

***GREENBURGH HOUSING
AUTHORITY ADMISSIONS &
CONTINUED OCCUPANCY
POLICY***



Greenburgh Housing Authority

ADMISSIONS & CONTINUED OCCUPANCY POLICY

Approved by the Board of Commissioners

Date

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INTRODUCTION

The Admissions and Continued Occupancy Policy(ACOP) defines the Housing Authority's policies for the operation of its Public Housing Program, incorporating Federal, State and local law. If there is any conflict between this policy and laws or regulations, the laws and regulations will prevail.

The Greenburgh Housing Authority is referred to as "HA" or "PHA" or "Housing Authority" throughout this document.

References herein to the Administrative Offices of the Housing Authority refer to the HA office(s) located at 9 Maple Street, White Plains, NY 10603.

The "Jurisdiction of the Housing Authority" is the Town of Greenburgh.

"Local Resident(s)" is used herein to refer to a resident(s) of the Town of Greenburgh.

A. ABOUT THE ACOP

The Greenburgh Housing Authority (GHA) policy must be consistent with the public housing lease and any policy documents provided to tenants, and the lease and policy documents must comply with federal, State, and local law.

The ACOP contains policies that reflect the terms of GHA'S public housing lease. Policies on a particular topic May be included in the public housing lease, or may be a separate document incorporated in the lease by reference, such as a pet policy or transfer policy.

B. REFERENCES CITED IN THE ACOP

Authority for GHA policies is derived from many sources, Primary among these sources are regulations and guidance issued by U. S. Department of Housing and Urban Development (HUD). New York law also directs GHA policy. State and local law must be followed where such law exists and does not conflict with federal regulations. In the absence of legal requirements or HUD guidance, property management industry practice guides GHA policy. Finally, the public housing lease will affect GHA policy and therefore must be consistent with federal and state laws and regulations.

C. HUD

HUD provides the primary source of GHA policy through federal regulations, HUD Notices and handbooks, Compliance with federal regulations, current HUD Notices and HUD handbooks is mandatory.

HUD provides non-mandatory guidance to housing authorities through HUD-published

guidebooks. Expired HUD Notices and handbooks also provide guidance for GHA policy. Following HUD guidance is optional, as long as GHA policies comply with federal law, federal regulations and mandatory policy. Because HUD has already determined that the guidance it provides is consistent with mandatory policies, GHA reliance on HUD guidance provides GHA with a "safe harbor." •

Content contained on the HUD website provides further clarification of HUD policies. For example, FAQs (Frequently Asked Questions) on the HUD website provides direction on the application of federal regulations to a specific issue.

D. STATE LAW

Where there is no mandatory federal guidance, GHA must comply with state law, if it exists. Where state law is more restrictive than federal law, but does not conflict with it, GHA should follow the state law.

E INDUSTRY PRACTICE

Where no law or HUD authority exists on a particular subject, industry practice may support GHA policy. An industry practice is a way of doing things that is followed by most housing authorities.

F. RESOURCES AND WHERE TO FIND THEM

Following is a list of resources helpful to GHA or referenced in the ACOP, and the online location of each.

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| Document and Location |
| Code of Federal Regulations www.access.gpo.gov/nara/cfr/index.html |
| Earned Income Disregard FAQ www.hud.gov/offices/pihiphr/about/ao_faq_eid.cfm |
| Enterprise Income Verification (EIV) System PHA Security Procedures, Version 1.2, issued January 2005 http://www.hud.gov/offices/pih/programs/ph/rhiipTdoes/eivsecguidepha.pdf |
| Executive Order 11063 http://www.hud.gov/offices/fileo/FHLaws/EX011063.cfm |
| Federal Register http://www.access.gpo.gov/su_docs/aces/fr-cont.html |
| General Income and Rent Determination FAQ www.hud.gov/offices/pih/programs/ph/rhiip/faq_gird.cfm |
| Housing Choice Voucher Program Guidebook (7420.1OG), April 2001. www.hud.gov/offices/pih/programs/sihcv/fonnstguidebook.efin |

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| HUD Guidelines for Projecting Annual Income When Upfront Income Verification (UIV) Data is Available http://www.hud.gov/offices/pihiprograms/ph/rhiip/does/guideproj income, doe |
| HUD-50058 Instruction Booklet http://www.hud.gov/offices/pihisystems/pie/50058/pubs/ib/form500581b.pdf |
| Joint Statement of the Department of Housing and Urban Development and the Department of Justice, issued May 17, 2004 http://www.hud.gov/offices/theo/librarythudoj statement.pdf |
| Notice of Guidance to Federal Assistance Recipients Regarding Title VI Prohibition Affecting Limited English Proficient Persons, published December 19, 2003 http://www.hudclips.org/sub nonhudicepdf131267.pdf |

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| OMB Circular A-133 http://www.whitehouse.gov/omb/circulars/al33/al33.html |
| PIH Notice 2002-01 (HA), Accessibility Notice http://www.hud.gov/offices/pib/publications/notices/02/pih2002-1.pdf |
| PIH Notice 2004-01 Verification Guidance, March 9, 2004. www.hud.gov/offices/pib/publications/notices/04/pih2004-1.pdf |
| PHI Notice 2005-7 (HA), Rental Integrity Monitoring (RIM) Disallowed Costs and Sanctions Under the Rental Housing Integrity Improvement Project (RHIP) Initiative http://www.hud.gov/offices/pib/publications/notices/05/pih2005-7.pdf |
| Public Housing Occupancy Guidebook, June 2003. www.hud.gov/offices/pihiprograms/ph/rhiip/phguidebook.cfm |
| Rental Housing Integrity Improvement Program (RHIP) Frequently Asked Questions. www.hud.gov/offices/pib/programs/ph/rhiip/faq.cfm |
| Verification FAQ www.hud.gov/offices/pihtprograms/pb/rhiip/faqLverif.cfm |

The HUD website is <http://www.hud.gov/index.html>.

Guidebooks, handbooks and other HUD published and federal resources may be found at the HUDClips website: www.hudclips.org.

ADMISSIONS & CONTINUED OCCUPANCY POLICY

1.0 FAIR HOUSING

It is the policy of the Housing Authority to fully comply with all Federal, State and local nondiscrimination laws; the Americans with Disabilities Act; and the U.S. Department of Housing and Urban Development regulations governing Fair Housing and Equal Opportunity.

No person shall, on the grounds of race, color, sex, religion, creed, national or ethnic origin, age, family or marital status, handicap or disability, or sexual orientation be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under the Housing Authority's programs.

To further its commitment to full compliance with applicable Civil Rights laws, the Housing Authority will provide Federal/State/local information to applicants/tenants of the Public Housing Program regarding discrimination and any recourse available to them if they believe they may be victims of discrimination. Such information will be made available with the application, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made available at the Housing Authority office. In addition, all written information and advertisements will contain the appropriate Equal Opportunity language and logo.

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

2.0 REASONABLE ACCOMMODATION

Sometimes people with disabilities may need a reasonable accommodation in order to take full advantage of the Housing Authority housing programs and related services. When such accommodations are granted, they do not confer special treatment or advantage for the person with a disability, rather, they make the program accessible to them in a way that would otherwise not be possible due to their disability. This policy clarifies how people can request accommodations and the guidelines the Housing Authority will follow in determining whether it is reasonable to provide a requested accommodation. Because disabilities are not always apparent, the Housing Authority will ensure that all applicants/tenants are aware of the opportunity to request reasonable accommodations.

The Housing Authority's official policy regarding reasonable accommodations for persons with disabilities, and its live-in aide policy are included hereunder as addenda to this policy.

2.1 COMMUNICATION

Anyone requesting an application will also receive a notice explaining the reasonable accommodation policy, process, and procedures for persons with disabilities.

Notifications of reexamination, inspection, appointment, or eviction will include information about requesting a reasonable accommodation. Any notification requesting action by the tenant will include information about requesting a reasonable accommodation.

All decisions granting or denying requests for reasonable accommodations will be in writing.

2.2 QUESTIONS TO ASK IN GRANTING THE ACCOMMODATION

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

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

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

- B. Is the requested accommodation related to the disability? If it is apparent that the request is related to the apparent or documented disability, the answer to this question is yes. If it is not apparent, the Housing Authority will obtain documentation that the requested accommodation is needed due to the disability. The Housing Authority will not inquire as to the nature of the disability.

- C. Is the requested accommodation reasonable? In order to be determined reasonable, the accommodation must meet two criteria:

1. Would the accommodation constitute a fundamental alteration? The Housing

Authority's business is housing. If the request would alter the fundamental business that the Housing Authority conducts, that would not be reasonable. For instance, the Housing Authority would deny a request to have the Housing Authority do grocery shopping for a person with disabilities.

2. Would the requested accommodation create an undue financial hardship or administrative burden? Frequently the requested accommodation costs little or nothing. If the cost would be an undue burden, the Housing Authority may request a meeting with the individual to investigate and consider equally effective alternatives.

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

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

The cost necessary to carry out approved requests, including requests for physical modifications, will be borne by the Housing Authority if there is no one else willing to pay for the modification, the Housing Authority will seek to have the same entity pay for any restoration costs.

If the tenant requests as a reasonable accommodation that they be permitted to make physical modifications at their own expense, the Housing Authority will generally approve such request if it does not violate codes or require any modification to a structural member of the building.

Any request for an accommodation that would enable a tenant to materially violate essential lease terms will not be approved, i.e. allowing nonpayment of rent, destruction of property, disturbing the peaceful enjoyment of others, etc.

3.0 SERVICES FOR NON-ENGLISH SPEAKING APPLICANTS & RESIDENTS

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

Spanish

4.0 FAMILY OUTREACH

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

To reach people who cannot or do not read the newspapers, the Housing Authority will distribute fact sheets to the broadcasting media and initiate personal contact with members of the news media and community service personnel. The Housing Authority will also try to utilize public service announcements,

The Housing Authority will communicate the status of housing availability to other service providers in the community and inform them of housing eligibility factors and guidelines so they can make proper referrals for the Public Housing Program.

5.0 RIGHT TO PRIVACY

All adult members of both applicant and tenant households are required to sign HUD Form 9886, Authorization for Release of Information and Privacy Act Notice. The Authorization for Release of Information and Privacy Act Notice states how family information will be released and includes the Federal Privacy Act Statement.

Any request for applicant or tenant information will not be released unless there is a signed release of information request from the applicant or tenant.

6.0 REQUIRED POSTINGS

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

- A. Statement of Policies and Procedures governing Admission and Continued Occupancy
- B. Notice of the status of the waiting list (opened or closed)
- C. A listing of all the developments by name, address, number of units designated with special accommodations, address of all project offices, office hours, telephone numbers, TDD numbers, and Resident Facilities and operation hours,
- D. Income limits for Admission
- E. Utility Charges Schedule
- F. Current Schedule of Maintenance Charges
- G. Dwelling Lease
- H. Grievance Procedure
- I. Fair Housing Poster
- J. Equal Opportunity in Employment Poster

K. Any current Housing Authority Notices (ie. Parking Policy, Enterprise Income Verification, etc.)

7.0 TAKING APPLICATIONS

Families wishing to apply for the Public Housing Program will be required to complete an application for housing assistance. Applications will be accepted during regular business hours at the Housing Authority's administrative office.

