

Community Service and Self-Sufficiency Requirement

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The Coronavirus Aid, Relief and Economic Security (CARES) Act (Public Law 116-136) provides the US Department of Housing and Urban Development (HUD) with broad authority to waive or establish alternative requirements for numerous statutory and regulatory requirements for the Public Housing program. Through Public and Indian Housing (PIH) Notices, HUD established temporary waivers and alternative requirements to be used at the discretion of the PHA and which may provide for flexibilities from some of the statutory and regulatory requirements described in this document. HUD strongly encourages PHAs to utilize any and all waivers and alternative requirements as necessary to keep Public Housing programs operational to the extent practicable during the COVID-19 pandemic.

Please visit https://www.hud.gov/coronavirus/public_housing_agencies for the latest COVID-19-related resources, including relevant PIH Notices.

1 Chapter Overview

This chapter outlines the U.S. Department of Housing and Urban Development's (HUD) community service and self-sufficiency requirement (CSSR) as authorized by the Quality Housing and Work Responsibility Act of 1998 (P.L. 105-276) and provides guidance to Public Housing Authorities (PHAs) on how to administer the requirement. Specifically, this chapter describes eligible activities, responsibilities of both the PHA and residents, and how PHAs are to document compliance. All PHAs operating a Public Housing Program, including PHAs participating in the Moving to Work demonstration, must comply with the CSSR.

2 Required Activities

The CSSR mandates that each non-exempt adult household member (18 years or older) either contribute 8 hours per month of community service or participate in an economic self-sufficiency program for 8 hours per month. The requirement also can be met with a combined 8 hours per month of community service and participation in an economic self-sufficiency program. Hours may be aggregated across the year.¹

Community service means the performance of voluntary work or duties that are a public benefit, and that serve to improve the quality of life, enhance resident self-sufficiency, or increase resident self-responsibility in the community. Community service is not employment and may not include political activities.²

An economic self-sufficiency program means any program designed to encourage, assist, train, or facilitate the economic independence of HUD-assisted families or to provide work for such families. These programs include programs for job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, and any program necessary to ready a participant for work (including a substance abuse or mental health treatment program), or other work activities.³

2.1 Eligible Community Service Activities

Eligible community service activities may include, for example, service at:

- Local public or nonprofit institutions, such as schools, Head Start Programs, before- or after-school programs, childcare centers, hospitals, clinics, hospices, nursing homes, recreation centers, senior centers, adult daycare programs, homeless shelters, feeding programs, food banks (distributing either donated or commodity foods), or clothes closets (distributing donated clothing);
- Nonprofit organizations serving PHA residents or their children, such as: Boy or Girl Scouts, Boys or Girls Club, 4-H Clubs, Police Athletic/Activities League (PAL), organized children's recreation, mentoring,

¹ 24 CFR § 960.603(a)

² 24 CFR § 960.601(b)

³ 24 CFR § 5.603

or education programs, Big Brothers or Big Sisters, Garden Centers, community clean-up programs, beautification programs;

- Programs funded under the Older Americans Act and Corporation for National and Community Service, such as Green Thumb, Service Corps of Retired Executives, senior meals programs, senior centers, Meals on Wheels, Senior Corps and Foster Grandparents;
- Public or nonprofit organizations dedicated to seniors, youth, children, residents, citizens, special-needs populations or with missions to enhance the environment, historic resources, cultural identities, neighborhoods or performing arts; and,
- PHA housing to improve grounds or provide gardens (so long as such work does not alter the PHA's insurance coverage); or work through resident organizations to help other residents with problems, including serving on the Resident Advisory Board, outreach and assistance with PHA-run self-sufficiency activities including supporting computer learning centers.

PHAs may form their own policy for accepting community service at profit-motivated entities, volunteer work performed at homes or offices of private citizens, and court-ordered or probation-based work.

PHAs must not substitute community service activity performed by a resident for work ordinarily performed by a PHA employee. However, residents may complete community service on a PHA property or with or through PHA programs to assist with or enhance work done by a PHA employee.⁴

2.2 Eligible Self-Sufficiency Activities

Eligible self-sufficiency activities under an economic self-sufficiency program may include, for example:⁵

- Job readiness or job training while unemployed;
- Training programs through local One-Stop Career Centers, Workforce Investment Boards (local entities administered through the U.S. Department of Labor), or other training providers;
- Higher education (junior college or college);
- Apprenticeships (formal or informal);
- Substance abuse or mental health counseling;
- Reading, financial and/or computer literacy classes;
- English as a second language and/or English proficiency classes; and
- Budgeting and credit counseling.

