(Note: applies to only public housing).**

8. **Safety and Crime Prevention.** For public housing only, describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must include: (i) A description of the need for measures to ensure the safety of public housing residents; (ii) A description of any crime prevention activities conducted or to be conducted by the PHA; and (iii) A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities.

9. **Pets.** A statement describing the PHAs policies and requirements pertaining to the ownership of pets in public housing.

10. **Civil Rights Certification.** A PHA will be considered in compliance with the Civil Rights and AFFH Certification if: it can document that it examines its programs and proposed programs to identify any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction.

11. **Fiscal Year Audit.** The results of the most recent fiscal year audit for the PHA.

12. **Asset Management.** A statement of how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs for such inventory.

13. **Violence Against Women Act (VAWA).** A description of: **1)** Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; **2)** Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and **3)** Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families.

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

(a) Hope VI or Mixed Finance Modernization or Development. **1)** A description of any housing (including project number (if known) and unit count) for which the PHA will apply for HOPE VI or Mixed Finance Modernization or Development; and **2)** A timetable for the submission of applications or proposals. The application and approval process for Hope VI, Mixed Finance Modernization or Development, is a separate process. See guidance on HUD's website at: http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm

(b) Demolition and/or Disposition. With respect to public housing projects owned by the PHA and subject to ACCs under the Act: **(1)** A description of any housing (including project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition; and **(2)** A timetable for the demolition or disposition. The application and approval process for demolition and/or disposition is a separate process. See guidance on HUD's website at: http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.cfm
Note: This statement must be submitted to the extent **that approved and/or pending** demolition and/or disposition has changed.

(c) Conversion of Public Housing. With respect to public housing owned by a PHA: **1)** A description of any building or buildings (including project number and unit count) that the PHA is required to convert to tenant-based assistance or that the public housing agency plans to voluntarily convert; **2)** An analysis of the projects or buildings required to be converted; and **3)** A statement of the amount of assistance received under this chapter to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD's website at: http://www.hud.gov/offices/pih/centers/sac/conversion.cfm

(d) Homeownership. A description of any homeownership (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval.

(e) Project-based Vouchers. If the PHA wishes to use the project-based voucher program, a statement of the projected number of project-based units and general locations and how project basing would be consistent with its PHA Plan.

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

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

(a) To submit the initial budget for a new grant or CFFP;

(b) To report on the Performance and Evaluation Report progress on any open grants previously funded or CFFP; and

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

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

1. At the end of the program year; until the program is completed or all funds are expended;

2. When revisions to the Annual Statement are made, which do not require prior HUD approval, (e.g., expenditures for emergency work, revisions resulting from the PHAs application of fungibility); and

3. Upon completion or termination of the activities funded in a specific capital fund program year.

8.2 Capital Fund Program Five-Year Action Plan

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

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

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

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

9.1 Strategy for Addressing Housing Needs. Provide a description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. **(Note:** Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).

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

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

(b) Significant Amendment and Substantial Deviation/Modification. PHA must provide the definition of "significant amendment" and "substantial deviation/modification". **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan.)**

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

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

(a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations*

(b) Form HUD-50070, *Certification for a Drug-Free Workplace* **(PHAs receiving CFP grants only)**

(c) Form HUD-50071, *Certification of Payments to Influence Federal Transactions* **(PHAs receiving CFP grants only)**

(d) Form SF-LLL, *Disclosure of Lobbying Activities* **(PHAs receiving CFP grants only)**

(e) Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet* **(PHAs receiving CFP grants only)**

(f) Resident Advisory Board (RAB) comments.

(g) Challenged Elements. Include any element(s) of the PHA Plan that is challenged.

(h) Form HUD-50075.1**, *Capital Fund Program Annual Statement/Performance and Evaluation Report* (Must be attached electronically for PHAs receiving CFP grants only).** See instructions in 8.1.

(i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan* **(Must be attached electronically for PHAs receiving CFP grants only).** See instructions in 8.2.

Town Of Mamaroneck

Public Housing Agency

Administrative Plan

2010 Revision

Adopted 10/7/2009

STATEMENT OF POLICIES AND OBJECTIVES

Administration of the Housing Choice Voucher Program and the functions and responsibilities of the Town of Mamaroneck Public Housing Agency (PHA) are in compliance with United States Department of Housing and Urban Development regulations, federal, state and local housing laws and regulations, and the Town of Mamaroneck's administrative and personnel policies.

This Administrative Plan establishes the Town's policies with regard to the administration of the Housing Choice Voucher Program. The plan adheres to mandatory HUD regulations and describes the Town's policies where HUD regulations permit flexibility and discretionary decision-making on the part of the PHA.

In the event that any policies, procedures or other statements contained herein are found to be contrary to federal housing regulations governing the Housing Choice Voucher Program, the federal regulations will prevail. Any policies, procedures or practices engaged in by the Town of Mamaroneck PHA that are inadvertently omitted from this Administrative Plan shall be reviewed upon discovery and the plan amended.

PROGRAM OBJECTIVES

The primary jurisdiction of the Town of Mamaroneck PHA is the unincorporated Town of Mamaroneck, the Village of Mamaroneck including the portion that is in the Town of Rye, and the Village of Larchmont. The Larchmont-Mamaroneck community is a diverse one, both demographically and socio-economically. With ever-increasing property and school taxes, and escalating utility prices, housing costs in this area are very high. As a result, senior citizens, young adults, people with disabilities and others living on a fixed income find it very difficult to remain living in our community. Working families also experience difficulty with housing expenses, often paying more than 50% of their income for rent.

Under the regulatory guidance of the United States Department of Housing and Urban Development (HUD), the Town of Mamaroneck Public Housing Agency (PHA) through the Housing Choice Voucher Program (also known as Section 8) seeks to accomplish the following objectives:

- Ensure that low and very low income families have access to decent, safe, affordable housing in our community;
- Enable eligible families to improve their quality of life by having them spend a smaller percentage of their income for rent, thereby releasing their other income for basic needs;
- Engage property owners in a partnership that will benefit both tenants and owners by making timely Housing Assistance Payments and acting as liaison between tenants and owners on housing-related matters.

To realize these objectives, the Town of Mamaroneck PHA staff is actively involved in community outreach and interagency activities to promote the Housing Choice Voucher Program, and publicizes its benefits to the public as follows:

- Presentations and mailings to local civic, religious and other community groups regarding the Housing Choice Voucher Program and its positive impact not only on the lives of our residents but also on the community as a whole.
- Cooperation with local organizations and advocacy groups assisting individuals who are of low income, unemployed, homeless or inadequately housed, and those in need of assistance through the local food pantry and other related social services.
- Active membership in the Larchmont-Mamaroneck Summit, a local social action group that identifies and responds to needs in the community.
- Contact with representatives of social action committees from local houses of worship, local Rotary and Lions clubs, the Larchmont Newcomers and Women's Clubs and others to publicize the program and solicit support from members, many of whom are realtors, landlords and employers.
- Outreach to seniors via the Town of Mamaroneck Senior Center, interaction with the Westchester County Office of Senior Programs and Services, and other senior program specialists to address senior needs. Information outlining the Housing Choice Voucher Program and this office's Senior Services Directory are available to the public at the Town of Mamaroneck Senior Center and the PHA's office.
- Communication with news media including the local cable television station LMC-TV, the Journal News, the Sound and Town Report and the Larchmont Gazette, a local on-line newspaper, to publish information concerning the program.
- Information about the Housing Choice Voucher Program is also available on the Town of Mamaroneck website at www.townofmamaroneck.org.
- Informal public communication outlining program requirements is posted on municipal bulletin boards, and is updated as needed.
- Direct contact with many local organizations to improve housing opportunities, including but not limited to: Westchester Residential Opportunities, The Hispanic Resource Center, Westchester Independent Living Center, Westchester Disabled on the Move, the Department of Social Services, Washingtonville Housing Alliance, Interfaith Council for Affordable Residence (ICARE), and My Sister's Place Domestic Violence Shelter.

PRIVACY RIGHTS

Applicants and participants in the Housing Choice Voucher Program are required to sign HUD and PHA Authorization for the Release of Information forms that state the purpose of the form, the information being sought, and the conditions under which HUD and/or the PHA will obtain and release tenant and owner information.

FREEDOM OF INFORMATION ACT

The PHA will respond to requests for information under the Freedom of Information Act (FOIL) to the extent that release of requested information conforms to HUD's FOIL regulations (24 CFR Part 15) and the Town of Mamaroneck FOIL policies. Requests for information under the Freedom of Information Act must be made through the Town Clerk's office.

FAIR HOUSING POLICY

It is the policy of the PHA to comply with all federal, state and local nondiscrimination laws and to operate in accordance with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment.

The PHA will provide information to all Voucher recipients regarding housing discrimination and services available to help them in the event they feel they have experienced discrimination. Voucher recipients receive a copy of the US Department of Housing and Urban Development's most recent pamphlet on housing discrimination and fair housing laws as part of the New Tenant Briefing packet.

REASONABLE ACCOMMODATION

The Town of Mamaroneck Public Housing Agency will consider requests to provide a reasonable accommodation for individuals with disabilities with regard to participation in the Housing Choice Voucher Program. Individuals with disabilities who wish to request an accommodation must do so in writing. Upon receipt of the request, the PHA will determine whether a disability exists based on federal definitions as set forth in the Code of Federal Regulations 24 CFR 5.403.

A person with a disability, as defined in 24 CFR 5.403 is a person who:

1. has a disability as defined in 42 U.S.C. 423;
2. is determined, pursuant to HUD regulations, to have a physical, mental, or emotional impairment that is expected to be of long-continued and indefinite duration, substantially impedes his or her ability to live independently, and is of such a nature that the ability to live independently could be improved by more suitable housing conditions;
3. has a developmental disability as defined in 42 U.S.C. 6001

This definition does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from acquired immunodeficiency syndrome.