Applications are taken to compile a waiting list. Due to the demand for housing in the Housing Authority jurisdiction, the Housing Authority may take applications on an open enrollment basis, depending on the length of the waiting list.

Completed applications will be accepted for all applicants and the Housing Authority will verify the information.

Applications may be made in person at the Housing Authority's administrative offices on Monday thru Friday except holidays between the hours of 9:00 A.M. and 3:00 P.M. during the open enrollment period.

The completed application will be dated and time stamped upon its return to the Housing Authority.

Persons with disabilities who require a reasonable accommodation in completing an application may call the Housing Authority to make special arrangements.

The application process will involve two phases. The first phase is the initial application for housing assistance or the pre-application. The pre-application requires the family to provide limited basic information establishing any preferences to which they may be entitled. The first phase results in the family's placement on the waiting list.

Upon receipt of the family's pre-application, the Housing authority will make a preliminary determination of eligibility. The Housing Authority will notify the family in writing of the date and time of the placement on the waiting list. If the Housing Authority determines the family to be ineligible, the notice will state the reasons therefore and will offer the family the opportunity of an informal review if the determination.

The applicant may at any time report changes in their applicant status including changes in family composition, income, or preference factors. The Housing Authority will annotate the applicant's file and will update their place on the waiting list. Confirmation of the changes will be confirmed with the family in writing.

The second phase is the final determination of eligibility, referred to as the full

application. The full application takes place when the family nears the top of the waiting list. The Housing Authority will ensure that verification of all preferences, eligibility, suitability and selection factors are current in order to determine the family's eligibility for admission into the Public Housing Program.

8.0 ELIGIBILITY FOR ADMISSION

8.1 INTRODUCTION

There are five eligibility requirements for admission to public housing: qualifies as a family, has an income within the income limits, meets citizenship/eligible immigrant criteria, provides documentation of Social Security numbers, and signs consent authorization documents. In addition to the eligibility criteria, families must also meet the Housing Authority's screening criteria in order to be admitted to public housing.

8.2 ELIGIBILITY CRITERIA

Family status

- I. A family with or without children. Such a family is defined as a group of people related by blood, marriage, adoption or affinity that live together in a stable family relationship.
 - a. Children temporarily absent from the home due to placement in foster care are considered family members.
 - b. Unborn children and children in the process of being adopted are considered family members for the purpose of determining bedroom size but are not considered family members for determining income limit.
2. An elderly family, which is:
 - a. A family whose head, spouse or sole member is a person who is at least 62 years of age;
 - b. Two or more persons who are at least 62 years of age living together; or
 - c. One or more persons who are at least 62 years of age living with one or more live-in aides.
3. A near-elderly family, which is:
 - a. A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62;

- b. Two or more persons, who are at least 50 years of age but below the age of 62, living together; or
 - c. One or more persons, who are at least 50 years of age but below the age of 62, living with one or more live-in aides.
4. A disabled family, which is;
- a. A family whose head, spouse, or sole member is a person with disabilities;
 - b. Two or more persons with disabilities living together; or
 - c. One or more persons with disabilities living with one or more live-in aides.
5. A displaced family, which is a family in which each member, or whose sole member, has been displaced by governmental action, or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws, or who has been displaced as a result of domestic violence perpetuated against them.
6. A remaining member of a tenant family.
7. A single person who is not an elderly, displaced person or a person with disabilities, or the remaining member of a tenant family.

B. Income eligibility

- 1. Income limits apply only at admission and are not applicable for continued occupancy.
- 2. A family may not be admitted to the public housing program from another assisted housing program(e.g., tenant-based Section 8) or from a public* housing program operated by another housing authority without meeting the income requirements of the Housing Authority.
- 3. If the Housing Authority acquires a property for federal public housing purposes, the families living there must have incomes within the low-income limit in order to be eligible to remain as public housing tenants.
- 4. Income limit restrictions do not apply to families transferring within our Public Housing Program.

C. Citizenship/Eligibility Status

- 1. To be eligible each member of the family must be a citizen, national or a

noncitizen who has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980 (see 42 U.S.C. 1436a(a)).

2 Family eligibility for assistance

- a. A family shall not be eligible for assistance unless every member of the family residing in the unit is determined to have eligible status, with the exception noted below.
- b. Despite the ineligibility of one or more family members, a mixed family may be eligible for one of three types of assistance, (See Section 13.6 for calculating rents under the noncitizen rule)
- G. A family without any eligible members and receiving assistance on June 19, 1995 may be eligible for temporary deferral of termination of assistance.

D. Social Security Number Documentation

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

E, Signing Consent Forms

1. In order to be eligible, each member of the family who is at least 18 years of age, and each family head and spouse regardless of age, shall sign one or more consent forms.
2. The consent form must contain, at a minimum, the following:
 - a. A provision authorizing HUD or the Housing Authority to obtain from State Wage Information Collection Agencies(SWICAs) any information or materials necessary to complete or verify the application for participation or for eligibility for continued occupancy; and
 - b. A provision authorizing HUD or the Housing Authority to verify with previous or current employees income information pertinent to the family's eligibility for admission to public housing and/or the level of assistance.

A provision authorizing HUD to request income information from the IRS and the SSA for the sole purpose of verifying income information pertinent to the family's eligibility or level of benefits; and

- d. A statement that the authorization to release the information requested by the consent form expires 15 months after the date the consent form is signed.

8.3 SUITABILITY

- A. Applicant families will be evaluated to determine whether, based on their recent behavior, such behavior could reasonably be expected to result in noncompliance with the public housing lease. The Housing Authority will look at past conduct as an indicator of future conduct. Emphasis will be placed on whether a family's admission could reasonably be expected to have a detrimental effect on the development environment, other tenants, Housing Authority employees, or other people residing in the immediate vicinity of the property. Otherwise eligible families will be denied admission if they fail to meet the suitability criteria.
- B. The Housing Authority will consider objective and reasonable aspects of the family's background, including the following:
 - 1. History of meeting financial obligations, especially rent;
 - 2. Ability to maintain (or with assistance would have the ability to maintain) their housing in a decent and safe condition based on living or housekeeping habits and whether such habits could adversely affect the health, safety, or welfare of other tenants;
 - 3. History of • criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety or well being of other tenants or staff or cause damage to the property;
 - 4. History of disturbing neighbors or destruction of property;
 - 5. Having committed fraud in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived therefrom; and
 - 6. History of abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment by others,
- C. The Housing Authority will ask applicants to provide information demonstrating their ability to comply with the essential elements of the lease. The Housing Authority will verify the information provided. Such verification may include but may not be limited to the following:

1. A credit check of the head, spouse or co-head;
2. A rental history check of all adult family members;
3. A criminal background check on all adult household members, including live-in aides. This check will be made through State or Local law enforcement or court records in those cases where the household member has lived in the local jurisdiction for the last three years. Where the individual has lived outside the local area, the Housing Authority may contact law enforcement agencies where the individual had lived or request a check through the FBI's National Crime Information Center (NCIC);
4. A home visit. The home visit provides the opportunity for the family to demonstrate their ability to maintain their home in a safe and sanitary manner. This inspection considers cleanliness and care of rooms, appliances, and appurtenances. The inspection may also consider any evidence of criminal activity; and
5. A check of the State's lifetime sex offender registration program for each adult household member, including live-in aides. No individual registered with this program will be admitted to public housing.

8.4 GROUNDS FOR DENIAL

The Housing Authority is not required or obligated to assist applicants who:

- A. Do not meet anyone or more of the eligibility criteria;
- B. Do not supply information or documentation required by the application process;
- C. Have failed to respond to a written request for information or a request to declare their continued interest in the program;
- D. Have a history of not meeting financial obligations especially rent;
- E. Do not have the ability to maintain (with assistance) their housing in the decent and safe condition where such habits could adversely affect the health, safety, or welfare of the other tenants;
- F. Have a history of disturbing neighbors or destruction of property;
- G. Currently owes rent or other amounts to any housing authority in connection with their public housing or Section 8 programs;

- H. Have committed fraud, bribery or any other corruption in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived therefrom;
- I. Were evicted from assisted housing for any reason within five years of the projected date of admission;
- J. Have engaged in or threatened abusive or violent behavior towards any Housing Authority staff or residents;
- K. Have a household member who has ever been evicted from Federally Assisted housing;
- L. Have a family household member who has been terminated under the voucher program;

The Housing Authority will or may also prohibit/deny admission of an applicant for the following reasons:

- A. The Housing Authority will prohibit admission of an applicant for five years if any household member was evicted from federally assisted housing for drug-related criminal activity. The five years begins on the date of eviction.

The Housing Authority, may as its discretion, admit such household if the person has successfully completed an approved supervised drug rehabilitation program or if the circumstances leading to the eviction no longer exist.

- B. The Housing Authority will permanently prohibit/deny admission if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.
- C. The Housing Authority will prohibit admission if any household member is currently engaging in illegal drug use or if the Housing Authority has reasonable cause to believe that a household member's illegal use or pattern of illegal use of a drug may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

The Housing Authority may require each applicant (all adult household members) to sign one or more consent forms that request any drug treatment facility to inform the Housing Authority whether the drug treatment facility has reasonable cause to believe that the household member is currently engaging in illegal drug use. The Housing Authority is not required to seek such information and is not liable for damages for failing to seek such information.

The household members consent forms shall expire and be destroyed no later than five business days after the Housing Authority makes a final decision to • approve or disapprove admission or after final disposition of any litigation.

If the drug treatment facility charges a fee for the information, the Housing Authority is prohibited from passing such costs to the applicant.

- D. The Housing Authority may prohibit admission if any household member is currently engaged in or has been engaged in during a reasonable time before application for admission (within 5 years) certain other criminal activity, including, but not limited to, other drug-related criminal activity (involving the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use a controlled substance), violent criminal activity, other criminal activity which may threaten the health and safety of residents or persons residing in the immediate vicinity, owners or owners' employees, contractors or agents, or that would threaten residents right of peaceful enjoyment of the premises.
- E. The Housing Authority will prohibit admission of a household that has a member who is subject to lifetime registration as a sex offender under a State registration program.

The Housing Authority will carry out sex offender's registration checks in the State of New York and any state in which the members of the applicant household are known to have resided.

- F. The Housing Authority will prohibit admission if there is a reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol may threaten the health, safety or peaceful enjoyment of the premises by other residents.

The Housing Authority may consider participation or completion of a supervised drug rehabilitation program if denial of admission is based on illegal use of drugs or alcohol abuse and the family member is no longer engaged in using the substance.

The Housing Authority may require the applicant to submit verification of rehabilitation.

8.5 HOUSING AUTHORITY DISCRETION

The Housing Authority may consider in accordance with its policies, practices, and procedures, factors that might indicate reasonable probability of favorable future conduct. Examples include evidence of rehabilitation or evidence of participation in or willingness to participate in counseling.

The Housing Authority may target only household members whose criminal records

Indicates prior arrests or conviction for activities that may be a basis for denial of assistance, or whose prior tenancy records show that the person has engaged in destruction of property, violent activity toward another, or has interfered with the peaceful enjoyment of other residents.