PHAs with a Resident Opportunities for Self-Sufficiency (ROSS) Service Coordinators program, Family Self-Sufficiency (FSS) program, or other similar supportive services program may coordinate Individual Training and Services Plans (ITSPs) with CSSR. The ITSP is a tool to plan, set goals and track movement towards self-sufficiency through education, work readiness and other supportive services such as health, mental health

⁴ 24 CFR § 960.609

⁵ See 24 CFR § 5.603

and work supports. Specific CSSR activities may be included in ITSPs to enhance a person’s progress towards self-sufficiency. Regular meetings with PHA coordinators may satisfy CSSR activities; ROSS or other PHA Service Coordinators or FSS Program Coordinators may verify CSSR hours within individual monthly logs.

3 Exempt Residents

PHAs are required to set out in their Admission and Continued Occupancy Policy (ACOP) how the PHA determines if an individual is exempt from the CSSR and the documentation needed to support the exemption. Exemptions for adult residents include persons who are:⁶

- 62 years or older;
- Blind or disabled,⁷ and who certify that, because of this disability, she or he is unable to comply with the service provisions, (or is a primary caretaker of such individual);
- Engaged in work activities. In order for an individual to be exempt from the CSSR requirement because he/she is engaged in work activities, the person must be participating in an activity that meets one of the following definitions of “work activity” contained in Section 407(d) of the Social Security Act:⁸
 - Unsubsidized employment;
 - Subsidized private sector employment;
 - Subsidized public sector employment;
 - Work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available;⁹
 - On-the-job-training;
 - Job search and job readiness assistance;
 - Community service programs;
 - Vocational educational training (not to exceed 12 months with respect to any individual);
 - Job skills training directly related to employment;
 - Education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency;
 - Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalency, in the case of a recipient who has not completed secondary school or received such a certificate; and
 - The provision of childcare services to an individual who is participating in a community service program;

⁶ 24 CFR § 960.601(b)

⁷ As defined under 42 U.S.C. §§ 416(i)(1); 1382c

⁸ 42 U.S.C. § 607(d)

⁹ Work experience is not defined in Section 407(d) of the Social Security Act. PHAs may describe work experience in their policies. For reference, the Departments of Health and Human Services and Labor have defined work experience through regulation at 45 CFR § 261.2 and 20 CFR § 663.200(b), respectively.

- Currently meeting requirements under a State program funded under part A of title IV of the Social Security Act¹⁰ or under any other welfare program of the State in which the PHA is located including a State-administered Welfare-to-Work program; or,
- Members of a family receiving assistance, benefits, or services under a State program funded under part A of title IV of the Social Security Act,¹¹ or under any other welfare program of the State in which the PHA is located, including a State-administered Welfare-to-Work program, and has not been found by the State or other administering entity to be in noncompliance with such a program.

PHAs are encouraged to use 30 hours per week as the minimum number of hours for a work activity as described in Section 407(d) of the Social Security Act and implementing regulations.¹² PHAs may use reasonable guidelines in clarifying this statutory list of work activities in coordination with the applicable Temporary Assistance to Needy Families (TANF) agency, as appropriate.

PHAs must describe in the CSSR policy the process to determine which family members are exempt from the requirement, as well as the process for determining any changes to the exempt status of the family member.¹³ When a non-exempt person becomes exempt or when an exempt person becomes non-exempt, it is his or her responsibility to report this to the PHA as soon as possible and to provide documentation, as necessary. PHAs make the final determination whether to grant an exemption from the community service requirement. If a family member does not agree with the PHA's determination, the family member may dispute the decision through the PHA's Grievance Procedures.¹⁴

4 Administering the CSSR

PHAs must develop a local policy for administration of the CSSR for public housing residents within the ACOP.¹⁵ The PHA's policy must describe:¹⁶

- How the PHA determines which family members are subject to the requirement and which members are exempt;
- The PHA's process for determining any changes to the exempt or non-exempt status of family members; and
- How the PHA administers the requirement and determines compliance.