For the purpose of qualifying for the Housing Choice Voucher Program, this definition *does not include* a person whose disability is based solely on any drug or alcohol dependence.

The Social Security Administration (SSA) establishes the criteria for determining whether or not an individual meets the definition of disability for the purpose of determining eligibility for disability benefits. The Town of Mamaroneck will rely on the SSA's determination when establishing whether a disability exists.

If the PHA determines a disability exists, the PHA will determine whether the request for a housing accommodation is related to the existing disability and whether the request is reasonable. No accommodation will be provided that permits an individual to violate family obligations or any regulations governing the Housing Choice Voucher Program.

The PHA staff will work in conjunction with organizations that assist people with disabilities upon request to ensure that applicants and participants with disabilities understand their obligations and the PHA's policies governing the program. The PHA's office is handicapped accessible.

COMMUNICATION WITH THE PHA

All applicants and participants are required to communicate changes of information in writing to the PHA. Any verbal communication concerning changes may be noted but no action will be taken until the PHA has received and verified the information in writing unless waiting for written documentation would cause undue hardship or delays in meeting program requirements.

Spanish-speaking PHA staff members are available to conduct briefing meetings and annual recertification meetings in Spanish. The PHA staff also maintains a close working relationship with the Hispanic Resource Center and the Washingtonville Housing Alliance to assist in providing language translation to non-English speaking families when necessary and available.

FUNCTIONS OF THE TOWN OF MAMARONECK PUBLIC HOUSING AGENCY

The Town of Mamaroneck's governing Board consists of a Supervisor and four Councilmen/women. A Mayor and a four-person Board of Trustees govern the Villages of Mamaroneck and Larchmont.

The United States Housing Act of 1937 and the Housing and Community Development Act of 1974 as amended from time to time provides for the financial, regulatory and programmatic administration of the Housing Choice Voucher Program under the US Department of Housing and Urban Development (HUD).

The Town Supervisor was authorized by resolution of the Board on July 8, 1976 to apply for funds made available by the Federal government either directly or through the State pursuant to the provisions of any Federal law in order to administer, conduct or participate with the Federal government in the Housing Assistance Program.

The Village of Larchmont's governing body, by resolution dated July 12, 1976 authorized the Supervisor of the Town of Mamaroneck to apply for funds on behalf of the Village for the same purpose.

The Village of Mamaroneck's governing body, by resolution dated September 8, 2008 authorized the total and permanent divestiture of the Budget Authority and corresponding baseline units of 387 Housing Choice Vouchers and assets from the Village of Mamaroneck Housing Authority's Consolidated Annual Contributions Contract effective December 31, 2008

The Town of Mamaroneck's governing body, by resolution dated August 6, 2008 authorized receipt of the total Budget Authority and corresponding baseline units of 387 Housing Choice Vouchers and assets from the Village of Mamaroneck Housing Authority's Consolidated Annual Contributions Contract effective January 1, 2009.

The transfer of Village of Mamaroneck Housing Authority's total Budget Authority and corresponding baseline units of 387 Housing Choice Vouchers to the Town of Mamaroneck Public Housing Agency was officially approved by the US Department of Housing and Urban Development on October 20, 2008.

The Village of Mamaroneck Housing Authority and Town of Mamaroneck Public Housing Agency agreed that the total and permanent transfer of the Village of Mamaroneck Housing Choice Voucher Program to the Town of Mamaroneck Public Housing Agency will offer greater access to rental assistance for low and moderate income residents of, as well as those who work or have been hired to work in, the entire Town of Mamaroneck and portion of the Village of Mamaroneck that is within Rye Town (Rye Neck), with priority to those who are elderly, disabled, veterans, victims of domestic violence, dating violence or stalking, and working families earning less than 30% of the median income of Westchester County.

Under the direction of the Town Supervisor or her/his designee, the Public Housing Agency performs all of the functions related to the administration of the Town of Mamaroneck Public Housing Agency's 647 Housing Choice Vouchers. The office is staffed with a Director, four Housing Assistants and one Office Assistant.

The Town of Mamaroneck PHA Director presents an annual budget to the Town Board for review and approval. The PHA budget contains a line item entitled "Administrative Fee Reserve Required" that projects the amount required to fund administrative expenses in excess of administrative fees awarded to the PHA in the HUD Annual Contributions Contract (ACC). Due to annual fluctuations in the ACC, the Administrative Fee Reserve Required is considered an estimate.

The PHA Director is authorized to charge up to the Board-approved amount each fiscal year against the Administrative Fee Reserve without further authorization.

FAMILY OUTREACH

The Town of Mamaroneck PHA uses a variety of methods to communicate the availability of housing assistance and related services to very low income and low-income individuals, and the community at large. In addition to verbal and written communication with various community organizations as previously stated, the PHA publishes written Public Notices in newspapers and other media adopted by the Town Board for the purpose of publishing official notices. These typically include the local cable television station LMC-TV, the Journal News, the Soundview News, the Sound and Town Report and the Larchmont Gazette, a local on-line newspaper. Information may also be made available on the Town of Mamaroneck's website at www.townofmamaroneck.org.

OWNER OUTREACH

The PHA is in continuous contact with local property owners to solicit information on the availability of suitable housing units within the agency's jurisdiction and neighboring communities. Property owners seeking suitable tenants to fill housing vacancies also contact the PHA regularly. PHA staff is in contact with local realtors, providing written information about the Housing Choice Voucher Program to encourage new property owners to consider participation in the program. The PHA regularly provides applicants and participants with owner contact information, and specific unit availability when known. Staff makes every effort to assist Voucher holders to locate suitable units within our jurisdiction.

ENCOURAGING PARTICIPATION BY OWNERS OF ELIGIBLE UNITS LOCATED OUTSIDE AREAS OF LOW INCOME OR MINORITY CONCENTRATION

Contact with property owners, brokers and managing agents operating within the Town of Mamaroneck PHA's jurisdiction is ongoing. Efforts are made to ensure that income eligible minority families in the PHA's jurisdiction are aware of the availability of federal housing assistance and housing opportunities in non-impacted areas through resources previously identified.

APPLICATION PROCEDURES

OPENING THE WAITING LIST

When the PHA opens the waiting list, public notice that families may apply for assistance will be placed in the newspapers and other media adopted by the Town Board for the purpose of publishing official notices. The public notice will clearly state where and when to apply and any limitations on who may apply for available slots in the program.

In addition to public notice, local community groups working with underserved and minority populations will be notified in an effort to reach individuals and families who may not have access to the identified media. Such notice will comply with the Fair Housing and Equal Opportunity requirements of the PHA and the United States Department of Housing and Urban Development.

If the waiting list is closed and the PHA is not accepting general applications, the PHA will consider applications from those who claim a Residency Preference or a program preference unless the PHA determines the waiting list already contains an adequate pool of applicants who qualify for those preferences.

The Town of Mamaroneck PHA maintains a single waiting list of applicants believed to be eligible for federal assistance under the Housing Choice Voucher Program. The PHA determines the status of the list (open or closed) based on the number of applicants on the list who meet the criteria defined by the PHA as eligible to apply, and the availability of Voucher funding.

When the waiting list is open, the PHA accepts preliminary applications by mail only via the submission of a written request and a stamped, self-addressed envelope. Each preliminary application received is dated and time-stamped in the order in which it was received. Applications are reviewed for completeness, and if complete, the information is then entered into the computerized waiting list database where the data is rank-ordered by date and time of application and any preferences indicated on the application, subject to verification. Applications that are incomplete, defined as those applications that are missing information and applications that are illegible, are not accepted. Applicants are notified of the PHA's receipt of their application and that they are responsible for reporting any changes in information to the PHA in writing.

PROGRAM PRIORITIES AND PREFERENCES

The Town of Mamaroneck PHA gives preference on the waiting list to applicants who live, work or have been hired to work in the Town of Mamaroneck, Village of Larchmont or the Village of Mamaroneck. This is known as a residency preference. The residency preference of the Town of Mamaroneck PHA is not intended to delay or otherwise deny admission to the program based on race, color, ethnic origin, gender, religion, disability or age of any member of an applicant family.

The Town of Mamaroneck PHA also gives preference on the waiting list to senior citizens, people with disabilities, veterans, victims of domestic violence, dating violence or stalking, and applicant families living in Westchester County whose income is at or below 30% of the current median income of Westchester County based on family size. This is known as a program preference. Eligible applicants (head of household and spouse, or sole member of the household) aged 62 or older and applicants with disabilities are also given preference as a working family.

Applicants are required to prove eligibility for any preferences at the time of application by supplying the specific written documentation outlined in the application supplement in order to be placed on the waiting list with preferences. Applicants who cannot document their entitlement to a preference to the satisfaction of the PHA Director will be placed on the waiting list without the preference when the general waiting list is open. These applications will not be accepted when the Town of Mamaroneck PHA is only accepting applications that meet the program preferences.

Preference One: Applicants, who live, work or have been hired to work in the Town of Mamaroneck, Village of Larchmont or Village of Mamaroneck (including Rye Neck).

Preference Two: Applicants who are senior citizens, people with disabilities, veterans, victims of domestic violence, dating violence or stalking, and applicant families living in Westchester County whose income is at or below 30% of the current median income of Westchester County based on family size.

Each of the categories listed as Second Preference are individually counted and ranked at the same value. As a result, applicants may receive more than one preference based on the above criteria, thereby ranking them higher on the waiting list.