The Housing Authority may consider all relevant information, including 1) an applicant's past performance; 2) records of disturbances of neighbors or housekeeping habits, or behaviors that may adversely affect other residents; 3) history of criminal activity, especially crimes of physical violence.

If the Housing Authority receives unfavorable information with respect to an applicant, consideration shall be given to the time, nature, and extent of the applicant's conduct, (including the seriousness of the offense).

Such consideration may include evidence of rehabilitation and evidence of the family's willingness to participate in social service or other counseling programs.

If a household member has committed acts that would require denial of admission, the Housing Authority may require the household to exclude the offending family member in order to be eligible for admission to the program.

Where a statute requires the Housing Authority to prohibit admission for a prescribed time after some disqualifying behavior, the Housing Authority may choose to continue the prohibition for a longer period of time.

The Housing Authority's admission actions must be consistent with fair housing and equal opportunity provisions.

8.6 INFORMAL REVIEW

- A. If the Housing Authority determines that an applicant does not meet the criteria for receiving public housing assistance, the Housing Authority will promptly provide the applicant with written notice of the determination. The notice must contain a brief statement of the reason(s) for the decision; state that the applicant may request an informal review of the decision within 10 business days of the denial, and include a copy of the Housing Authority Informal Review Procedures.

After a review date is agreed to, the applicant may request to reschedule only upon showing "good cause," which is defined as an unavoidable conflict, which seriously affects the health, safety or welfare of the applicant.

The Housing Authority's Informal Review Procedures are as follows:

The informal review may be conducted by any person designated by the Housing Authority, other than a person who made or approved the decision under review or

subordinate of this person.

Applicants have the right to:

- Present written or oral objections to the Housing Authority's determination;
- Examine the documents in the file, which are the basis for the Housing Authority's action;
- Copy any relevant documents at their expense;
- Present any information or witnesses pertinent to the issue of the review;
- Request that Housing Authority staff be available or present at the review to answer questions pertinent to the case; and
- Be represented by legal counsel, advocate, or other designated representative at his or her own expense.

If the applicant requests copies of documents relevant to the review, the Housing Authority will make the copies and assess a charge per copy based upon the current fee schedule. In no case will the family be allowed to remove the files from the Housing Authority's office.

The Housing Authority has a right to:

- Present evidence and any information pertinent to the issue of the review;
- Be notified if the applicant intends to be represented by legal counsel, advocate or another party;
- Examine and copy any documents to be used by the applicant prior to the review;
- Have its attorney present; and
- Have staff persons and other witnesses familiar with the case present or on call during the Review Process,

The review shall concern only the issue(s) for which the applicant has received the opportunity for review. Evidence presented at the review may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

No documents may be presented which have not been provided to the other party before the review, if requested by the other party. "Documents" include records and regulations.

The person conducting the review may ask the family for additional information and/or might recess the review in order to reconvene at a later date, before reaching a decision.

The persons conducting the review will determine whether the decision of the Housing Authority is in accordance with HUD regulations and Housing Authority Policy. Factual determinations relating to the individual circumstances of the applicant will be based on preponderance of the evidence presented at the review,

The Housing Authority must notify the applicant of it's final decision within 14

calendar days after the informal review, including a brief statement of the reason(s) for the final decision.

- B. The participant family may request that the Housing Authority provide for an Informal Hearing after the family has received notification of an INS decision on their citizenship status on appeal, or in lieu of request of appeal to the INS. This request must be made by the participant family within 30 days of receipt of the Notice of Denial or Termination of Assistance, or within 30 days of receipt of the INS appeal decision.

For the participant families, the Informal Hearing Process above will be utilized with the exception that the participant family will have up to 30 days of receipt of the Notice of Denial or Termination of Assistance, or of the INS appeal decision.

9.0 MANAGING THE WAITING LIST

9.1 OPENING AND CLOSING THE WAITING LIST

Opening of the waiting list will be announced with a public notice stating that applications for public housing will again be accepted. The public notice will state where, when and how to apply. The notice will be published in a local newspaper of general circulation and also by any available minority media. The public notice will state any limitations to who may apply.

The notice will state that applicants already on waiting lists for other housing programs must apply separately for this program and such applicants will not lose their place on other waiting lists when they apply for public housing. The notice will include the Fair Housing logo and slogan and will be in compliance with Fair Housing requirements.

Closing of the waiting list will also be announced with a public notice. The public notice will state the date the waiting list will be closed and for what bedroom sizes and for unit type. The public notice will be published in a local newspaper of general circulation and also by any available minority media.

9.2 ORGANIZATION OF THE WAITING LIST

The waiting list will be maintained in accordance with the following guidelines:

- A. The application will be a permanent file;
- B. Applicant Name;

- C. All applicants will be maintained in order of bedroom size, (number of bedrooms applicant qualifies for under Housing Authority standards); elderly/disabled; racial or ethnic designation of head of household, preference(s) claimed by applicant; and then in order of date and time of application.
- D. Any contracts between the Housing Authority and the applicant will be documented in the applicant file.

9.3 FAMILIES NEARING THE TOP OF THE WAITING LIST

When a family appears to be within three (3) months of being offered a unit, the family will be invited to an interview and the verification process will begin. It is at this point in time that the family's waiting list preference will be verified. If the family no longer qualifies to be near the top of the list, the family's name will be returned to the appropriate spot on the waiting list. The Housing Authority must notify the family in writing of this determination and give the family the opportunity for an informal review.

Once the preference has been verified, the family will complete a full application, present Social Security number information, citizenship/eligible immigrant information, and sign the Consent for Release of Information forms.

9.4 PURGING THE WAITING LIST

The Housing Authority will update and purge its waiting list at least annually to ensure that the pool of applicants reasonably represents the interested families for whom the Housing Authority has current information, i.e. applicant's address, family composition, income category and preference.

9.6 REMOVAL OF APPLICANTS FROM THE WAITING LIST

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

- A. The applicant requests in writing that the name be removed;
- B. The applicant fails to respond to a written request for information or a request to declare their continued interest in the program; or
- C. The applicant does not meet either the eligibility or suitability criteria for the program.

9.6 MISSED APPOINTMENTS

All applicants who fail to keep a scheduled appointment with the Housing Authority will

be sent a notice of termination of the process for eligibility.

The Housing Authority will allow the family to reschedule for good cause. Generally, no more than one opportunity will be given to reschedule without good cause. When good cause exists for missing an appointment, the Housing Authority will work closely with the family to find a more suitable time. Applicants will be offered the right to an informal review before being removed from the waiting list.

9.7 NOTIFICATION OF NEGATIVE ACTION

Any applicant whose name is being removed from the waiting list will be notified by the Housing Authority, in writing, that they have ten (10) calendar days from the date of the written correspondence to present mitigating circumstances or request an informal review. The letter will also indicate that their name will be removed from the waiting list if they fail to respond within the timeframe specified. The Housing Authority system of removing applicant names from the waiting list will not violate the rights of persons with disabilities. If an applicant claims that their failure to respond to a request for information or updates was caused by a disability, the Housing Authority will verify that there is in fact a disability and the disability caused the failure to respond, and provide a reasonable accommodation. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of the original application.

10.0 TENANT SELECTION AND ASSIGNMENT PLAN

10.1 PREFERENCES

The Housing Authority will select families based on the following preferences within each bedroom size category. These preferences shall be rated equally with the following priority given to each preference: (a) Applicants from the Town of Greenburgh, (b) Applicants from Westchester County, (c) All others

Preference No. 1

Residents Who Live and Work in the Housing Authority's Jurisdiction: This preference is extended to individuals or families who can prove that they live and work in the Housing Authority's jurisdiction at the time of offer of public housing assistance. This preference is extended equally to an applicant whose head or spouse are age 62 or older or are receiving social security disability. Supplemental security income disability benefits, or any other payments based on an individual's ability to work.

Preference No.2

Working families and those unable to work because of age and disability. This preference is extended equally to an applicant whose head or spouse are age 62 or older or are receiving social security disability. Supplemental security income disability benefits, or any other payments based on an individual's ability to work.

Preference No.3

Residents Who Live in the Jurisdiction of the Housing Authority: This preference is extended to individuals or families who can prove that they live/reside in the Housing Authority's jurisdiction at the time of offer of public housing assistance. Residents must provide proof of local residency for a period of at least one year.

Preference No.4

Involuntarily Displaced Local Residents: Individuals or families residing within the jurisdiction of the Housing Authority involuntarily displaced by government action or whose dwelling has been extensively damaged or destroyed and is uninhabitable as a result of fire, flood or natural disaster, and for which such action was not the result of neglect or intentional act of the applicant or member of the applicant's household.

In order to receive the displacement preference, applicants who have been displaced must not be living in "standard, permanent replacement housing."

Standard replacement housing is defined as housing that is decent, safe and sanitary according to Housing Quality Standards/Local housing code/other code, such as State or BOCA code that is adequate for the family size according to Housing Quality Standards/local/state/BOCA code, and that the family is occupying pursuant to a written or oral lease or occupancy agreement.

Standard replacement housing does not include transient facilities, hotels, motels, temporary shelters, and in the case of Victims of Domestic Violence housing occupied by the individual who engages in such violence. It does not include any individual imprisoned or detained pursuant to State Law or an Act of Congress, Shared housing with family or friends is not considered temporary and is considered standard replacement housing.

Preference No.5

High rent burden (rent is greater than 50% of income). Applicant must provide proof that their current rent (for a period of at least 6 months) exceeds 50% of income as defined for rent calculation for Public Housing.

Preference No.6

Applicants Who Live in Sub-standard housing in the Jurisdiction of the Housing Authority with the condition of Sub-standard housing certified by the Housing Authority.

All applicants with no preferences will be placed behind applicants with preferences, the order of time and date the application was received,- meaning the most recent applications will be placed behind those with more time on the waiting list.

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

Buildings Designated for the Elderly and Disabled: Preference will be given to elderly and disabled families. If there are no elderly or disabled families on the list, preference will then be given to near-elderly families. If there are no near-elderly families on the waiting list, units will be offered to families who qualify for the appropriate bedroom size using these priorities. All such families will be selected from the waiting list using the preferences as outlined above.

Accessible Units: Accessible units will be first offered to families who may benefit from the accessible features. Applicants for these units will be selected utilizing the same preference system as outlined above. If there are no applicants who would benefit from the accessible features, the units will be offered to other applicants in the order that their names come to the top of the waiting list. Such applicants, however, must sign a release form stating they will accept a transfer (at their own expense) if, at a future time, a family requiring an accessible feature applies. Any family required to transfer will be given a 30-day notice.

10.2 ASSIGNMENT OF BEDROOM SIZES

The following guidelines will determine each family's unit size without overcrowding or over-housing:

| NUMBER OF BEDROOMS | NUMBER OF PERSONS | |
|--------------------|-------------------|---------|
| | MINIMUM | MAXIMUM |
| 0 | 1 | 1 |
| 1 | 1 | 2 |
| 2 | 2 | 4 |
| 3 | 3 | 6 |
| 4 | 4 | 8 |

These standards are based on the assumption that each bedroom will accommodate no more than two (2) persons. Zero bedroom units will only be assigned to one-person families. Two adults will share a bedroom unless related by blood.