Other elements of the CSSR policy may include, for example:

- Requirements for non-exempt family members;
- Whether the person must have maintained exempt status continuously throughout the year to be determined exempt;
- Actions the PHA may take if a person's status changes;

¹⁰ 42 U.S.C. § 601 et seq.

¹¹ 42 U.S.C. § 601 et seq.

¹² 45 CFR § 261.31(a)(1)

¹³ 24 CFR § 960.605(c)(1)

¹⁴ 24 CFR § 960.607(b)(2)(iii)

¹⁵ 24 CFR § 960.605(a)

¹⁶ 24 CFR §§ 960.605(a) and 960.605(c)(1)

- PHA responsibilities in administering the requirement;
- Eligible activities; and
- Compliance review process, including whether the PHA will permit self-certifications.

PHAs must provide the family a copy of the CSSR policy describing, at a minimum, the service requirement, the process for claiming exempt status and how the PHA will verify compliance.¹⁷ HUD recommends that the PHA provide the policy at initial application and secure certification of receipt as shown in Exhibit 1.

PHAs may administer qualifying community service and self-sufficiency activities directly or make the activities available to residents through a contractor or partnership with qualifying organizations (including resident organizations), community agencies, or institutions.¹⁸ In administering the CSSR, a PHA may provide names and contacts of agencies offering opportunities for residents to fulfill their community service obligations. PHAs also may choose to coordinate with social service agencies, local schools and human service offices to develop a referral list of names and agency contacts. PHAs that administer a ROSS or FSS program may wish to engage the Program Coordinating Committee in this endeavor. HUD encourages PHAs to create agreements with local organizations, including faith-based and community organizations, which may allow local organizations to advertise their programs, assist with transportation, childcare or other barriers to CSSR attainment and verify hours within individual monthly logs.

5 Ensuring Compliance

The PHA's CSSR policy will describe how the PHA administers the requirement and determines compliance.¹⁹ As an example, at lease execution or re-examination, some PHAs may require that all adult family members (18 or older):

- Provide documentation, if applicable, that they qualify for an exemption; the PHA will use the documentation to determine whether the tenant is exempt from the CSSR; and
- Sign a certification that they have received and read the policy and understand that if they are not exempt, failure to comply with the community service requirement will result in nonrenewal of their lease.

5.1 Documenting Compliance

5.1.1 Documentation of CSSR Compliance When Not Accepting Self-Certifications

PHAs must include in the CSSR policy that exemption/CSSR completion is verified annually by the PHA. At least 30 days before the annual reexamination and/or lease expiration, the PHA reviews family members' exempt or non-exempt status and compliance of non-exempt family members. At each regularly scheduled annual re-examination, each non-exempt family member must provide to the PHA a certification signed by the applicable organization(s) that the family member has performed the qualifying activities over the previous twelve (12) months. If a PHA has not opted to permit tenant self-certifications of compliance with the CSSR, PHAs must obtain third-party verification of CSSR completion administered through outside organizations.

¹⁷ 24 CFR § 960.605(c)

¹⁸ 24 CFR § 960.605(b)

¹⁹ 24 CFR § 960.605(a)

PHAs may develop a standardized form with places for signature confirmation by supervisors, instructors, or counselors certifying the number of hours contributed. Additional supporting documentation may be requested of the resident to verify CSSR participation or exempt status. Copies of the certification forms and supporting documentation must be retained in PHA files.²⁰

5.1.2 Documentation of CSSR Compliance When Accepting Self-Certifications

In order to determine compliance with CSSR, at each regularly scheduled annual re-examination, each non-exempt family member must provide a signed self-certification to the PHA that he or she has performed qualifying activities over the previous twelve (12) months.²¹ If a PHA elects to permit self-certifications, the self-certification must include the following information:²²

- a statement that the resident has completed the number of hours required and this statement is subject to penalties of perjury;
- a description of the activity (community service or self-sufficiency) that the resident completed;
- the name of the organization or person for which the activity was completed;
- the address of the organization or person; and
- a contact person in the organization or the person for which the activity was completed.