CLOSING THE WAITING LIST

The PHA Director may choose to close the waiting list or accept only applications meeting the above criteria when it is determined that the existing waiting list contains an adequate number of applicants for the Voucher funds available. Public notice concerning the closing will be placed in the newspapers and other media adopted by the Town Board for the purpose of publishing official notices.

In addition to public notice, special groups such as minorities, the elderly, the working poor, and the homeless will be notified directly through the various community agencies with whom the PHA is in regular contact. Such notice will comply with the Fair Housing and Equal Opportunity requirements of the PHA and the United States Department of Housing and Urban Development.

PURGING THE WAITING LIST

From time to time the Town of Mamaroneck PHA will purge the waiting list to ensure that it has an accurate and current pool of applicants.

A notice will be mailed to all applicants on the waiting list requesting updated information. The request will require confirmation that the applicant wishes to remain on the list and will ask the applicant to acknowledge that all information contained in the notice is accurate or to correct or update information as required. The notice will have a fourteen (14) day response deadline and will state that failure to respond within the fourteen (14) day response period will result in the applicant's name being removed from the list. An additional fourteen (14) day extension from the original 14 day deadline may be provided upon request, at the discretion of the Director, as a reasonable accommodation for a person with a disability or a person who is elderly. The Director has the discretion to consider accepting late purge notices based on individual circumstances, on a case by case basis.

No further consideration will be given for failure to respond within the fourteen (14) day response period or within an approved fourteen (14) day extension period provided as a reasonable accommodation. The PHA will maintain a file containing a copy of the mailing list of applicants who were sent the notice and failed to respond, and individual files with their preliminary applications removed from the list.

If the US Postal Service returns a notice to the PHA, the applicant's name will be removed from the waiting list without further notice or consideration, and the envelope, letter and application will be maintained in the file.

Applicants who decline assistance will be removed from the waiting list, and their preliminary applications will be annotated and maintained in the file.

SELECTION AND ADMISSION PROCEDURES

SELECTION AND SCREENING

Families eligible for participation in the Housing Choice Voucher Program are selected from the waiting list according to the date and time the application was received, and the verified preferences claimed on their preliminary application. Applicants are contacted in writing to inform them that Voucher funding may be available, pending verification of current eligibility.

An application packet accompanies this letter and includes a Tenant Information Form, HUD and PHA Authorization for the Release of Information forms, a Declaration of Citizenship form, an Expense Worksheet, a Housing Survey, and a request to supply other documentation deemed necessary for the purpose of determining eligibility for assistance. These forms must be completed, dated and signed by all members of the household age 18 and older, and returned, along with copies of all social security cards, birth certificates, marriage license, divorce or separation papers, child custody papers, passports, and immigration documentation for all members of the household, within the specified timeframe for the applicant to be considered for housing.

Applicants who fail to respond to this notice within the specified timeframe will be removed from the waiting list and given no further consideration. No grace periods or extensions will be provided. An additional fourteen (14) day extension from the original 14 day deadline may be provided upon request, at the discretion of the Director, as a reasonable accommodation for a person with a disability or a person who is elderly.

Upon receipt of the requested documentation, the Director will begin verifying the applicant's identity and eligibility, including conducting a preliminary criminal background check and verifying immigration status.

CRIMINAL ACTIVITY SCREENING

Federal law permits criminal background checks to be performed on adult household members applying for or receiving housing assistance. The PHA will use a variety of sources to conduct criminal background checks including but not limited to the NYS Department of Corrections Inmate Lookup; the NYS Sex Offender Registry; the National Criminal Information Center and the New York State Police Information Network.

An initial inquiry is placed with the New York State Police Information Network through the Town of Mamaroneck Police Department to determine if a criminal record exists. If notified by the Town Police that a record exists, the individual in question must agree to provide fingerprints which are forwarded to the National Criminal Information Center (NCIC) for processing. Failure to provide fingerprints within the specified timeframe will result in removal from the waiting list or termination of assistance.

Applicants who have provided false information on their preliminary application with regard to prior criminal history will be removed from the waiting list and given no further consideration. Upon receipt and review of an individual's criminal history report from NCIC, the PHA will determine if the nature of the information contained in the record warrants denial of admission or termination from the program. If the PHA chooses to deny admission or terminate participation based upon the information contained in the criminal history record, the individual will be afforded the opportunity for an informal review (applicants) or an informal hearing (participants) to challenge or dispute, and correct the accuracy and/or relevance of the information contained in the record.

Federal regulations prohibit the PHA from denying admission to or terminating assistance of an otherwise qualified applicant, participant or immediate member of a participant's family who is a victim of the domestic violence, dating violence, or stalking.

Federal regulations prohibit the PHA from providing assistance to any applicant or household member who is subject to a lifetime registration requirement under any sex offender registration program.

Federal regulations prohibit the PHA from providing assistance to any applicant or household where a household member has been convicted of methamphetamine production on the premises of federally assisted housing.

Federal regulations permit PHA's to deny admission to any applicant or household where:

- The household has been evicted from federally assisted housing because of drug-related criminal activity of a household member;
- A member of the household is abusing alcohol or using another drug illegally if the member's illegal use or pattern of alcohol abuse may threaten the health, safety or right to peaceful enjoyment of the premises by other residents.

The PHA may waive this prohibition <u>at its sole discretion</u> provided that:

- The household member is *actively* participating (*as reported directly to the PHA by the provider*) in a supervised alcohol or drug rehabilitation program approved by the PHA, or
- The household member has successfully completed (*as reported directly to the PHA by the provider*) a supervised alcohol or drug rehabilitation program approved by the PHA, or
- The individual no longer resides in the household due to imprisonment or death.

The PHA, <u>at its sole discretion</u>, reserves the right to deny admission or terminate assistance to any household where a member:

- is currently engaged in illegal drug use, or has engaged in illegal drug use within the past ***five (5)*** years that may threaten the health, safety or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity
- is currently engaged in or has engaged in alcohol abuse within the past ***five (5)*** years such that the abuse or pattern of abuse of alcohol may threaten the health, safety or

right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity

- is currently engaged in or has engaged in violent criminal activity within the past ***five (5)*** years that may threaten the health, safety or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity
- is currently engaged in or has engaged in other criminal activity within the past ***five (5)*** years that may threaten the health, safety or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity
- is currently engaged in or has engaged in other criminal activity within the past ***five (5)*** years that may threaten the health or safety of the property owner or manager, or a PHA employee or contractor.

Under federal regulations, the PHA may terminate assistance for criminal activity or alcohol abuse if the PHA determines that, based on a preponderance of the evidence, the household member has engaged in the activity regardless of whether the household member has been arrested or convicted for such activity.

IMMIGRATION AND CITIZENSHIP STATUS

All categories of non-citizens who are authorized to reside in the United States are not necessarily authorized to receive HUD housing assistance. Assistance is contingent upon the submission and verification of the evidence of citizenship or eligible immigration status. All information provided will be verified with the United States Citizenship Information Service prior to issuance of a Voucher, and at the time of annual recertification. Assistance will be prorated, denied or terminated in accordance with federal regulation upon a final determination of ineligibility of a member of the household.

The following verifications are required to support an individual's declared status:

Eligible Immigration Documents:

- Form I-551 Alien Registration Receipt Card (for Permanent Resident Aliens)

- Form 1-94 Arrival-Departure Record, annotated with one of the following:
  - "Admitted as a Refugee Pursuant to Section 207"
  - "Section 208 or Asylum"
  - "Section 243(h)" or "Deportation stayed by Attorney General"
  - "Paroled Pursuant to Section 221 (d)(5) of the INS"

- Form I-688 Temporary Resident Card annotated "Section 245A" or "Section 210"

- Form 1-688B Employment Authorization Card annotated "Provision of Law 274a. 12(11)" or Provision of Law 274a.12".

- A receipt issued by the INS indicating that an application for issuance of a replacement document in one of the above listed categories has been made and the applicant's entitlement to the document has been verified.

DEFINITIONS AND ELIGIBILTIY

The US Department of Housing and Urban Development defines a family as:

- A family with a child or children
- A group of persons consisting of two or more elderly or disabled persons living together
- One or more elderly or disabled persons living with one or more live-in aides

The Town of Mamaroneck PHA also defines a family as:

- A single person who is elderly (age 62 or older)
- A single person who is disabled
- A single person with a child or children, or who is expecting a child
- A single person working in Westchester County who is earning less than 30% of the median income.

Disability is defined as it applies to the individual applicant in accordance with Section 223 of the Social Security Act, Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act, or the Americans with Disabilities Act.

CONTINUOUSLY ASSISTED FAMILY

A family that has been continuously assisted under the 1937 Housing Act will be placed on the waiting list or assisted using the low-income limits published by the Department of Housing and Urban Development.

A family will be considered continuously assisted if the family is already receiving assistance under any 1937 Housing Act Program when the family is admitted to the PHA.

If a continuously assisted family's assistance is temporarily interrupted for more than 60 days before changing programs and prior to admittance to this Agency's program, such interruption will cause that family to lose their status as a continuously assisted family.

VERIFICATION PROCEDURES

The PHA independently verifies family income, family composition, full-time student status, the value of assets, factors determining eligibility for a preference, immigration status, criminal history and other factors relating to eligibility *before* an applicant is issued a Voucher, and at the time of Interim and Annual Certification.

Methods of verification include, but are not limited to, utilization of all HUD online systems active at the time of verification including EIV, The Work Number employment verification system, written requests to third parties including but not limited to current or previous

landlords, employers, child care providers, pharmacies, disability assistance providers, Westchester County Child Support Unit, Department of Social Services, Social Security Administration, NYS Department of Labor, United States Citizenship Information Service, Veterans Administration, local, state and federal criminal justice agencies and any other entity necessary to obtain verification of information required. The Town of Mamaroneck does not accept written notarized statements from the assisted family as verification.