In determining bedroom size, the Housing Authority will include the presence of children to be born to a pregnant woman, children who are in the process of being adopted, children whose custody is being obtained, children who are temporarily away at school, or children who are temporarily in foster-care.

In addition, the following consideration may be taken in determining bedroom size:

- A. Children of the same sex may share a bedroom.
- B. Children of the opposite sex, both under the age of ten (10) may share a bedroom.
- C. Adults and children will not be required to share a bedroom.
- D. Foster-adults and/or foster-children will not be required to share a bedroom with family members.
- E. Live-in aides will get a separate bedroom.

Exceptions to normal bedroom size standards include the following:

- A. Units smaller than assigned through the above guidelines - A family may request a smaller unit size than the guidelines show. The Housing Authority will allow the smaller size unit so long as generally no more than two (2) people per bedroom are assigned. In such situations, the family will sign a certification stating they understand they will be ineligible for a larger size unit for (3 years) or until the family size changes, whichever may occur first.
- B. Units larger than assigned through the above guidelines - A family may request a larger unit than the guidelines allow. The Housing Authority will allow the larger size unit if the family provides a verified medical need that the family be housed in a larger unit.
- C. If there are no families on the waiting list for a larger size unit, smaller families may be housed if they sign a release form stating they will transfer (at the family's own expense) to the appropriate size unit when an eligible family needing the larger unit applies. The family transferring will be given a 30-day notice before being required to move.
- D. Larger units may be offered in order to improve the marketing of a development suffering a high vacancy rate.

10.3 SELECTION FROM THE WAITING LIST

The Housing Authority shall follow the statutory requirement that at least 40% of newly admitted families in any fiscal year be families whose annual income is at or below 30% of the area median income. To insure this requirement is met we shall quarterly monitor the incomes of newly admitted families and the incomes of the families on the waiting list. If it appears that the requirement to house extremely low-income families will not be met, we will skip higher income families on the waiting list to reach extremely low-

income families.

If there are not enough extremely low-income families on the waiting list we will conduct outreach of a non-discriminatory basis to attract extremely low-income families to reach the statutory requirement. The Housing Authority will also encourage high income residents who makes 60% of the AMI to apply for housing.

10.4 DECONCENTRATION POLICY

It is the Housing Authority's policy to provide for deconcentration of poverty and encourage income mixing by bringing higher income families into lower income developments and lower income families into higher income developments. Toward this end, we will skip families on the waiting list to reach other families with a lower or higher income. We will accomplish this in a uniform and non-discriminating manner.

The Housing Authority, will affirmatively market its housing to all eligible income groups. Lower income residents will not be steered toward lower income developments and higher income people will not be steered toward higher income developments.

Prior to the beginning of each fiscal year, we will analyze the income levels of families residing in each of our developments, the income levels of census tracts in which our developments are located, and the income levels of the families on the waiting list. Based on this analysis, we will determine the level of marketing strategies and deconcentration incentives to implement.

10.5 DECONCENTRATION INCENTIVES

The Housing Authority may offer one or more incentives to encourage applicant families whose income classification would help to meet the deconcentration goals of a particular development.

Various incentives may be used at different times, or under different conditions, but will always be provided in a consistent and nondiscriminatory manner.

10.6 OFFER OF A UNIT

When the Housing Authority discovers that a unit will become available, we will contact the first family on the waiting list who has the highest priority for this type of unit or development and whose income category would help to meet the deconcentration goal and/or the income targeting goal.

The Housing Authority will try to contact the family first by telephone to make the unit offer. If the family cannot be reached by telephone, the family will be notified of a unit

offer via first class mail. The family will be given ten (10) business days from the date the letter was mailed to contact the Housing Authority regarding the offer.

The family will be offered the opportunity to view the unit. After the opportunity to view the unit, the family will have two (2) business days to accept or reject the unit. This verbal offer and the family's decision must be documented in the tenant file. If the family rejects the offer of the unit, the Housing Authority will send the family a letter documenting the offer and the rejection.

10.7 REJECTION OF A UNIT

If in making the offer to the family the Housing Authority skipped over other families on the waiting list in order to meet their deconcentration goal or offered the family any other deconcentration incentive and the family rejects the unit, the family will not lose their place on the waiting list and will not be otherwise penalized. •

If the Housing Authority did not skip over other families on the waiting list to reach this family, did not offer any other deconcentration incentive, and the family rejects the unit without good cause, the family will forfeit their application's date and time. The family will keep their preferences, but the date and time of application will be changed to the date and time the unit was rejected.

If the family rejects with good cause any unit offered, they will not lose their place on the waiting list. Good cause includes reasons related to health, proximity to work, school, and childcare (for those working or going to school). The family will be offered the right to an informal review of the decision to alter their application status.

10.8 ACCEPTANCE OF A UNIT

The family will be required to sign a lease that will become effective no later than three (3) business days after the date of acceptance or the business day after the day the unit becomes available, whichever is later.

Prior to signing the lease all families head of household and other adult family members will be required to attend the Lease and Occupancy Orientation when they are initially accepted for occupancy. The family will not be housed if they have not attended the orientation. Applicants who provide prior notice of an inability to attend the orientation will be rescheduled. Failure of an applicant to attend the orientation, without good cause, may result in the cancellation of the occupancy process.

The applicant will be provided a copy of the lease, the grievance procedure, utility allowances (if any), utility charges (if any), the current schedule of routine maintenance charges, and where applicable a request for reasonable accommodation form. These

documents will be explained in detail. The applicant will sign a certification that they have these documents and that they have reviewed them with Housing Authority personnel. The certification will be filed in the tenant's file.

The signing of the lease and the review of financial information are to be privately handled. The head of household and all adult family members will be required to execute the lease prior to admission. One executed copy of the lease will be furnished to the head of household and the Housing Authority will retain the original executed lease in the tenant's file. A copy of the grievance procedure will be attached to the resident's copy of the lease.

The family will pay a security deposit at the time of lease signing. The security deposit will be equal to the Total Tenant Payment or \$100.00, whichever is greater.

In exceptional situations, the Housing Authority reserves the right to allow a new resident to pay their security deposit in up to three (3) payments. One third shall be paid in advance, one third with their second rent payment and one third with their third rent payment. This shall be at the sole discretion of the Housing Authority.

In the case of a move within public housing, the security deposit for the first unit will be transferred to the second unit. Additionally, if the security deposit for the second unit is greater than that of the first, the difference will be collected from the family.

110 INCOME, EXCLUSIONS FROM INCOME, AND DEDUCTIONS FROM INCOME

To determine annual income, the Housing Authority counts the income of all family members, excluding the types and sources of income that are specifically excluded. Once the annual income is determined, the Housing Authority subtracts all allowable deductions (allowances) to determine the Total Tenant Payment.

11.1 ANNUAL INCOME

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

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

Annual income includes, but is not limited to;

- A. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services.
- B. The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession is included in income, except to the extent the withdrawal is a reimbursement of cash or assets invested in the operation by the family,
- C. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulation. Any withdrawal of cash or assets from an investment is included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000.00, annual income includes the greater of the actual income derived from all net family assets or a percentage of the value of such assets on the current passbook savings rate, as determined by HUD.
- D. The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount. (However, deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts are excluded.)
- E. Payments in lieu of earning, such as unemployment and disability compensation, worker's compensation, and severance pay. (However, lump sum additions such as insurance payments from worker's compensation are excluded.)
- F. Welfare assistance.
 - 1. If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income consists of:
 - a. The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
 - b. The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the

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

If the amount of welfare is reduced due to an act of fraud by a family member or because of any family member's failure to comply with requirements to participate in an economic self-sufficiency program or work activity, the amount of rent required to be paid by the family will not be decreased. In such cases, the amount of income attributable to the family will include what the family would have received had they complied with the welfare requirements and/or had not committed an act of fraud.

If the amount of welfare assistance is reduced as a result of a lifetime time limit, the reduced amount is the amount that shall be counted as income,

- G, Periodic and determinable allowances, such as alimony, child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling.
- H. All regular pay, special pay, and allowances of a member of the Armed Forces. (Special pay to a member exposed to hostile fire is excluded.)

1'1.2 ANNUAL INCOME EXCLUSIONS

Annual income does not include the following:

- A. Income from employment of children (including foster children) under the age of '18 years;
- B. Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);
- C, Lump sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses;
- D. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
- E. Income of a live-in aide;
- F. The full amount of student financial assistance paid directly to the student or to the educational institution;
- G. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- H. The amounts received from the following programs:
 - 1. Amounts received under training programs funded by HUD;
 - 2. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self Sufficiency(PASS);
 - 3, Amounts received by a participant in other publicly assisted programs that are

- specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and that are made solely to allow participation in a specific program;
4. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200.00 per month) received by a resident for performing a service for the Housing Authority or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiatives coordination. No resident may receive more than one such stipend during the same period of time;
 5. Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs;
 6. (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the employment training program;
 7. Temporary, nonrecurring or sporadic income (including gifts);
 8. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
 9. Earnings in excess of \$480.00 for each full-time student 18 years old or older (excluding the head of household and spouse);
 10. Adoption assistance payments in excess of \$480.00 per adopted child;
 11. For family members who enrolled in certain training programs prior to October 1, 1999, the earnings and benefits resulting from the participation if the program provides employment training and supportive services in accordance with the Family support Act of 1988, Section 22 of the 1937 Act (42 U.S.C. 1437t), or any comparable Federal, State, or local law during the exclusion period. For purposes of this exclusion the following definitions apply:
 - a. Comparable Federal, State or local law means a program providing employment training and supportive services that:
 - i. Is authorized by a Federal, State or local law;
 - ii. Is funded by the Federal, State or local government;
 - iii. is operated or administered by a public agency; and
 - iv. Has as its objective to assist participants in acquiring employment skills,
 - b. Exclusion period means the period during which the family member participates in a program described in this section, plus 18 months from the date the family member begins the first job acquired by the family member after completion of such program that is not funded by public housing assistance under the 1937 Act. If the family member is terminated from employment with good cause, the exclusion period shall end.
 - c. Earnings and benefits means the incremental earnings and benefits resulting from a qualifying employment training program or subsequent job.

12. The incremental earnings due to the employment during the 12 month period following date of the hire shall be excluded. This exclusion (paragraph 11) will not apply for any family who concurrently is eligible for exclusion #10. Additionally, this exclusion is only available to the following families:
 - a. Families whose income increases as a result of employment of a family member who was previously unemployed for one or more years,
 - b. Families whose income increases during the participation of a family member in any family self-sufficiency program.
 - c. Families who are or were, within 6 months, assisted under a State TANF program.
(While HUD regulations allow for the Housing Authority to offer an escrow account in lieu of having a portion of their income excluded under this paragraph, it is the policy of this Housing Authority to provide the exclusion in all cases.)
13. Deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts;
14. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;
15. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or
16. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits. These exclusions include:
 - a. The value of the allotment of food stamps
 - b. Payments to volunteers under the Domestic Volunteer Services Act of 1973
 - c. Payments received under the Alaska Native Claims Settlement Act
 - d. Income from submarginal land of the U.S. that is held in trust for certain Indian tribes
 - e. Payments made under HH's Low-Income Energy Assistance Program
 - f. Payments received under the Job Training Partnership Act
 - g. Income from the disposition of funds of the Grand River Band of Ottawa Indians
 - h. The first \$2000.00 per capita received from Judgment funds awarded for certain Indian claims
 - i. Amount of scholarships awarded under Title VI including Work Study
 - j. Payments received under the Older Americans Act of 1965
 - k.. Payments from Agent Orange Settlement
 - l. Payments received under the Maine Indian Claims Act
 - m. The value of child care under the Child Care and Development Block Grant Act of 1990
 - n, Earned income tax credit refunded payments
 - o. Payments for living expenses under the Americorps Program

p. Additional income exclusions provided by and funded by the Housing Authority

The Housing Authority will not provide exclusion from income in addition to those already provided for by HUD.