PHAs may develop a standardized form with places for signature confirmation by supervisors, instructors, or counselors certifying the number of hours contributed. Notifying residents of their ability to submit a self-certification is important if the PHA elects to permit resident self-certifications.

5.1.3 Validating Self-Certifications

A PHA that elects to accept self-certifications must validate a sample of self-certifications with the third-party for whom the resident completed the community service or self-sufficiency activity. The sample of self-certifications the PHA validates must be a statistically valid, random sample. Exhibit 3 provides the appropriate sampling methodology to be used by a PHA when determining how many self-certifications must be validated annually. For example, a PHA that has a universe of self-certifications of 50 must validate at least 29 of the self-certifications to meet the statistically valid requirement. A PHA with a universe of self-certifications of 500 must validate 60 self-certifications to meet the statistically valid requirement.²³

The universe of self-certifications would only include residents that submitted a self-certification, and would not include:

- Residents that are exempt;
- Residents for which a PHA receives third party verification of completion with CSSR; and
- Residents that did not complete the required CSSR.

Because the number of residents subject to the CSSR is constantly in fluctuation due to unit turnover, resident employment, etc., PHA's are to choose a point in time annually to calculate the universe of self-certifications received during the previous 12 months. However, PHAs do not need to wait until the end of the 12-month period to begin validating self-certifications. For example, a PHA that can reasonably determine the expected

²⁰ 24 CFR § 960.605; 24 CFR § 960.607(a)(1)(i); 2 CFR § 200.333

²¹ 24 CFR § 960.605 (c)(3)

²² 24 CFR § 960.607(a)(2)

²³ 24 CFR § 960.607(a)(3)

number of self-certifications to be received throughout the 12-month period may validate the appropriate sample of self-certifications during the 12-month period rather than waiting until the end of that time period, subject to any necessary reconciliations once the final universe and sample size is determined.

To validate a self-certification, the PHA must obtain third-party documentation that includes, at a minimum, the name of the organization or person, the hours completed by the resident, a signature from the appropriate staff person within the third-party organization or person and that staff person's contact information.²⁴ Consistent with the written third-party verification techniques outlined in Notice PIH 2017-12, a PHA may accept third-party generated documentation directly from the third-party or from the resident.

5.2 Tenant Noncompliance

PHAs must not evict a family due to CSSR non-compliance.²⁵ If the PHA finds a tenant is non-compliant with the CSSR or has submitted a fraudulent self-certification, then the PHA must provide written notification to the tenant of the noncompliance which must include:

- A brief description of the finding of non-compliance with the CSSR.
- A statement that the PHA will not renew the lease at the end of the current 12-month lease term unless the tenant enters into a written work-out agreement with the PHA or the family provides written assurance that is satisfactory to the PHA explaining that the tenant or other noncompliant resident no longer resides in the unit.

Additionally, the PHA's notice to the tenant must state that the tenant may request a grievance hearing on the PHA determination, in accordance with 24 CFR Part 966, subpart B, and the tenant may exercise any available judicial remedy to seek timely redress for the PHA's nonrenewal of the lease because of such determination.²⁶

5.2.1 Tenant Agreement to Comply

If the tenant or another family member has violated the service requirement, the PHA may not renew the lease upon expiration of the term unless:²⁷

- The tenant, or other noncompliant family member, enters into a written agreement with the PHA, as prescribed by the PHA, to remedy the noncompliance by completing the additional service hours needed to make up the total number of hours required over the twelve-month term of the new lease, and
- All other nonexempt family members are currently complying with the service requirement or are no longer residing in the unit.

Should a family member refuse to sign a written work-out agreement, or fail to comply with the terms of the work-out agreement, PHAs must initiate termination of tenancy proceedings at the end of the current 12-month lease due to the fact that the family is failing to comply with lease requirements. When initiating termination of tenancy proceedings, the PHA will provide the following procedural safeguards:²⁸

²⁴ 24 CFR § 960.607(a)(2)-(3)

²⁵ 24 CFR § 960.603(b)

²⁶ 24 CFR § 960.607(b)

²⁷ 24 CFR § 960.607(c)

²⁸ See 24 CFR § 966.53(c)

- Adequate notice to the tenant of the grounds for terminating the tenancy and for non-renewal of the lease;
- Right of the tenant to be represented by counsel;
- Opportunity for the tenant to refute the evidence presented by the PHA, including the right to confront and cross-examine witnesses and present any affirmative legal or equitable defense which the tenant may have; and,
- A decision on the merits.