In rare circumstances where written third-party verification is not able to be obtained, the PHA may telephone the third party to obtain oral verification, and will note in writing the date, time, name of person providing verification and nature of the verification in the tenant file.

RELEASE OF INFORMATION

All household members 18 years of age and older are required to sign a HUD and a PHA Authorization to Release Information form as part of the Tenant Information Packet issued when an applicant reaches the top of the waiting list, and annually at the time of recertification. These signed, dated authorization forms serve as proof that the family members understand the type and nature of information being sought, and give their consent to third parties for the release of information.

If any household member 18 years of age and older refuses to sign these forms to provide authorization as required by HUD and the PHA, housing assistance will not be provided. Applicants will be removed from the waiting list. Current participants will have their assistance terminated in accordance with HUD regulations.

VERIFICATION OF PREFERENCES

In order to claim one or more preferences on the Town of Mamaroneck PHA's waiting list, applicants MUST supply the following documentation with their application as proof of entitlement to a preference. All documentation is subject to verification by the PHA.

First Preference

Individuals who live in the Town of Mamaroneck, Village of Mamaroneck or Village of Larchmont must provide AT LEAST TWO of the following (each item counts as one proof):

- A copy of an executed lease in the applicant's name, with the address of the unit and effective date of the lease term
- Copies of at least three cancelled checks or money order receipts documenting payment of rent to the landlord of the leased unit (hand-written receipts from a receipt book are not acceptable forms of proof)
- A copy of a current utility bill in the applicant's name containing the local unit address and recent proof of payment of the utility bill (cancelled check, money order, bank account debit from the applicant's account)
- Copies of three months worth of bank statements in the applicant's name documenting the local address

- Current applicant's driver's license with the local address
- Applicant's photo ID issued by an employer or government entity with the local address

Individuals who work or have been hired to work in the Town of Mamaroneck, Village of Mamaroneck or Village of Larchmont must provide AT LEAST ONE of the following items (each item counts as one proof):

- Copies of three months worth of applicant's pay stubs from a local company with that company's local address
- An original letter on company letterhead documenting the applicant's employment including the location and start date of employment in the jurisdiction, a telephone number and a contact name
- Applicant's photo ID issued by an employer with the local address

The Town of Mamaroneck PHA does not consider in-home child care or care for the elderly or disabled, housekeeping, seasonal employment (i.e. summer camp), employment by a relative, undocumented employment (i.e. "off the books") or any other employment for which a W-2 or 1099 is not provided as acceptable proof of local employment for the purpose of granting a preference.

<u>Second Preference</u>

Senior Citizens:

- Copy of birth certificate

Person with a disability:

- A copy of most recent Social Security Award Letter; or
- A letter from the doctor describing the manner in which a physical, mental or emotional impairment that (A) is expected to be of long, continued and indefinite duration substantially impedes your ability to live independently and (B) is of such a nature that the ability to live independently could be improved by more suitable housing conditions. (24 CFR Part 5.403)

Veterans:

- Copy of Form DD-214

Victims of Domestic Violence, Dating Violence and Stalking:

- A completed, signed HUD form 50066-Certification of Domestic Violence, Dating Violence or Stalking; and
- A notarized statement from a professional employee, agent or volunteer of a victim services provider, an attorney, or a medical professional from whom the victim has sought assistance in addressing domestic violence, dating violence, sexual assault or stalking, or the effects of the abuse, in which the professional attests under penalty of perjury to the professional's belief that the incident or incidents in question are bona fide incidents of abuse. The applicant/victim of domestic violence, dating violence or

stalking must also sign the statement attesting to the validity of the documentation. If available, a police report and/or court record must be attached.

Households who do not provide the required documentation to prove entitlement to any of the above preferences to the satisfaction of the PHA will not be granted a preference on the waiting list.

APPLICANT BRIEFING AND VOUCHER ISSUANCE

Following verification of eligibility information, an appointment will be scheduled for an interview and briefing with the Director or the Director's designee. The applicant must bring any additional documentation requested to support the information regarding income, assets, family composition and any preference(s) claimed on the Tenant Information Form, as well as any information to support changes to the information that was previously supplied.

All members of the applicant household ages 18 or older must attend the briefing meeting with the Director or the Director's designee. Any applicant family that reschedules or misses the first scheduled briefing meeting will be given the opportunity to reschedule the meeting one time. Missing the rescheduled briefing meeting will result in removal from the waiting list.

The Director or the Director's designee will explain the Housing Choice Voucher Program requirements, review all of the documents in the Tenant Briefing Packet (listed below), and inform the family of their rights and obligations as program participants. Families will be encouraged to ask questions regarding their obligations as participants in the program, as well as those of the landlord and the PHA. In the event of a language translation issue, the PHA will make every effort to have a volunteer translator present for the briefing meeting.

The applicant(s) will be required to sign documents attesting to the fact that they participated in the briefing and understand their obligations under the federal regulations and administrative policies of the Town of Mamaroneck PHA.

The Tenant Briefing Packet is provided as required by Federal regulations and includes the following information, which may be amended from time to time as necessary:

1. HUD OIG Fraud Bulletin - December 2005
2. The Town of Mamaroneck Housing Choice Voucher Program Information sheet
3. Street map of Town of Mamaroneck PHA's jurisdiction
4. Family Obligations Certification
5. Housekeeping Form
6. Informal Review Procedures
7. Portability information
8. Homeownership Voucher information
9. Family Self-sufficiency Program information
10. "A Good Place to Live", published by HUD
11. "Protect Your Family from Lead in Your Home", published by the US EPA

12. "Are You a Victim of Housing Discrimination?" (HUD 903.1)
13. "Fair and Affordable Housing For Everyone", published by WRO
14. Tenant's Rights Guide, published by the NYS Office of the Attorney General
15. Apartment Search Log
16. Violence Against Women Act brochure and PHA Policy for Claiming Preference
17. Listing of local landlord and real estate agents, and any known apartment vacancies
18. Request for Tenancy Approval form
19. W-9 form for the prospective landlord
20. Lead-Based Paint Disclosure form for a prospective landlord

TERMS, EXTENSIONS AND SUSPENSIONS

Vouchers will be issued for an initial 60-day term. All recipients are informed of the time limits and are encouraged to keep in contact with the PHA during those 60 days for any assistance the PHA can provide in locating an eligible unit.

Vouchers may be extended in 30-day increments at the Director's sole discretion provided the family demonstrates to the PHA's satisfaction that all possible efforts have been made to find a unit. Examples include a listing of landlords or realtors they have contacted, the addresses of units they have seen, and the submission of a Request for Tenancy Approval form, even if the PHA denies the latter. Given the high cost of housing and the fluctuating local rental market, the PHA may, at its sole discretion extend a Housing Choice Voucher in 30 day increments up to a maximum of 120 days from the initial issue date provided the family provides adequate documentation of their diligent search.

Applicants whose vouchers expire without having located a unit will be required to wait 180 days from the maximum potential expiration date of the initial voucher to reapply for assistance, provided the waiting list is open.

Elderly and disabled individuals will be the exception. While we strongly encourage expedience in searching for an eligible unit, we also consider that age and disability may warrant a longer Housing Choice Voucher term to locate a suitable unit. The decision to extend a Voucher term will be made on a case-by-case basis by the Director. In no case will a Voucher term be extended to more than 180 days total.

The PHA Director has discretion to terminate the Voucher if the family does not provide satisfactory documentation of its search. The PHA may terminate or suspend the Voucher at any time due to funding constraints or other unforeseen circumstances.

OCCUPANCY STANDARDS

The Town of Mamaroneck PHA uses the following occupancy standards as a guideline for determining voucher size (number of bedrooms). HUD regulations permit the PHA to implement a policy of two persons per room regardless of age and sex.

Voucher Size	Minimum # Persons	Maximum # Persons
Studio	1	1
1 Bedroom	1	3
2 Bedroom	2	4
3 Bedroom	3	6
4 Bedroom	4	8

Voucher size is determined at the Director's sole discretion and is not subject to an informal review or informal hearing requirement.

In order to maximize the PHA's ability to provide federal housing assistance to as many people as are possible under the annual budget authority of the PHA, the Town of Mamaroneck PHA will only apply the minimum standards in cases where there is a documented need for an individual bedroom as a reasonable accommodation, or in consideration of other special circumstances.

The PHA does not determine who shares a bedroom/sleeping room. HUD regulations permit the use of certain rooms other than bedrooms for the purpose of sleeping, provided the room contains one operable window. In no case may a kitchen be used for sleeping.

When a household member is absent from the unit for extended periods of time to attend school or for other reasons acceptable to the PHA, a separate bedroom may be maintained for that household member at the PHA's discretion. The PHA may require that the absent member use another room for sleeping when the member is present in the household.

CHANGES IN VOUCHER SIZE

Voucher size will be re-evaluated upon receipt of a request from a tenant to move to a new unit as well as upon notification of a change in family composition. Voucher size will take into consideration the PHA's financial circumstances at the time the request is made, and may fluctuate from time to time as a result.

A family may request an increase in Voucher size to accommodate an increase in family size or other circumstances that may have occurred since the time of application. Requests must be made in writing and must be accompanied by documentation justifying the request. The Director will consider such requests on a case-by-case basis. If awarded, the change in Voucher size will go into effect with the family's move to a new unit.

Decreases in Voucher size as a result of a change in family composition will go into effect at the time of the next annual recertification provided the tenant notifies the PHA within 30 days of the date of the change. Any family who fails to report such a change within 30 days of the event will have their Voucher size reduced effective on the first of the month following 30 days reasonable notice by the PHA, and will be required to pay the resulting additional share of the rent until the family moves to a new unit.