11.3 DEDUCTIONS FROM ANNUAL INCOME

The following deductions will be made from annual income:

- A. \$480.00 for each dependent;
- B. \$400.00 for any elderly family or disabled family;
- C. For any family that is not an elderly or disabled family's but has a member (other than the head or spouse) who is a person with a disability, disability assistance expenses in excess of 3% of annual income. This allowance may not exceed the employment income received by family members who are 18 years of age or older as a result of the assistance to the person with disabilities.
- D. For any elderly or disabled family:
 - 1. That has no disability assistance expenses, an allowance for medical expenses equal to the amount by which the medical expenses exceed 3% of annual income;
 - 2. That has disability expenses greater than or equal to 3% of annual income, an allowance for disability assistance expenses computed in accordance with paragraph C, plus an allowance for medical expenses that equal the family's medical expenses;
 - 3. That has disability assistance expenses that are less than 3% of annual income, an allowance for combined disability assistance expenses and medical expenses that is equal to the total of these expenses less 3% of annual income.
- E. Child care expenses.

12.0 VERIFICATION

The Housing Authority will verify information related to waiting list preferences, eligibility, admission, and level of benefits prior to admission. Periodically during occupancy, items related to eligibility and rent determination shall also be reviewed and verified. Income, assets and expenses will be verified, as well as disability status, need for a live-in aide and other reasonable accommodations, full time student status of family members 18 years of age and older, Social Security numbers and citizenship/eligible non-citizen status. Age and relationship will only be verified in those instances where needed to make a determination of level of assistance.

12.1 ACCEPTABLE METHODS OF VERIFICATION

The Housing Authority will verify information through the four methods of verification acceptable to HUD in the following order:

- Third-Party Written
- Third-Party Oral
- Review of Documents
- Certification/Self-Declaration

The Housing Authority will allow 4 weeks for return of third-party verifications and 3 weeks to obtain other types of verifications before going to the next method.

For applicants, verifications may not be more than 60 days old at the time of admission. For Housing Authority residents they are valid for 120 days from date of receipt.

Age, relationship, U.S. citizenship, and Social Security numbers will generally be verified with documentation provided by the family. All family members 6 years of age and older must provide a Social Security number or certify that they do not have one. For citizenship, the family's certification will be accepted or documentation such as listed below will be required. The Housing Authority will utilize the INS Systematic Alien Verification for Entitlements (SAVE) system for both primary and secondary verification for citizenship and eligible immigration status. Verification of these items will include photocopies of the Social Security cards and other documents presented by the family, the INS SAVE approval code, and forms signed by the family.

The Social Security Administration (SSA) provides HUD with benefit information on all current participants and household members who have disclosed a valid social security number. HUD makes this information available to the Housing Authority through HUD's Tenant Assessment Subsystem (TASS) and Upfront Income Verification (UIV) system. The Authority will use TASS or UIV to verify SS/SSI benefits of current participants and household members.

The Housing Authority will use the SWICA, TASS and UN up-front verification techniques to facilitate computer — matching and for up-front verification purposes.

THIRD-PARTY WRITTEN VERIFICATION

Third-party verification is used to verify information directly with the source. Third-party written verification forms, letters and other documents will be sent and returned via first class mail. The family will be required to sign an authorization for the information source to release the specified information.

Electronically transmitted third-party written verifications received from non-government sources will not be accepted by the Housing Authority.

The Housing Authority will not accept third-party verification forms, letters and other documents hand carried by the family under any circumstances, except for the following: the Housing Authority will accept computerized printouts from Social Security Administration, Veterans Administration, Welfare Assistance Agencies/Departments, Unemployment Compensation Board, and City, County, State or Federal Courts.

THIRD-PARTY ORAL VERIFICATION

Oral third-party verification will be used when written third-party verification is delayed or not possible. When third-party oral verification is used, staff will be required to complete a Certification of Document Viewed or Person Contacted form, noting with whom they spoke, the date of the conversation, and the facts provided. If oral third-party verification is not available the Housing Authority will compare the information to any documents provided by the family. If provided by telephone, the Housing Authority must originate the call.

REVIEW OF DOCUMENTS

In the event that third-party written or oral verification is unavailable, or the information has not been verified by the third-party within 4 weeks, the Housing Authority will notate the file accordingly and utilize documents provided by the family as the primary source if the documents provide complete information.

All such documents, excluding government checks, will be photocopied and retained in the applicant file. In cases where documents are viewed which cannot be photocopied, staff viewing the document(s) will complete a Certification of Document Viewed or Person Contacted form.

The Housing Authority will accept the following documents from the family provided that the document is such that tampering would be easily noted:

- Printed wage stubs
- Signed letters (provided that the information is confirmed by phone), except letters from employers
- Other documents noted in this Section as acceptable verification

The Housing Authority will accept faxed documents, provided the originals of such document(s) are furnished within 5 working days after receipt of the faxed document(s).

The Housing Authority will not accept photocopies.

If third-party verification is received after documents have been accepted as provisional verification, and there is a discrepancy, the Housing Authority will utilize the third-party verification.

SELF-CERTIFICATION/SELF-DECLARATION

When verification cannot be made by third-party verification or review of documents, families will be required to submit a self-certification.

Self-certification means a notarized statement/affidavit/certification/statement under penalty of perjury and must be witnessed.

RELEASE OF INFORMATION

The family will be required to sign specific authorization forms when information is needed that is not covered by the HUD Authorization for Release of Information form. Each member requested to consent to the release of information will be provided with a Form HUD-9886 *Authorization for the Release of Information / Privacy Act Notice* which must be signed.

Family refusal to cooperate with the HUD prescribed verification systems will result in denial of admission or termination of assistance because it is a family obligation to supply any information requested by the Housing Authority or HUD.

COMPUTER MATCHING — EIV-TASS

Computer matching through HUD's Enterprise Verification System (EIV) and/or Tenant Assessment Subsystem (TASS) to obtain documentation of reported and unreported income will be employed by the Housing Authority.

12.2 TYPES OF VERIFICATION

ITEMS TO BE VERIFIED

- All income not specifically excluded by the regulations.
- Zero-income status of household.
- Full-time student status including high school students who are 18 or over.
- Current assets including assets disposed of for less than fair market value in preceding two years. Child care expense where it allows an adult family member to be employed or to further his/her education.
- Total medical expenses of all family members in households whose head or spouse is elderly or disabled.
- Disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus which allow an adult family member to be employed.
- Disability for determination of allowances or deductions.
- U. S. citizenship/eligible immigrant status.
- Social Security Numbers for all family members over 6 years of age.
- "Preference" status, based upon Local preferences.
- Familial/Marital status when needed for head or spouse definition

VERIFICATION OF INCOME

The methods the Housing Authority will use to verify various types of income are set forth below:

EMPLOYMENT INCOME

Verification forms request the employer to specify the:

- Dates of employment
- Amount and frequency of pay
- Date of last pay increase

Likelihood of change of employment status and effective date of any known salary increases during the next 12 months.

- Year to date earnings
- Estimated income from overtime, tips, bonus pay expected during next 12 months

Acceptable methods of verification include, in this order:

- Employment verification form, letters, and/or other documents completed by the employer.
- Check stubs or earning statements which indicate the employee's gross pay, frequency of pay or year to date earnings.
- W-2 forms plus income tax return forms.
- Self-certifications or income tax returns signed by the family may be used for verifying self-employment income, or income from tips and other gratuities.

Applicants and program participants (Public Housing Residents) will be requested to sign an authorization for release of information from the Internal Revenue Service for further verification of income.

In cases where there are questions about the validity of information provided by the family, the Housing Authority will require the most recent federal income tax statements.

Where doubt regarding income exists, a referral to IRS for confirmation will be made on a case-by-case basis.

SOCIAL SECURITY, PENSIONS, SUPPLEMENTARY SECURITY INCOME (S81), DISABILITY INCOME

Acceptable methods of verification include, in this order:

- Benefit verification form completed by agency providing the benefits.
- Award or benefit notification letters prepared and signed by the providing agency.
- Computer report electronically obtained or in hard copy.
- Bank statements for direct deposit.

UNEMPLOYMENT COMPENSATION

Acceptable methods of verification include, in this order:

- Verification form completed by the unemployment compensation agency,
- Computer printouts from unemployment office stating payment dates and amounts.
- Payment stubs.

WELFARE PAYMENTS OR GENERAL ASSISTANCE

Acceptable methods of verification include, in this order:

- Housing Authority verification form completed by payment provider.
- Written statement from payment provider indicating the amount of grant/payment, start date of payments, and anticipated changes in payment in the next 12 months.
- Computer generated Notice of Action.
- Computer generated list of recipients from Welfare Department.

ALIMONY OR CHILD SUPPORT PAYMENTS

Acceptable methods of verification include, in this order:

- Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.
- A (notarized) letter from the person paying the support.
- A copy of latest check and/or payment stubs from Court Trustee. Housing Authority must record the date, amount and number of the check.
- Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.

If payments are irregular, the family must provide:

- A copy of the separation or settlement agreement, or a divorce decree stating the amount and type of support and payment schedules.
- A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.
- A notarized affidavit from the family indicating the amount(s) received.

- A welfare notice of action showing amounts received by the Welfare agency for child support.
- Written statement from an attorney certifying that a collection or enforcement action has been filed.

NET INCOME FROM A BUSINESS

In order to verify the net income from a business, the Housing Authority will view IRS and financial documents from prior years and use this information to anticipate the income for the next 12 months.

Acceptable methods of verification include:

- RS Form 1040, including:
- Schedule C (Small Business)
- Schedule E (Rental Property Income)
- Schedule F (Farm Income)

If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.

- Audited or unaudited financial statement(s) of the business.
- Credit report or loan application.
- Documents such as manifests, appointment books, cashbooks, bank statements, and receipts will be used as a guide for the prior six months (or lesser period if not in business for six months) to project income for the next 12 months. The family will be advised to maintain these documents in the future if they are not available.
- Family's self-certification as to net income realized from the business during previous years.

CHILD CARE BUSINESS

If an applicant/participant is operating a licensed day care business, income will be verified as with any other business.

If the applicant/participant is operating a "cash and carry" operation (which may or may not be licensed), the Housing Authority will require that the applicant/participant complete a form for each customer which indicates: name of person(s) whose child (children) is/are being cared for, phone number, number of hours child is being cared for, method of payment (check/cash), amount paid, and signature of adult person who paid for care.