5.3 HUD Oversight

HUD will generate and post the Community Service and Self-Sufficiency monitoring report on a quarterly basis based on information collected through PHA submission of the Form HUD-50058 for families in public housing. The Instruction Booklet for Form HUD-50058 contains information on coding CSSR status. At the time of program admission, enter either 3 or 4. At each annual re-examination, enter code 1, 2, or 4.

HUD-50058 Code	Description
1	PHA determines resident is <i>not exempt</i> and is <i>in compliance</i> with CSSR
2	PHA determines resident is <i>not exempt</i> and <i>not complying</i> with CSSR
3	PHA is in the process of verifying CSSR compliance
4	PHA determines resident is exempt
5	Do not use this code for “not applicable” under any circumstance

The CSSR monitoring report includes tenants that have reported Wage or Welfare income on the Form HUD-50058. The monitoring report does not exclude tenants with disabilities. The report will be posted on the Real Estate Assessment Center (REAC) web site and access will be provided to all affected PHAs. The REAC will send an e-mail to each PHA listed on the CSSR report advising them of the content of the report and explaining the steps necessary to make corrections and changes in the Inventory Management System/PIH Information Center (IMS/PIC) as appropriate.

All PHAs are to review the Form HUD-50058 coding reported for CSSR in the IMS/PIC system for their residents and update any that do not conform to these instructions. PHAs must be prepared to supply adequate supporting documentation as described in this section in the case of a review or audit.²⁹

Section 6(j)(4)(A) of the United States Housing Act of 1937 provides for sanctions against any PHA failing to comply substantially with any provision of the Act relating to the Public Housing Program. Sanctions include, but are not limited to, terminating, withholding, or reducing assistance payments. These sanctions are applicable to PHAs failing to substantially comply with the CSSR requirement.³⁰

²⁹ 2 CFR § 200.336

³⁰ See 42 U.S.C. § 1437d(j)(4)(A)

Exhibit 1 - Sample Entrance Acknowledgement

Community Service and Self-Sufficiency Requirement

Sample Certification for All Adult Household Members

Entrance Acknowledgement

I have received and read the Community Service and Self-Sufficiency Requirement (CSSR). I understand that as a resident of public housing, I am required by law to contribute eight (8) hours each month of community service or participate in an economic self-sufficiency program if I am not determined to be exempt from the CSSR. I further understand that if I am not exempt, failure to comply with the CSSR is grounds for lease nonrenewal. My signature below certifies that I have received notice of this requirement at the time of initial program participation.

Name:

Signature:

Date of Signature:

SAMPLE

Exhibit 2 - Sample Annual Renewal Certification

Community Service and Self-Sufficiency Requirement

Sample Certification for All Adult Household Members

Annual Renewal

I understand that as a resident of public housing, I am required by law to contribute 8 hours each month of community service or participate in an economic self-sufficiency program if I am not exempt from the Community Service and Self-Sufficiency Requirement (CSSR). I further understand that if I am not exempt, failure to comply with the CSSR is grounds for lease nonrenewal. My signature below certifies that I received notice of this requirement at the time of lease renewal.

Name:

Signature:

Date of Signature:

SAMPLE

Exhibit 3 - Self-Certification Sampling Methodology

Self-Certification Sampling Methodology

Below is a chart that indicates the universe and required sample sizes that must be validated by a PHA annually. A CSSR universe would be the number of age eligible residents that have submitted a self-certification. For universe sizes that fall between the universe sizes listed in the chart below, PHAs should utilize the sample size for the next largest universe size. For example, a PHA with a sample of size of 27 self-certifications must validate at least 21 self-certifications.

Universe Size	Sample Size At Least
≤ 10	All
15	13
20	16
25	19
30	21
35	24
40	26
50	29
60	33
100	41
150	47
200	51
250	54
300	56
350	57
400	58
450	59
500	60
600	61
700	62
800	63
900	63
1000	64
1500	65
2500	66
3500	67
4000	67
5000	67
6000	67
6500	67
≥ 7000	68