In accordance with federal regulations, the Town of Mamaroneck PHA will issue a voucher for the family to relocate to an acceptable unit as soon as possible upon the PHA's determination that a family is residing in a unit with:

- a larger number of bedrooms than is required for the family unit size under the Town of Mamaroneck PHA subsidy standards;
- a gross rent for the unit, equal to the contract rent plus any utility allowance for the unit size leased that exceeds the fair market rent limit for the family unit size under the PHA subsidy standard.

LIVE IN AIDE

A family that consists of one or more elderly, near-elderly or disabled persons may request that the PHA approve a live-in aide to reside in the unit and provide necessary supportive services for a family member who is a person with disabilities. This request is subject to approval by the PHA as described below.

The Town of Mamaroneck PHA will approve a live in aide if needed as a reasonable accommodation in accordance with federal regulations and definitions, to make the program accessible to and usable by the family member with a disability. Approval of a live-in aide may require a family to move to a new unit in order to accommodate the addition of a live in aide in the household.

The Town of Mamaroneck PHA may at any time refuse to approve a particular person as a live in aide. A family member who is living in or is requesting to be added to the household will not be considered a medically necessary care giver for the purposes of qualifying as a live in aide.

The Town of Mamaroneck PHA may also withdraw approval of a live in aide 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 or violent criminal activity
- the person currently owes rent or other amounts to the PHA or another PHA in conjunction with any federal housing assistance
- commits any act that threatens the health, safety and right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity

In the event that approval of a live in aide is withdrawn, the aide will be required to vacate the premises within 30 days from the date notice is given.

LOCATING SUITABLE HOUSING

Once a Voucher has been issued, it is the family's responsibility to locate suitable housing. The PHA will provide assistance to locate suitable housing by providing the names and telephone numbers of local landlords and cooperative real estate brokers, and will provide local maps as

well. The PHA also suggests that the family use other sources including the local newspaper listings and Internet resources to locate a suitable apartment.

A family whose head or spouse has a legal residence in the jurisdiction of the Town of Mamaroneck PHA at the time the family first submits its application to the Town of Mamaroneck PHA, may lease a unit anywhere within the jurisdiction of the Town of Mamaroneck, or outside the jurisdiction of the Town of Mamaroneck as long as there is another entity operating a Housing Choice Voucher Program covering the location of the proposed unit, provided the payment standard in that jurisdiction is equal to or less than that of the Town of Mamaroneck PHA.

If the head or spouse of the applicant family does not have a legal residence in the jurisdiction of the Town of Mamaroneck PHA at the time the family first submits its application for participation in the program to the Town of Mamaroneck PHA, the family will not have any right to lease a unit outside of the Town of Mamaroneck PHA jurisdiction for a 12-month period beginning when the family is first admitted to the program. During this period, the family may only lease a unit located in the jurisdiction of the Town of Mamaroneck PHA.

Families participating in the Housing Choice Voucher Program will not be allowed to move more than once in any 12-month period. Under no circumstances will a family be permitted to improperly break a lease. At the discretion of the Director, a family may be permitted to move more than once in any 12-month period under extraordinary circumstances or in situations where doing so would provide a reasonable accommodation under the federal definitions described elsewhere in the Administrative Plan.

Families who are in good standing with the Town of Mamaroneck PHA and who wish to relocate to an area outside the jurisdiction of the Town of Mamaroneck PHA may request to do so in writing. Families must not owe the PHA funds under a repayment agreement, must be current on their rent, must give their landlord at least 30 days written notice, and must comply with all federal regulations governing portability.

The Town of Mamaroneck PHA reserves the right to deny portability to any family who wishes to relocate to a jurisdiction where the payment standard or occupancy standard exceeds that of the Town of Mamaroneck and the receiving PHA is not absorbing the family into their own program when budgetary restrictions prohibit paying a higher housing assistance payment.

The Town of Mamaroneck PHA may not terminate or deny a tenant, who is otherwise in compliance with the program, the opportunity to relocate under the portability provisions of the Housing Choice Voucher program in situations where the tenant violated the assisted lease in order to protect the health and safety of an individual who is or has been the victim of domestic violence, dating violence or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if he or she remained in the assisted unit.

If a family has been unable to find suitable housing within the initial 60 day Voucher time limit, and has provided the PHA with adequate evidence of a reasonable search, the PHA may provide

the family with a letter of recommendation to the Department of Social Services for a one-time payment of assistance to utilize the services of a real estate broker.

The PHA may also provide the family with a letter of recommendation to the Department of Social Services for a one-time payment of a security deposit if the family is a recipient of Social Security, SSD, SSI or public assistance benefits of any kind, or if a working family does not have adequate income or assets to pay the security deposit.

VOUCHER PAYMENT STANDARDS AND RENT REASONABLENESS

The Town of Mamaroneck Public Housing Agency establishes its Voucher Payment Standard in accordance with the Fair Market Rents published by HUD in the Federal Register effective on October 1 of each year. The Payment Standard is re-evaluated annually to determine the need for the Town of Mamaroneck PHA to pay up to 110% of the Fair Market Rent for housing within the Town's jurisdiction, based on the local housing market. Every effort is made to negotiate reasonable rents with landlords that are at or below the payment standard.

Prior to entering into a Housing Assistance Payment Contract or granting a rent increase, the Town of Mamaroneck PHA reviews the local rental market through on line and local newspaper sources to determine the reasonableness of the rent requested.

The Town of Mamaroneck PHA complies with ETPA guidelines in granting increases in rent to landlords. The Annual Adjustment Factor published by HUD is used as a guideline for granting increases in rent for non-ETPA units. When the contract rent is below the payment standard, and the tenant and landlord are in good standing with the PHA, the PHA may approve a two year lease.

DISCRIMINATION IN HOUSING

Assistance will be provided when a family alleges that discrimination is preventing them from finding a suitable unit. In such cases, families will be referred to appropriate local, county, or state human rights organizations for assistance and resolution of the alleged discrimination.

Applicants or participants claiming to have been subjected to discrimination because of race, color, religion, sex, disability, familial status or national origin in search of housing, or in their current residence, will be asked to complete the Housing Discrimination Complaint Form provided to them in their Tenant Briefing Packet. The PHA will provide assistance with completing the form and mailing it to the HUD office.

ELIGIBLE HOUSING

Prior to June 17, 1998, leasing a unit from a relative was permitted. Any tenant who was leasing from a relative prior to the change in federal regulations is permitted to remain in that unit. In the event that the tenant moves to a new unit, the current regulations governing renting from a relative will apply.

Beginning on June 17, 1998 a family may not lease a unit owned by a relative who is the parent, child, grandparent, grandchild, sister or brother of any member of the family unless the PHA determines that approving the unit would provide a reasonable accommodation for a family member who is a person with a disability in accordance with federal definitions.

In the event that such a relationship is undisclosed to the PHA and later discovered, the PHA will immediately terminate the Housing Assistance Contract with the owner and no further Housing Assistance Payments will be made. At the PHA's discretion, the tenant may be terminated, or issued a Voucher to begin looking for a new unit.

Eligible units may be located in single or multi-family homes, garden apartments, cooperative buildings, condominiums, townhouses, low rise apartment buildings (walk-ups) and high rise apartment buildings (elevator). The PHA may enlist the assistance of the local building inspector in determining eligibility of a particular unit as it relates to HUD Housing Quality Standards, local code enforcement standards and other local ordinances established to prevent overcrowding. All units must be inspected by the PHA and must meet HUD Housing Quality Standards as well as local code ordinances. Following the inspection, the PHA may require the owner to provide a certificate of occupancy in order to approve a particular unit.

INELIGIBLE OWNERS

It is a goal of the PHA to improve the quality of life of families who participate in the Housing Choice Voucher Program. The PHA reserves the right to refuse to enter into a Housing Assistance Payment Contract with any owner for any reason not prohibited by law or HUD regulations. The PHA may also discourage a family from renting in a particular neighborhood or area that is known to have illegal drug activity or other criminal activity.

Owners will be ineligible to participate in the Housing Choice Voucher Program for the following reasons, including but not limited to:

- Current or past history of fraud or program abuse
- Current or past history of violent criminal activity
- Current or past history of drug-related criminal activity
- A history of failure to adequately maintain properties under contract with the PHA.
- Directives from HUD or another agency

REQUEST FOR TENANCY APPROVAL

Once the Voucher recipient has located a potential unit, the recipient and the prospective landlord must submit a completed Request for Tenancy Approval, Lead Based Paint Disclosure form and W-9 form (landlord only) prior to the expiration of the Voucher. An unsigned copy of the owner's proposed lease (if applicable) must also be submitted for review.

Upon receipt of the completed, signed and dated Request for Tenancy Approval, Lead Based Paint Disclosure form and W-9 form the PHA will schedule an inspection of the unit to determine if it meets HUD Housing Quality Standards (HQS) and local ordinances. If the unit is

not ready for inspection at the time of receipt of the above documents, the PHA will suspend the Voucher until the unit is ready. If HQS issues are identified, the owner will be given an opportunity to correct the issues within a given time frame in order to make the unit eligible. A re-inspection may be performed, at the discretion of the PHA.

The PHA will also determine if the requested rent is reasonable, and whether the unit is affordable to the family. HUD regulations require that the total tenant payment for the unit does not exceed 40% of the family's adjusted monthly income on initial leases in the program.

Rent reasonableness is determined based on the size and location of the apartment in comparison with the rental market value of similar apartments in the jurisdiction or neighborhood. The PHA uses information provided by property owners who have completed a PHA housing survey, the information provided on Request for Tenancy Approval forms for unassisted units, local real estate listings and any other data available to the PHA to determine rent reasonableness.