If the family has filed a tax return, the family will be required to provide it,

The Housing Authority will conduct interim reevaluations every 60 days and require the participant to provide a log with the information about customers and income.

If child care services were terminated, a third-party verification will be sent to the parent whose child was cared for.

RECURRING GIFTS

The family must furnish a self-certification which contains the following information:

- The person who provides the gifts
- The value of the gifts
- The regularity (dates) of the gifts
- The purpose of the gifts

ZERO INCOME STATUS

Families claiming to have no income will be required to execute verification forms to determine that forms of income such as unemployment benefits, AFDC, SSI, etc. are not being received by the household.

The Housing Authority will request information from the State Unemployment Agency.

The Housing Authority will request information from IRS.

The Housing Authority may check records of other departments in the jurisdiction (such as government utilities) that have information about income sources of customers.

FULL-TIME STUDENT STATUS

Only the first \$480.00 of the earned income of full time students, other than head or spouse, will be counted towards family income.

Financial aid, scholarships and grants received by full time students is not counted towards family income.

Verification of full time student status includes:

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

School records indicating enrollment for sufficient number of credits to be considered a full time student by the educational institution.

INCOME FROM ASSETS

SAVINGS ACCOUNT INTEREST INCOME AND DIVIDENDS:

Acceptable methods of verification include, in this order:

- Account statements, passbooks, certificates of deposit, or HA verifications forms completed by the financial institution.
- Broker's statements showing value of stocks or bonds and the earnings credited the family. Earnings can be obtained from current newspaper quotations or oral broker's verification.
- IRS Form 1099 from the financial institution, provided that the Housing Authority must adjust the information to project earnings expected for the next 12 months.

INTEREST INCOME FROM MORTGAGES OR SIMILAR ARRANGEMENTS:

Acceptable methods of verification include, in this order:

- A letter from an accountant, attorney, real estate broker, the buyer, or a financial institution stating interest due for next 12 months. (A copy of the check paid by the buyer to the family is not sufficient unless a breakdown of interest and principal is shown)
- Amortization schedule showing interest for the 12 months following the effective date of the certification or recertification.

NET RENTAL INCOME FROM PROPERTY OWNED BY FAMILY:

Acceptable methods of verification include, in this order:

- IRS Form 1040 with Schedule E (Rental Income)
- Copies of latest rent receipts, leases, or other documentation of rent amounts.
- Documentation of allowable operating expenses of the property; tax statements, insurance invoices, bills for reasonable maintenance and utilities and bank statements or amortization schedules showing monthly interest expense.
- Lessee's written statement verifying rent payment to the family and family's self-certification as to net income realized.

VERIFICATION OF ASSETS

FAMILY ASSETS:

The Housing Authority will require the necessary information to determine the current cash value, (the net amount the family would receive if the asset were converted to cash).

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

- Passbooks, checking account statements, certificates of deposit, bonds or financial statements completed by a financial institution or broker.
- Quotes from a stock broker or realty agent as to net amount family would receive if they liquidated securities or real estate.
- Real estate tax statements if the approximate current market value can be deduced from the statements.
- Financial statements for business assets.
- Copies of closing documents showing the selling price and the distribution of the sales proceeds.
- Appraisals of personal property held as an investment.
- Family's self-certification describing assets or cash held at the family's home or in safe deposit boxes.

ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE (FMV) DURING TWO YEARS PRECEDING EFFECTIVE DATE OF CERTIFICATION OR RECERTIFICATION:

- For all Certifications and Recertifications the Housing Authority will obtain the Family's certification as to whether any member has disposed of assets for less than fair market value during the two years preceding the effective date of the certification or recertification.
- if the family certifies that they have disposed of assets for less than fair market value, verification or certification is required that shows: (a) all assets disposed of for less than FMV, (b) the date they were disposed of, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third-party verification will be obtained whenever possible.

VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME

CHILD CARE EXPENSES:

Written verification from the person who receives the payment is required. If the child care provider is an individual, she/he must provide a statement of the amount she/he are charging the family for the services.

- Verifications must specify the child care provider's name, address, telephone number, Social Security Number, the names of the children cared for, the number of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods.
- Family's certification as to whether any of those payments have been or will be paid or reimbursed by outside sources.

MEDICAL EXPENSES:

Families who claim medical expenses or expenses to assist a person(s) with disability

will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. All expense claims will be verified by one or more of the methods listed below.

- Written verification by a doctor, hospital or clinic personnel, dentist, pharmacists, of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.
- Written confirmation by the insurance company or employer of health insurance premiums to be paid by the family.
- Written confirmation from the Social Security Administration of Medicare premiums to be paid by the family over the next 12 months. A computer printout will be accepted.
- For attendant care:
 - A reliable, knowledgeable professional's certification that the assistance of an attendant is necessary as a medical expense and a projection of the number of hours the care is needed for calculation purposes.
 - Attendant's written confirmation of hours of care provided and amount and frequency of payments received from the family or agency (or copies of canceled checks the family used to make those payments) or stubs from the agency providing the services.
 - Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 months.
 - Copies of payment agreements or most recent invoice that verify payments made on outstanding medical bills that will continue over all or part of the next 12 months.
 - Receipts of other record of medical expenses incurred during the past 12 months that can be used to anticipate future medical expenses the Housing Authority may use this approach for "general medical expenses" such as non-prescription drugs and regular visits to doctors or dentists, but not for one-time, nonrecurring expenses from the previous year.

The Housing Authority will use mileage at the IRS rate, or cab, bus fare, or other public transportation cost for verification of the cost of transportation directly related to medical treatment.

ASSISTANCE TO PERSONS WITH DISABILITIES:

In all cases:

Written certification from a reliable, knowledgeable professional that the person with disabilities requires the services of an attendant and/or the use of auxiliary apparatus to permit him/her to be employed or to function sufficiently independently to enable another family member to be employed.

Family's certification as to whether they receive reimbursement for any of the expenses of disability assistance and the amount of any reimbursement received.

Attendant Care:

Attendant's written certification of amount received from the family, frequency of receipt, and hours of care provided.

Certification of family and attendant and/or copies of canceled checks family used to make payments.

Auxiliary Apparatus:

Receipts for purchases or proof of monthly payments and maintenance expenses for auxiliary apparatus.

In the case where the person with disabilities is employed, a statement from the employer that the auxiliary apparatus is necessary for employment.

VERIFYING NON-FINANCIAL FACTORS

VERIFICATION OF LEGAL IDENTITY:

In order to prevent program abuse, the Housing Authority will required applicants to furnish verification of legal identity for all family members.

The documents listed below will be considered acceptable verification of legal identity for adults. If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

- Certificate of Birth, naturalization papers
- Church issued baptismal certificate
- Current, valid Driver's license
- U.S. military discharge (DD214)
- U.S. passport
- Voter's registration
- Company/agency Identification Card
- Department of Motor Vehicles Identification Card
- Hospital records

Documents considered acceptable for the verification of legal identity for minors may be on or more of the following:

- Certificate of Birth
- Adoption papers
- Custody agreement
- Health and Human Services ID
- School records

VERIFICATION OF MARITAL STATUS:

- Verification of divorce status will be a certified copy of the divorce decree, signed by a Court Officer.
-
- Verification of a separation may be a copy of court-ordered maintenance or other records.
-
- Verification of marriage status is a marriage certificate.

FAMILIAL RELATIONSHIPS:

Certification will normally be considered sufficient verification of family relationships. In cases where reasonable doubt exists, the family may be asked to provide verification.

The following verifications will always be required if applicable:

Verification of relationship:

- Official identification showing names
- Birth Certificates
- Baptismal certificates

Verification of guardianship is:

- Court-ordered assignment
- Affidavit of parent
- Verification from social services agency
- School records

Evidence of stable family relationship:

- Joint bank accounts or other shared financial transactions
- Leases or other evidence of prior cohabitation
- Credit reports showing relationship

VERIFICATION OF PERMANENT ABSENCE OF ADULT MEMBER:

If an adult member who was formerly a member of the household is reported permanently absent by the family, the Housing Authority will consider any of the following as verification:

- Husband or wife institutes divorce action.
- Husband or wife institutes legal separation.
- Order of protection/restraining order obtained by one family member against another.

- Proof of another home address, such as utility bills, canceled checks for rent, drivers license, or lease or rental agreement, if available.
- Statements from other agencies such as social services or a written statement from the landlord or manager that the adult family member is no longer living at that location.
- If no other proof can be provided, the Housing Authority will accept a self-certification from the family.
- If the adult family member is incarcerated, a document from the court or prison should be obtained stating how long they will be incarcerated.

VERIFICATION OF CHANGE IN FAMILY COMPOSITION:

The Housing Authority may verify changes in family composition (either reported or unreported) through letters, telephone calls, utility records, inspections, landlords, neighbors, credit data, school or DMV records, and other sources.

VERIFICATION OF DISABILITY:

Verification of disability must be receipt of SSI or SSA disability payments under Section 223 of the Social Security Act or 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 600(7)) or verified by appropriate diagnostician such as physician, psychiatrist, psychologist, therapist, rehab specialist, or licensed social worker, using the HUD language as the verification format.

VERIFICATION OF WAITING LIST PREFERENCES:

LOCAL PREFERENCES

Involuntary Displacement:

Individuals and families who claim they have been involuntarily displaced due to either fire, flood, a natural disaster or government action: written verification by the displacing unit or agency of government, or by a service agency such as the Red Cross.

Displacement Due to Domestic Violence:

Individuals and families who claim displacement due to domestic violence: written verification from police, social service agency, court, clergyperson, physician, and/or public or private facility giving shelter and/or counseling to victims. Verification must also be obtained (from landlord or other source) that the abuser still resides at the unit.

Local Residency and/or Work Preference(s):

For individuals and families who live and/or work in the jurisdiction of the Housing Authority, families who worked in the jurisdiction of the Housing Authority, but were unable to continue such work due to age or disability automatically qualify for this

preference.

In order to verify that an applicant is a resident, the Housing Authority will require a minimum of 3 of the following documents: rent receipts, leases, utility bills, employer or agency records, school records, drivers licenses, voters registration records, credit reports statement from household with whom the family is residing.

For families who work a statement from the employer will be required.

12.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NONCITIZEN STATUS

The citizenship/eligible noncitizen status of each family member regardless of age must be determined.

Prior to being admitted, or at the first reexamination, all citizens and nationals will be required to sign a declaration under penalty of perjury. They will be required to show proof of their status by such means as a Social Security card, birth certificate, military ID, or military DD 214 Form.

Prior to being admitted or at the first reexamination, all eligible noncitizens who are 62 years of age or older will be required to sign a declaration under penalty of perjury. They will also be required to show proof of age.

Prior to being admitted or at the first reexamination, all eligible noncitizens must sign a declaration of their status and a verification consent form and provide their original INS documentation, The Housing Authority will make a copy of the individual's INS documentation and place the copy in the file.

The Housing Authority will mail information to the INS in order that a manual check can be made of INS records.

Family members who do not claim to be citizens, nationals, or eligible noncitizens must be listed on a statement of noneligible members and the list must be signed by the head of the household.