The PHA may verify that there are no conflicts of interest by asking the tenant and the landlord to sign and have notarized an Affidavit stating that there is no prohibited relationship between the tenant and the landlord.

INFORMATION PROVIDED TO LANDLORDS BY THE PHA

The Town of Mamaroneck Public Housing Agency recommends that landlords conduct their own assessment of prospective tenants seeking housing. The PHA will provide prospective landlords with a family's current and prior addresses and the names and addresses of a family's former landlord(s) upon request. Shared information may include the family's tenant history such as making on-time monthly rent and utility payments, maintaining the unit in a clean, clutter-free condition, and respect for other tenants' right to peace and reasonable quiet. All Housing Choice Voucher Program participants are informed of this policy in initial Tenant Briefing sessions.

TENANCY APPROVAL, LEASE AND HOUSING CONTRACT EXECUTION

Upon approval of the unit, the PHA will compute the total tenant payment, utility allowance, tenant rent to owner, and Housing Assistance Payment, and prepare a Lease for Voucher Tenancy (or a Lease Addendum if the landlord provides a lease) and a Housing Assistance Contract for execution by all parties involved.

Tenants are advised not to sign a lease or move into the unit until the PHA notifies them that it is ok to do so. Any tenant who signs a lease or moves prior to receiving notification from the PHA assumes full responsibility for the total monthly rent.

Under no circumstances will the PHA assume responsibility for a portion of the rent until the signed Housing Assistance Contract is returned to the PHA. Owners may fax a signed copy of the Contract to the PHA to expedite the process and mail the originals as soon as possible.

SEPARATE AGREEMENTS

Families and owners are advised that it is illegal for the owner to charge the tenant an additional amount for rent over and above the amount agreed to in the Housing Assistance Payment Contract.

Agreements between the tenant and landlord to pay fees for other optional services such as parking, laundry, air conditioning, pets or other items are permissible. These agreements should be included in writing as an addendum to the lease, and a copy should be forwarded to the PHA for inclusion in the tenant's file.

FAMILY ABSENCE FROM THE UNIT

The assisted unit leased must be the family's only residence. Absence from the unit for more than 180 consecutive days is not permitted under HUD regulations for any reason.

Families must notify the PHA when they plan to be out of the assisted unit for more than 14 consecutive days for any reason. In the event that the family is out of the unit longer than anticipated, they must notify the PHA as soon as possible of the reason for their extended absence. With the exception of medical necessity as explained below, Housing Assistance Payment Contracts will continue on a month to month basis for up to a maximum of 90 days, at the discretion of the PHA.

In the event that a head of household who is an individual living alone (or with an approved caregiver) is hospitalized, institutionalized or otherwise absent from the unit for verifiable medical reasons, the Housing Assistance Payment Contract will remain in effect, and Housing Assistance Payments will continue on a month to month basis as long as the individual can provide medical documentation that demonstrates to the PHA's satisfaction, a reasonable expectation that the individual will return to the assisted unit. Under no circumstances will a Housing Assistance Payment contract remain in effect beyond a maximum of 180 days. The PHA strongly discourages efforts to return medically unstable individuals to the unit for a brief period of time to interrupt the 180 consecutive day rule.

Absences over 14 days that are not reported to the Agency, or are not consistent with the policies of the Housing Choice Voucher Program may lead to termination of assistance.

VISITORS

Families must promptly notify this Agency of any visitors to the unit who are expected to stay more than 7 days. Visitors to the assisted unit are limited to a maximum of 14 consecutive days. Visitors exceeding that time limit will be considered members of the tenant family, and are subject to all HUD and PHA eligibility guidelines including criminal background check, income and asset verification and required certification of family income and composition.

The PHA and landlord must approve additional tenants, other than newborns, in assisted unit. Any new adult member of the household is subject to the same eligibility regulations as any applicant, and therefore the PHA must be notified IN ADVANCE of any anticipated additions to the household. No one may move into the household until the PHA has established the individual's eligibility and notified the family in writing. If a family permits an individual to move into the unit prior to the PHA determining the individual's eligibility, the PHA reserves the right to terminate the family's assistance for failure to notify the PHA.

DETERMINING WHO CONTINUES RECEIVING RENTAL ASSISTANCE IF FAMILY BREAKS-UP

The circumstances surrounding the break up of a family are unique to each situation and therefore require evaluation by the Director on a case by case basis. As a general rule, if the adult members of an assisted family separate, the Town of Mamaroneck PHA will assign the Voucher assistance to an eligible family member as follows.

Assistance will remain with:

- the assisted family member with legal custody of minor children
- the original voucher holder
- an elderly member of the household, or
- a disabled member of the household

If more than one adult member of the household is elderly or disabled (spouse, co-head, other adult) and there are no minor children in the household, the original voucher holder will retain the original voucher provided he/she is not prohibited from retaining the voucher due to violent criminal activity or drug or alcohol abuse, guilty of any violent criminal activity or drug abuse activity, or engaged in any activity that threatens the health, safety or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity, and that member is eligible for assistance under the regulations of the Housing Choice Voucher Program and this Administrative plan, as determined by the Director. The other elderly or disabled member of the household may submit an application for assistance and will be placed on the waiting list, provided he/she is not prohibited from receiving a voucher due to violent criminal activity or drug or alcohol abuse, guilty of any violent criminal activity or drug abuse activity, or engaged in any activity that threatens the health, safety or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity, and that member is eligible for assistance under the regulations of the Housing Choice Voucher Program and this Administrative plan, as determined by the Director.

Family members forced to leave the unit as a result of actual or threatened physical violence against family members by a spouse or other member of the household will be given first consideration in assigning assistance.

The Town of Mamaroneck PHA will, when notified, honor court orders addressing rights of access to or control of the property, including civil protection orders issued to protect the victim and issued to address the distribution or possession of property among household members in cases where a family breaks up.

The Town of Mamaroneck's occupancy standards will be taken into consideration when there is a change in family composition as a result of the break up of the family in determining the appropriate voucher size. Any decrease in voucher size as determined by the Director, will go into effect with the next annual reexamination or move to a new unit, whichever comes first.

REMAINING FAMILY MEMBERS AND VOUCHER SUCCESSION RIGHTS

In the event that the original Voucher holder is no longer in the household as a result of death, long-term hospitalization or institutionalization (evaluated every 30 days as per PHA policy but in no case longer than 180 consecutive calendar days as per HUD regulation) a remaining family member may qualify to retain the Voucher if they meet ***all*** of the following criteria:

1. At least 18 years of age; and
2. Related to the Voucher holder by birth, legal adoption, marriage or domestic partnership; and
3. Listed on the original Tenant Information Form when the original tenancy in the unit began, or were at some later point added to the household with the written authorization of the Town of Mamaroneck PHA, in compliance with the Town's policies; and
4. Have continuously lived in the unit and have been continuously listed in the family composition ever since becoming a member of the household; and
5. Have continuously met all of the family obligations and reporting requirements of the PHA; and
6. Are otherwise eligible for federal housing assistance under the federal regulations and the policies of the Town of Mamaroneck PHA as they apply to new applicants.

INCOME, ASSETS and ALLOWANCES

Family income and the total tenant payment are calculated in accordance with HUD guidelines as described in 24 CFR Part 982.

DETERMINING ANNUAL INCOME

Annual income from all sources is used to determine whether the family is within the established income limits in place at the time. Annual income is defined as the gross amount of income anticipated being received by the family during the 12 months following Certification or Recertification. The PHA will compute all income of all authorized household members, including those who are temporarily absent from the unit, in accordance with HUD guidelines.

Income includes, but is not limited to the following *gross* amount of:

- Wages, tips and gratuities
- Net income from a business (see below for further details)
- Unemployment insurance
- Workers compensation benefits
- Social Security Disability benefits (SSD)
- Supplemental Security Income benefits (SSI)
- Welfare assistance
- Social Security retirement benefits
- Pension benefits including payouts from an annuity
- Alimony
- Child Support
- Interest on assets
- Regular gifts of cash or material goods including food, clothing and necessities
- The value of any personal or household bills paid by someone outside the household

As part of the screening and admission process, and annual recertification process, all tenants will be required to provide this office with a current credit report from one of the major credit reporting agencies. Tenants may be asked to access their credit report on line during their recertification appointment visit if they have not already included it with their recertification paperwork.

NET INCOME FROM A BUSINESS

The following documents are required to substantiate net income from a business, and will be used to estimate income for the next 12 months:

- Signed Federal tax returns for the past 2 years including Schedule C, E or F as applicable, allowing for the calculation of straight-line depreciation of assets; and
- Signed state tax returns for the past 2 years; ***and***
- Audited or unaudited financial statements of the business, or a written review of the business books, prepared by an accountant; ***or***

- Documents such as activity logs, appointment books, cash books or other such documents providing details related to income source and amount.

If the family has not been operating the business for two years at the time of application or certification, all available documentation will be reviewed to determine anticipated income over the next 12 months. This includes, but is not limited to, activity logs, appointment books, cash books or other such documents providing details related to income source and amount; bank statements, loan applications and related documents.

If the family's net income cannot be established based on available activity logs, appointment books, cash books or other such documents, a review of the family's income and expenses, business and personal bank accounts, credit card statements, and all other relevant documents will be requested and used by the PHA to determine income.

The family will be required to maintain a detailed business book or log documenting the income source and amount for the PHA's reference at each subsequent certification.

REGULAR CONTRIBUTIONS AND GIFTS

Regular contributions and gifts received from persons outside the household are counted as income. This includes, but is not limited to, rent and utility payments made on behalf of the family, any other regular and recurring bills paid by others, and other cash or non-cash contributions provided on a regular basis.

The PHA will interview tenants and review their current bills to determine the amounts paid for all household and other expenses and identify what regular income including in-kind contributions are made. A notarized statement/affidavit will be obtained from the tenant noting the source of the contributions, and third party verification will be obtained whenever possible from the contributor.

ALIMONY AND CHILD SUPPORT

Regular alimony and child support payments are counted as income for rent calculation purposes.

If the tenant reports that child support is not being received on a regular basis, the PHA will use the amount of child support stipulated in the court order or other applicable legal documents until the PHA is able to verify through the Westchester County Child Support Unit or other relevant source(s) that payments are not being made. If the WCCSU or other source's payment history report verifies that the stipulated payments are not being made, the PHA will use the average of the most recent three months of payments as detailed in the payment history report provided to determine the amount of child support to include as income for rent calculation purposes. The tenant will be required to immediately report any changes in child support and an interim adjustment will be made accordingly, following verification.

Where there is no court order, third party verification will be obtained whenever possible from the person paying the child support. Where there is no other verifiable source to document the amount being received, a notarized statement/affidavit will be obtained from the tenant attesting to the amount received. The PHA will also verify in writing through the WCCSU that there is no court order.

PUBLIC ASSISTANCE

The PHA uses the gross amount of general assistance for which the family is eligible, based on the maximum shelter allowance for the household size on the public assistance case, in accordance with HUD regulations.

The PHA used the gross amount even if the family's benefits were reduced due to an overpayment, family error, omission, misreporting or failure to comply with work requirements as required under HUD regulations.

The PHA will obtain third party verification from the Department of Social Services to determine whether any reduction in benefits exists due to non-compliance or fraud.

EARNED INCOME DISREGARD

The PHA will disregard the earned income of a person with a disability in accordance with HUD regulations in calculating the tenant share of rent.

Earned income to be disregarded includes annual increases in income earned as a result of employment, self-sufficiency programs, job training programs and Temporary Assistance to Needy Families (TANF) for a person who was previously unemployed for one or more years, or in accordance with HUD regulations in place at the time of Certification or Recertification.

ZERO INCOME

Families claiming zero income will be required to document to the PHA's satisfaction the resources they are using to pay their monthly bills and sign a notarized statement attesting that the information provided is true and complete. Any income from outside sources being used to pay bills on behalf of the tenant will be counted as income to the family.

Families claiming zero income will be strongly encouraged to apply for and show evidence of having applied for all available financial assistance including public assistance, unemployment, workers compensation, Social Security Disability, SSI and any other financial assistance to which the PHA believes the tenant may be entitled. The PHA will assist families with applications for public assistance if requested.

Tenants who are capable of working will be encouraged to find a job.

MINIMUM RENTS AND HARDSHIP EXEMPTION

The Town of Mamaroneck PHA has established a minimum rent of $50 for tenants who cannot pay their share of the rent as determined in their most recent certification, due to changes in circumstances affecting income.

Under certain circumstances, tenants may apply for an exemption from paying the minimum rent because of financial hardship. The Town of Mamaroneck PHA will consider the family's request on a case-by-case basis to determine if the family situation meets any of the following criteria defined in the federal regulations as circumstances that may constitute financial hardship.

- The family has lost eligibility for or is awaiting an eligibility determination for a Federal, State, or local assistance program, including a family that includes a member who is a non-citizen lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for title IV of the Personal Responsibility and Work Opportunity Act of 1996;
- The family would be evicted because it is unable to pay the minimum rent;
- The income of the family has decreased because of changed circumstances, including loss of employment;
- A death has occurred in the family and the family has incurred extraordinary expenses as a result;
- Other circumstances determined by the Town of Mamaroneck PHA to have had a catastrophic effect on the family; or
- Other circumstances determined by HUD.

If a family requests a financial hardship exemption, the Town of Mamaroneck PHA will suspend the minimum rent requirement beginning the month following the family's request for a hardship exemption until the Town of Mamaroneck PHA determines whether there is a qualifying financial hardship, and whether it is temporary or long term.

If the Town of Mamaroneck PHA determines that a qualifying financial hardship exists, and that the qualifying hardship is temporary, the PHA will suspend the minimum rent for a 90-day period beginning the month following the date of the family's request for a hardship exemption.

At the end of the 90-day suspension period, the Town of Mamaroneck PHA will reinstate the minimum rent from the beginning of the suspension period. The family will be offered a reasonable repayment agreement, on terms and conditions established by the Town of Mamaroneck, for the amount of back rent owed by the family.

If the Town of Mamaroneck PHA determines there is no qualifying financial hardship exemption, the Town of Mamaroneck will reinstate the minimum rent, including back rent owed from the beginning of the suspension. The family must pay the back rent on terms and conditions established by the Town of Mamaroneck PHA.

If the Town of Mamaroneck PHA determines a qualifying financial hardship is long term, the Town of Mamaroneck PHA will exempt the family from the minimum rent requirements so long as such hardship continues. Such exemption shall apply from the beginning of the month following the family's request for a hardship exemption until the end of the qualifying financial hardship.

The family will be required to request continuation of the hardship exemption in writing and submit documentation to the PHA every 90 days until the family's circumstances change.

Families remain obligated to report all changes in circumstances to the Town of Mamaroneck PHA under the Town's Interim Certification policy. Failure to do so may result in the family owing money to the PHA and the family will be required to enter into a repayment agreement in order to continue receiving housing assistance.

The financial hardship exemption only applies to payment of the minimum rent as determined above. A hardship exemption may not be requested when the family has income from other sources, including a DSS shelter allowance.

LUMP SUM ADDITIONS

Lump sum additions to family assets such as inheritances, insurance payments (including payments under health and accident insurance and workers compensation), capital gains and settlement for personal or property losses are not included as income. These lump sum additions are considered assets and any income derived from these assets counts as income.

Lump sum payments caused by delays in processing periodic payments for unemployment or welfare assistance are counted as income.

Lump sum payments caused by delays in processing periodic payments for Social Security or SSI are excluded from income.

Lump sum payments that count as income will be applied retroactively to the origination date or the date the tenant began participating in the program, whichever is later. The PHA will determine the income for the period, the tenant share of the rent for that period and the amount of rent owed the PHA for the period. At the PHA's discretion, the tenant will be given the option of paying the retroactive amount in a lump sum or entering into a repayment agreement with the PHA.

The lump sum amount will be counted in its entirety, less any attorney fees owed related to the tenant asserting their right to a source of income. Any other withholding unrelated to obtaining the income, such as withholding to satisfy judgments or garnishments will not be excluded from the income calculation.

INTEREST INCOME

Income derived from assets held by a family is included in the annual income calculation, with the exception of certain assets specifically excluded by HUD regulations.

DETERMINING THE VALUE OF ASSETS

Assets include the cash value of all accounts on which all adult family members are named and/or to which they have access. This includes checking accounts, savings accounts, CDs, bonds, stocks, money market or mutual funds, retirement savings accounts and all other assets that the family may have. Trust funds may be counted as assets if a member of the household has access to and discretion over the disposition of funds. Certain accounts held in trust for minor children and custodial accounts of minor children are not included as assets.

The net asset value is used for all non-liquid assets that the family would receive if they converted the asset to cash. The PHA will use the market value of stocks, bonds or mutual fund portfolios provided through third-party verification, or that the PHA obtains using standard Internet sources. Verification of any fees that would be required to cash in the stock will be obtained from the named financial institution(s). The market value less any fees to convert the asset to cash will be counted as the net asset value.

The written appraised value of real estate as determined by a licensed real estate agent will be used to value property owned by the family. If a property has been sold, the closing documents detailing the selling price, real estate and other fees, and the net proceeds received by the family will be used for verification.

ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE

The PHA must count assets disposed of for less than fair market value during the two years preceding the Certification or Recertification. The PHA will consider the difference between the market value and the actual payment received in determining an asset's value. Assets disposed of as a result of foreclosure or bankruptcy, or a divorce or separation are not included as assets disposed of for less than fair market value.

The PHA has established a minimum threshold for counting assets disposed of for less than fair market value as $1,000. If the total amount of assets disposed of within a one-year period is less than $1,000, they will not be considered. If the total amount of assets disposed of within a one-year period is more than $1,000, 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.

DETERMINING ELIGIBILITY FOR ALLOWANCES

CHILD CARE EXPENSES

A family may be eligible for a childcare allowance if the following criteria are met:

- The child care is required to enable an adult member of the household to work or to attend school
- There is no other adult member of the household capable of caring for the child. A household member considered incapable is defined as a medically disabled or older person unable to care for a child as documented by the person's physician.
- The child in care is age 12 or under.

The reasonableness of the childcare expense will be compared to the average childcare costs in the community and the number of hours per week or month the adult works or is in school as compared to the number of hours of childcare per week. After school care and summer camp expenses are also eligible for an allowance if all other eligibility criteria are met.

The PHA will obtain verification of the childcare expense directly from licensed childcare providers. If the childcare provider is unlicensed, the childcare provider must provide their Social Security Number and a notarized statement of the amount they are being paid, or a childcare allowance will not be given. Proof of payment must also be provided in the form of cancelled checks or money order receipts.

The family must have claimed the childcare expense on their tax return in order to receive the allowance, or provide verification from the IRS via IRS Form 4506-T that the family is exempt from filing a tax return.

Families receiving childcare assistance from the Department of Social Services will receive the amount of their co-payment as an allowance.

ALLOWANCE FOR MEDICAL AND DISABILITY EXPENSES

Eligibility for medical and disability expense allowances will be determined in accordance with HUD guidelines.