Noncitizen students on student visas, though in the country legally, are not eligible to be admitted to public housing.

Any family member who does not choose to declare their status must be listed on the statement of noneligible members,

If no family member is determined to be eligible under this section, the family's eligibility will be denied.

The family's assistance will not be denied, delayed, reduced or terminated because of a delay in the process of determining eligible status under this section, except to the extent that the delay is caused by the family.

If the Housing Authority determines that a family member has knowingly permitted an ineligible noncitizen (other than any ineligible noncitizens listed on the lease) to permanently reside in their public housing unit, the family will be evicted. Such family will not be eligible to be readmitted to public housing for a period of 24 months from the date of eviction or termination.

12.4 VERIFICATION OF SOCIAL SECURITY NUMBERS

Prior to admission, each family member who has a Social Security number and who is at least 6 years of age must provide verification of their Social Security number. New family members at least 6 years of age must provide this verification prior to being added to the lease. Children in assisted households must provide this verification at the first regular reexamination after turning six.

The best verification of the Social Security number is the original Social Security card. If the card is not available, the Housing Authority will accept letters from the Social Security Agency that establishes and states the number. Documentation from other governmental agencies will also be accepted that establishes and states the number. Driver's licenses, military Ids, passports, or other official documents that establish and state the number are also acceptable.

If an individual states that they do not have a Social Security number, they will be required to sign a statement to this effect. The Housing Authority will not require any individual who does not have a Social Security number to obtain a Social Security number.

If a member of an applicant family indicates they have a Social Security number, but cannot readily verify it, the family cannot be housed until verification is provided.

If a member of a tenant family indicates they have a Social Security number, but cannot readily verify it, they shall be asked to certify to this fact and shall have up to sixty (60) days to provide the verification. If the individual is at least 62 years of age, they will be given one hundred and twenty (120) days to provide the verification. If the individual fails to provide the verification within the time allowed, the family will be evicted,

12.5 TIMING OF VERIFICATION

Verification information must be dated within ninety (90) days of certification or reexamination. If the verification is older than this, the source will be contacted and asked to provide information regarding any changes.

When an interim reexamination is conducted, the Housing Authority will verify and update all information related to family circumstances and level of assistance.

12.6 FREQUENCY OF OBTAINING VERIFICATION

For each family member, citizenship/eligible noncitizen status will be verified only once. This verification will be obtained prior to admission. If the status of any family member was not determined prior to admission; verification of their status will be obtained at the next regular reexamination. Prior to a new member joining the family, their citizenship/eligible noncitizen status will be verified.

110 DETERMINATION OF TOTAL TENANT PAYMENT & TENANT RENT

13.1 FAMILY CHOICE

At admission and each year in preparation for their annual reexamination, each family is given the choice of having their rent determined under the formula method or having their rent set at the flat rent amount.

- A. Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they would otherwise undergo.
- B. Families who opt for the flat rent may request to have a reexamination and return to the formula based method at any time for any of the following reasons:
 1. The family's income has decreased.
 2. The family's circumstances have changed increasing their expenses for childcare, medical care, etc.
 3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.

13.2 THE FORMULA METHOD

The total tenant payment is equal to the highest of:

- A. 10% of monthly income;
- B. 30% of adjusted monthly income; or
- C. The welfare rent

The family will pay the greater of the total tenant payment or the minimum rent of \$50.00, but never more than the ceiling rent.

In the case of a family who has qualified for the income exclusion at Section 11.2(H)(11), upon the expiration of the 12 month period described in that section, an additional rent benefit accrues to the family. If the family member's employment continues, then for the 12 month period following the 12 month period of disallowance, the resulting rent increase will be capped at 30 percent of the rent increase the family would have otherwise received.

13.3 MINIMUM RENT

The Housing Authority has set the minimum rent at \$50.00. However, if the family requests a hardship exemption, the Housing Authority will immediately suspend the minimum rent for the family until the Housing Authority can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature.

A. A hardship exists in the following circumstances:

1. When the family has lost eligibility for or is waiting an eligibility determination for a Federal, State, or local assistance program.
2. When the family would be evicted as a result of the imposition of the minimum rent requirements;
3. When the income of the family has decreased because of changed circumstances, including loss of employment;
4. When the family has an increase in expenses because of changed circumstances, for medical costs, childcare, transportation, education, or similar items;
5. When a death has occurred in the family.

B. No hardship. If the Housing Authority determines there is no qualifying hardship, the minimum rent will be reinstated, including requiring back rent payment of minimum rent for the time of suspension.

C. Temporary hardship. If the Housing Authority reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will not be imposed for a period of 90 days from the date of the family's request. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. The Housing Authority will offer a repayment agreement in accordance with the Section 19 of this policy for any rent not paid during the period of suspension. During the suspension period the Housing Authority will not evict the family for nonpayment of the amount of tenant rent owed for the suspension period.

D. Long-term hardship. If the Housing Authority determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists,

E. Appeals. The family may use the grievance procedure to appeal the Housing Authority's determination regarding the hardship. No escrow deposit will be required in order to access the grievance procedure.

13.4 THE FLAT RENT

The housing Authority has set a flat rent for each public housing unit. It is set based upon the same rate as the Section 8 Fair Market rent for this area. The amount of the flat rent will be reevaluated annually and adjustments applied. Affected families will be given a 30-day notice of any rent change. Adjustments are applied on the anniversary date for each affected family (for more information on flat rents, see Section 15.3).

The Housing Authority will post the flat rents at each of the developments and at the central office and same are incorporated in this policy upon approval by the Board of Commissioners,

13.6 RENT FOR FAMILIES UNDER THE NONCITIZEN RULE

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

- A. The family was receiving assistance on June 19, 1995;
- B. The family was granted continuation of assistance before November 29, 1996;
- C. The family's head or spouse has eligible immigration status; and
- D. The family does not include any person who does not have eligible status other than the head of household, the spouse of the head of household, any parent of the head or spouse, or any child (under the age of 18) of the head or spouse.

If a mixed family qualifies for prorated assistance but decides not to accept it, or if the family has no eligible members, the family may be eligible for temporary deferral of termination of assistance to permit the family additional time for the orderly transition of some or all of its members to locate other affordable housing. Under this provision, the family receives full assistance. If assistance is granted under this provision prior to November 29, 1996, it may last no longer than three (3) years. If granted after that date, the maximum period of time for assistance under the provision is eighteen (18) months. The Housing Authority will grant each family a period of six (6) months to find suitable affordable housing. If the family cannot find suitable affordable housing, the Housing Authority will provide additional search periods up to the maximum time allowable.

Suitable housing means housing that is not substandard and is of appropriate size for the family. Affordable housing means that it can be rented for an amount not exceeding the amount the family pays for rent, plus utilities, plus 25%.

The family's assistance is prorated in the following manner:

- A. Determine the 95th percentile of gross rents (tenant rent plus utility allowance) for the Housing Authority. The 95th percentile is called the maximum rent.
- B. Subtract the family's total tenant payment from the maximum rent. The resulting number is called the maximum subsidy.

- C. Divide the maximum subsidy by the number of family members and multiply the result times the number of eligible family members. This yields the prorated subsidy.
- D. Subtract the prorated subsidy from the maximum rent to find the prorated total tenant payment. From this amount subtract the full utility allowance to obtain the prorated tenant rent.

13.6 UTILITY ALLOWANCE

The Housing Authority has no check metered utilities. Resident should refer to Lease regarding utility related policies.

13.7 PAYING RENT

Rent and other charges are due and payable on the first day of the month. All rents must sent to the LOCC Box. Reasonable Accommodation for this requirement will be made for persons with disabilities. As a safety measure, no cash shall be accepted as a rent payment.

If the rent is not paid by the tenth of the month, a Three-Day Notice to Pay Rent/Fourteen-Day notice of Right to Grievance will be issued to the resident. In addition, a \$50.00 late charge will be assessed to the resident. If rent is paid by a personal check and the check is returned for insufficient funds, this shall be considered a non-payment of rent and the resident will incur the late charge plus an additional charge of \$25.00 for processing costs and after two such occurrences, no personal checks will be accepted thereafter. Chronic lateness may result in termination of tenancy. Resident will also be assessed all court fees resulting from actions taken due to late or non-payment of rent. if the Housing Authority refers the non-payment case to the Housing Authority attorney, as a minimum, the resident will be assessed an automatic \$54.00 court fee once the court papers are served.

14.0 CONTINUED OCCUPANCY & COMMUNITY SERVICE

14.1 GENERAL

in order to be eligible for continued occupancy, each adult family member must either contribute eight hours per month of community service (not including political activities) within the community in which the public housing development is located, or (2) participate in an economic self sufficiency program unless they are exempt from this requirement.

14.2 EXEMPTIONS

The following adult family members of tenant families are exempt from this requirement.

- A. Family members who are 62 or older
- B. Family members who are blind or disabled
- C. Family members who are the primary care giver for someone who is blind or disabled
- D. Family members engaged in work activities
- E. Family members who are exempt from work activity under part A title IV of the Social Security Act or under any other State welfare program, including the welfare to work program
- F. Family members receiving assistance under a State program funded under part A title IV of the Social Security Act or under any other State welfare program, including welfare to work and who are in compliance with that program.

14.3 NOTIFICATION OF THE REQUIREMENT

The Housing Authority shall identify all adult family members who are apparently not exempt from the community service requirement.

The Housing Authority shall notify all such family members of the community service requirement and of the categories of individuals who are exempt from the requirement. The notification will provide the opportunity for family members to claim and explain an exempt status. The Housing Authority shall verify such claims.

The notification will advise families that their community service obligation will begin upon the effective date of their first annual reexamination on or after October 1, 1999. For family's paying flat rent, the obligation begins on the date their annual reexamination would have been effective had annual reexamination taken place. It will also advise them that failure to comply with the community service requirement will result in ineligibility for continued occupancy at the time of any subsequent annual reexamination.

14.4 VOLUNTEER OPPORTUNITIES

Community service includes performing work or duties in the public benefit that serve to improve the quality of life and/or enhance resident self-sufficiency, and/or increase the self-responsibility of the resident within the community.

An economic self-sufficiency program is one that is designed to encourage, assist, train or facilitate the economic independence of participants and their families or to provide work for participants. These programs may include programs for job training, work placement, basic skills training, education, English proficiency, work fare, financial or

household management, apprenticeship, and any program necessary to ready a participant to work (such as substance abuse or mental health treatment).

The Housing Authority will coordinate with social service agencies, local schools, and the Human Resources Office in identifying a list of volunteer community service people.

Together with the resident advisory councils, the Housing Authority may create volunteer positions such as monitoring common areas, litter patrols, and supervising and record keeping for volunteers.

14.5 THE PROCESS

At the first annual reexamination and each annual reexamination thereafter, the Housing Authority will do the following:

- A. Provide a list of volunteer opportunities to the family members.
- B. Provide information about obtaining suitable volunteer positions.
- C. Provide a volunteer time sheet to the family member. Instructions for the time sheet require the individual to complete the form and have a supervisor date and sign for each period of work.
- D. Assign family members to a volunteer coordinator who will assist the family members in identifying appropriate volunteer positions and in meeting their responsibilities. The volunteer coordinator will track the family member's progress monthly and will meet with the family member as needed to best encourage compliance.
- E. Thirty (30) days before the family's next lease anniversary date, the volunteer coordinator will advise the Housing Authority whether each applicable adult family member is in compliance with the community service requirement.