Third-party verification of the *amount anticipated to be paid over the next 12 months* must be provided in order to be eligible to receive an allowance for health care premiums, co-payments, deductibles, prescription medication, doctor visits, dentist visits and other eligible medical expenses. This includes the monthly amount of any payment agreement in place with a doctor, dentist or hospital provided the family can demonstrate that regular payments are being made.

Non-prescription medication and dietary supplements must be prescribed and verified in writing by the doctor with specific dosages. Receipts must be provided in order to project the amount *anticipated to be paid over the next 12 months*, in order to qualify for a medical allowance.

Third-party verification of the *amount anticipated to be paid over the next 12 months* must be provided in order to be eligible to receive an allowance for disability-related expenses. The disability expense must be documented as necessary to enable the person with the disability to work or attend school.

The family must provide documentation in the form of cancelled checks, money order receipts or verifiable doctor's office receipts (preferably computer-generated) to substantiate payment.

FAMILY OBLIGATIONS AND REPORTING REQUIREMENTS

All members of an assisted household must:

- Supply any information and documentation that the PHA or HUD request, in a timely manner, that each determines to be necessary including evidence of citizenship or eligible immigration status, and information for use in a regularly scheduled reexamination or interim reexamination for the purpose of determining eligibility for assistance, including submissions required for annual or interim reexaminations of family income and composition;
- Disclose and verify social security numbers and sign and submit consent forms for obtaining information;
- Promptly notify the PHA in writing when the family is away from the unit for an extended period of time in accordance with PHA policies;
- Immediately report any arrests or other legal action taken against any member of the household;
- Notify the PHA of any changes in income, family composition or rent in writing within 30 days of the date of the change;
- Promptly notify the PHA in writing of the birth, adoption, or court-awarded custody of a child.
- Request PHA written approval at least 60 days in advance to add any other family member as an occupant of the unit. The requested family member must meet all PHA and HUD eligibility requirements prior to being granted approval to move into the assisted unit.
- Promptly notify the PHA in writing if any family member no longer lives in the unit and provide written documentation of the family member's new address and any additional information the PHA deems necessary. Acceptable proof includes two of the following: a lease with the family member's name, signed by all parties to the lease; a utility bill at the new address; bank statement at the new address; payroll check at the new address; post office change of address form; credit card statement at the new address; written proof of incarceration; other government-issued document or correspondence at the new address that is deemed acceptable to the PHA. In the case of incarceration, the PHA must determine the family member's eligibility to return to the unit upon release. In the event that the PHA denies a return to the unit, the remaining family will be terminated if the released member is permitted to return without the PHA's permission.
- Allow the PHA to inspect the unit at reasonable times and after reasonable notice; Only one opportunity to reschedule an inspection will be granted. Failure to keep the second

inspection appointment is grounds for termination. The head of household or another adult authorized to reside in the unit must be present for the inspection.

- Maintain the unit in a clean, safe and sanitary condition; comply with PHA notices to correct unsafe, unsanitary conditions caused by the tenant or tenant's guests.
- Notify this agency when requested repairs are completed;
- Notify the PHA and the Owner in writing at least 30 days in advance (or in compliance with the terms of any lease agreement between the tenant and owner) before vacating the dwelling unit;
- Use the assisted unit solely for residence by the authorized household members; the assisted unit must be the family's only residence;
- Give the PHA a copy of any eviction notice immediately upon receipt;
- Not assign the Lease or transfer the unit;
- Pay for tenant's utility costs as provided for in the tenancy agreement

All members of an assisted household must not:

- Own or have any interest in the dwelling unit unless the unit is a Cooperative;
- Commit any serious or repeated violation of the lease including habitual late payment of tenant's share of the rent;
- Commit fraud, bribery or any other corrupt or criminal act in connection with the program;
- Engage in drug-related criminal activity or violent criminal activity or other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises.
- Sublease or let the unit or assign the lease or transfer the unit.
- Receive housing choice voucher program housing assistance while receiving another housing subsidy for the same unit or a different unit under any Federal, State or local housing assistance program.
- Damage the unit or premises (other than damage from ordinary wear and tear) or permit any guest to damage the unit or premises.
- Receive housing choice voucher program assistance while residing in a unit owned by a parent, child, grandparent, grandchild, sister or brother of any member of the family, unless the PHA has determined (and has notified the owner and the family of such determination) that approving the rental unit would provide reasonable accommodation for a family member who is a person with disabilities.
- Engage in abuse of alcohol in a way that threatens the health, safety or right to peaceful enjoyment of the other residents and persons residing in the immediate vicinity of the premises.

GROUNDS FOR TERMINATION OF ASSISTANCE

The Town of Mamaroneck PHA may deny or terminate assistance for any of the following grounds:

- The family violates any family obligations set forth in this Administrative Plan or 24 CFR Part 982: Tenant-Based Assistance – Housing Choice Voucher Program, or other local, state or federal regulations governing the program;
- The family has been evicted from federally assisted housing in the last 5 years
- A PHA has ever terminated assistance to any family member.
- Any member of the family has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program
- Violent or drug-related crime by family members;
- Activities which threaten the health, safety or right to peaceful enjoyment of the premises by members of the household or immediate vicinity;
- The family has engaged in or threatened abusive or violent behavior toward PHA personnel.
- Failure to reimburse amounts owed to any PHA for unreported income or other reasons;
- Violations of the tenancy agreement or lease.

Incidents of actual or threatened domestic violence, dating violence or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the assistance to any participant or immediate member of the participant's family who is the victim or threatened victim of that domestic violence, dating violence or stalking.

The Town of Mamaroneck PHA may terminate assistance to remove a household member who engages in criminal acts of physical violence against family members or others, without terminating assistance to, or otherwise penalize the victim(s) of that violence who are authorized members of the household.

The Town of Mamaroneck PHA may terminate assistance for violations of the lease related to the incident or incidents of domestic violence, dating violence or stalking in situations where the PHA can demonstrate, based on a preponderance of evidence, that an actual or imminent threat to other tenants or those employed at or providing service to the tenant exists if that tenant is not terminated from assistance, as long as the PHA does not hold the victim to a more demanding standard than other tenants.

REPAYMENT POLICIES FOR MONIES OWED THIS AGENCY BY FAMILIES

The Town of Mamaroneck PHA requires all families to immediately report changes in income, family composition and school enrollment. Failure to report all changes in income, or other factors leading to changes in a tenant's share of the rent to the Town of Mamaroneck PHA is considered fraud, and will require that the family enter into a repayment agreement with the Town of Mamaroneck. Families owing the Town of Mamaroneck PHA any amounts for any

reason will be required to sign an agreement to repay the full amount. The terms of the repayment agreement will be as follows.

A lump sum payment by cash or money order of 10% of the total amount owed the PHA, upon signing the repayment agreement; and

A repayment term of monthly installments equal to the number of months for which the income was not reported; or the minimum monthly payment of $50 per month when the term is less than 12 months.

Families not meeting payment agreements for any period in excess of 30 days will be notified of their arrears and will be given one opportunity to make up payment arrears, in addition to continuing their monthly payments. Families who are not current following this notice will have their assistance terminated and will be prohibited from reapplying for assistance for a period of one year following the effective date of termination, provided they satisfy the entire amount of the repayment debt owed to the Town of Mamaroneck prior to issuance of a new Voucher. At the discretion of the Director, the monthly repayment amount may be reduced due to hardship, provided a written request and adequate documentation is provided. Any reduction in the monthly repayment amount will remain in place until the hardship is resolved, at which time the full amount of the monthly repayment will be reinstated. Families terminated for fraud will not be eligible to reapply for assistance.

INFORMAL REVIEW PROCEDURES FOR APPLICANTS
INFORMAL HEARING PROCEDURES FOR PARTICIPANTS

In the event that the Town of Mamaroneck Public Housing Agency makes a determination to deny or terminate assistance, the PHA will notify the applicant or tenant of its determination in writing. When such a determination is subject to review in accordance with current HUD regulations, this Agency will include in its notice a brief statement of the reasons for the action or determination, instructions on how to initiate an appeal, and a time limit for doing so.

All informal reviews, meetings and hearings must be requested in writing within fourteen (14) days of the date of the notice. Each notice will contain a specific date by which a review or hearing must be requested.

The Town of Mamaroneck will schedule the review/hearing within fourteen (14) days of receipt of a written request for an informal review, meeting or hearing. The PHA will take no further action regarding the determination under appeal at that time.

Informal reviews and hearings will be conducted by a hearing officer designated and compensated by the Town of Mamaroneck PHA. The hearing officer must be someone other than the person who made or approved the decision under review, or a subordinate of that person. The hearing officer will regulate the conduct of the review/hearing in accordance with the PHA's procedures and any applicable HUD regulations.

The Town of Mamaroneck PHA and the applicant will be given the opportunity to present evidence and may question witnesses. Evidence will be considered without regard to admissibility under the rules of evidence applicable to judicial procedures.

The person who conducts the informal review, meeting or hearing will issue a written decision within fourteen (14) working days of the hearing, stating the reasons for the decision. A copy of the written decision will be given to the participant and the PHA.

Factual determination relating to the individual circumstances of the applicant or participant shall be based on the evidence presented at the review, meeting or hearing.

The PHA will not be bound by an informal review, meeting or hearing decision concerning a matter not requiring an opportunity for an informal review, meeting or hearing, or any decision rendered that is contrary to HUD regulations or requirements, or contrary to Federal, State or Local law.

The PHA's decision to reject the decision of the person who conducted the informal review, meeting or hearing will be communicated to the applicant or participant, in writing, within fourteen (14) days. The reason(s) for this determination will be clearly defined to the applicant or participant.