14.6 NOTIFICATION OF NON-COMPLIANCE WITH COMMUNITY SERVICE REQUIREMENT

The Housing Authority will notify any family found to be in noncompliance of the following:

- A. The family member(s) has been determined to be in noncompliance;
- B. That the determination is subject to the grievance procedure; and
- C. That, unless the family member(s) enter into an agreement to comply, the lease will not be renewed or will be terminated.

14.7 OPPORTUNITY FOR CURE

The Housing Authority will offer the family member(s) the opportunity to enter into an agreement prior to the anniversary of the lease. The agreement shall state that the family member(s) agrees to enter into an economic self sufficiency program or agrees to

contribute to community service for as many hours as needed to comply with the requirement over the past 12 month period. The cure shall occur over the 12 month period beginning with the date of the agreement and the resident shall at the same time stay current with the year's community service requirement. The first hours a resident earns goes toward the current commitment until the current year's commitment is made.

The volunteer coordinator will assist the family member in identifying volunteer opportunities and will track compliance on a monthly basis. If any applicable family member does not accept the terms of the agreement, does not fulfill their obligation to participate in an economic self-sufficiency program, or falls behind in their obligation under the agreement to perform community service by more than three (3) hours after three (3) months, the Housing Authority shall take action to terminate the lease.

15.0 RECERTIFICATION

At least annually, the Housing Authority will conduct a reexamination of family income and circumstances. The results of the reexamination determine (1) the rent the family will pay and (2) whether the family is housed in the correct unit size.

15.1 GENERAL

The Housing Authority will send a notification letter to the family letting them know that it is time for their annual reexamination, giving them the option of selecting either the flat rent or formula method, and scheduling an appointment if they are currently paying a formula rent. If the family thinks they may want to switch from a flat rent to a formula rent, they should request an appointment. At the appointment, the family can make their final decision regarding which rent method they will choose. The letter also includes, for those families paying in accord with the formula method, forms for the family to complete in preparation for the interview. The letter includes instructions permitting the family to reschedule the interview if necessary. The letter tells families who may need to make alternate arrangements due to a disability that they may contact staff to request an accommodation of their needs.

During the appointment, the Housing Authority will determine whether family composition may require a transfer to a different bedroom size unit, and if so, the family's name will be placed on the transfer list.

15.2 MISSED APPOINTMENTS

If the family fails to respond to the letter and fails to attend the interview, a second letter will be mailed. The second letter will advise of a new time and date for the interview, allowing for the same considerations for rescheduling and accommodation as above. The letter will also advise that failure by the family to attend the second scheduled

interview will result in the Housing Authority taking eviction actions against the family.

15.3 FLAT RENTS

The annual letter to flat rent payers regarding the reexamination process will state the following:

- A. Each year at the time of the annual reexamination, the family has the option of selecting a flat rent amount in lieu of completing the reexamination process and having their rent based on the formula amount.
- B. The amount of the flat rent. •
- C. A fact sheet about formula rents that explains the types of income counted, the most common types of income excluded, and the categories of allowances that can be deducted from income.
- D. Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they otherwise would undergo.
- E. Families who opt for the flat rent may request to have a reexamination and return to the formula based method at any time for any of the following reasons:
 1. The family's income has decreased.
 2. The family's circumstances have changed increasing their expenses for childcare, medical care, etc.
 3. Other circumstances creating a hardship on the family such that the formula Method would be more financially feasible for the family.
- F. The dates upon which the Housing Authority expects to review the amount of the flat rent, the approximate rent increase the family could expect, and the approximate date upon which a future rent increase could become effective.
- G. The name and phone number of individual to call to get additional information or counseling concerning flat rents.
- H. A certification for the family to sign accepting or declining the flat rent.

Each year prior to their anniversary date, the Housing Authority will send a reexamination letter to the family offering the choice between a flat or a formula rent. The opportunity to select the flat rent is available only at this time. At the appointment, the Housing Authority may assist the family in identifying the rent method that would be most advantageous for the family. If the family wishes to select the flat rent method without meeting with the Housing Authority representative, they may make the selection on the form to the Housing Authority. In such case, the Housing Authority will cancel the appointment.

16.4 THE FORMULA METHOD

During the interview, the family will provide all information regarding income, assets, expenses, and other information necessary to determine the family's share of rent. The family will sign the HUD consent form and other consent forms that later will be mailed

to the sources that will verify the family circumstances.

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

The total tenant payment is equal to the highest of:

- A. 10% of monthly income
- B. 30% of adjusted monthly income; or
- C. The welfare rent

The family will pay the greater of the total tenant payment or the minimum rent of \$50.00, but never more than the flat rent.

15.5 EFFECTIVE DATE OF RENT CHANGES FOR ANNUAL REEXAMINATIONS

The new rent will generally be effective annually on April 1st with a calendar month's notice.

If the rent determination is delayed due to a reason beyond the control of the family, then any rent increase will be effective the first of the month after the month in which the family receives a calendar month's notice. If the new rent is a reduction and the delay is beyond the control of the family, the reduction will be effective as scheduled on April 1st.

If the family caused the delay, then any increase including a retroactive charge from April 1st to the month of submission will be effective the first month after a calendar month's notice. Any reduction will be effective the first of the month after the rent amount is determined.

15.6 INTERIM REEXAMINATIONS

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

Families will not be required to report any increase in income or decreases in allowable expenses between annual reexaminations.

Families are required to report the following changes to the Housing Authority between regular reexaminations. If the family's rent is being determined under the formula method, these changes will trigger an interim reexamination. The family shall report these changes within ten (10) days of their occurrence.

- A. A member has been added to the family through birth or adoption or court awarded custody.
- B. A household member is leaving or has left the family unit.

In order to add a household member other than through birth or adoption (including a live-in aide), the family must request that the new member be added to the lease. Before adding the new member to the lease, the individual must complete an application form stating their income, assets, and all other information required of an applicant. The individual must provide their Social Security number if they have one and must verify their citizenship/eligible immigrant status. (Their housing will not be delayed due to delays in verifying eligible immigrant status other than delays caused by the family.) The new family member will go through the screening process similar to the process for applicants. The Housing Authority will determine the eligibility of the individual before adding them to the lease. If the individual is found to be ineligible or does not pass the screening criteria, they will be advised in writing and given the opportunity for an informal review. If they are found to be eligible and do pass the screening criteria, their name will be added to the lease. At the same time, if the family's rent is being determined under the formula method, the family's annual income will be recalculated taking into account the circumstances of the new family member. The effective date of the new rent will be in accordance with paragraph 15.8 below.

Families are not required to, but may at any time, request an interim reexamination based on a decrease in income, an increase in allowable expenses, or other changes in family circumstances. Upon such request, the Housing Authority will take timely action to process the interim reexamination and recalculate the tenant's rent.

15.7 SPECIAL REEXAMINATION

If a family's income is too unstable to project for twelve (12) months, including families that temporarily have no income (0 renters) or have a temporary decrease in income, the Housing Authority may schedule special reexamination every sixty (60) days until the income stabilizes and an annual income can be determined.

15.8 EFFECTIVE DATE OF RENT CHANGES DUE TO INTERIM OR SPECIAL REEXAMINATIONS

Unless there is a delay in reexamination processing caused by the family, any rent increase will be effective the first of the second month after the month in which the family receives notice of the new rent amount. If the family causes a delay, then the rent increase will be effective on the date it would have been effective had the process not been delayed (even if this means a retroactive increase).

If the new rent is a reduction and any delay is beyond the control of the family, the reduction will be effective the first of the month after the interim reexamination should

have been completed.

If the new rent is a reduction and the family caused the delay or did not report the change in a timely manner, the change will be effective the first of the month after the rent amount is determined.

16.0. UNIT TRANSFERS

16.1 OBJECTIVES OF THE TRANSFER POLICY

The objectives of the Transfer Policy include the following:

- A. To address emergency situations.
To fully utilize available housing resources while avoiding overcrowding by insuring that each family occupies the appropriate size unit.
- C. To facilitate a relocation when required for modernization or other management purposes.
- D. To facilitate relocation of families with inadequate housing accommodations.
- E. To provide an incentive for families to assist in meeting the Housing Authority's deconcentration goal.
- F. To eliminate vacancy loss and other expense due to unnecessary transfers.

16.2 CATEGORIES OF TRANSFER

Category 1:

Emergency transfers. These transfers are necessary when conditions pose an immediate threat to the life, health, or safety of a family or one of its members. Such situations may involve defects of the unit or the building in which it is located, the health condition of a family member, a hate crime, the safety of witnesses to a crime, or a law enforcement matter particular to the neighborhood.

Category 2:

Immediate administrative transfer. These transfers are necessary to order a permit a family needing accessible features to move to a unit with such a feature or to enable modernization work to proceed.

Category 3:

Regular administrative transfer. These transfers are made to offer incentives to families willing to help meet certain Housing Authority occupancy goals, to correct occupancy standards where the unit size is inappropriate for the size and composition of the family, to allow for non-emergency but medically advisable transfers, and other transfers approved by the Housing Authority when a transfer is the only or best way of solving a

serious problem.

The provisions listed above are to be used as a guide to insure fair and impartial means of assigning units for transfers. It is not intended that this policy will create a property right or any other type of right for a tenant to transfer or refuse to transfer.

If there are no suitable units available within the Public Housing projects to accommodate a disabled tenant or a tenant threatened by domestic violence, such tenant may be transferred to a Section 8 unit by the Housing Authority.

16.3 DOCUMENTATION

When the transfer is at the request of the family, the family may be required to provide third party verification of the need for the transfer.

16.4 INCENTIVE TRANSFERS

Transfer requests will be encouraged and approved for families who live in a development where their income category (below or above 30% of area median) predominates and wish to move to a development where their income category does not predominate.

Families approved for incentive transfers will be required to meet the following eligibility criteria:

- A. Have been a tenant for three years;
- B. For a minimum of one year, at least one adult family member is enrolled in an economic self-sufficiency program or is working at least thirty-five (35) hours per week, the adult family members are 62 years of age or older or are disabled or are the primary care givers to others with disabilities;
- C. Adult members who are required to perform community service have been current in these responsibilities since the inception of the requirement or for one year which ever is less;
- D. The family is current in the payment of all charges owed the Housing Authority and has not paid late rent for at least one year;
- E. The family passes a current housekeeping inspection and does not have any record of housekeeping problems during the last year;
- F. The family has not materially violated the lease over the past two years by disturbing the peaceful enjoyment of their neighbors, by engaging in criminal or drug-related activity, or by threatening the health or safety of tenants or Housing Authority staff.
- G. Participate in series of classes conducted by the Housing Authority on basic home and yard care.

16.5 PROCESSING TRANSFERS

Transfers on the waiting list will be sorted by the above categories and within each category by date and time.

Transfers in category A and B will be housed ahead of any other families, including those on the applicant waiting list. Transfers in category A will be housed ahead of transfers in category B.

Transfers in category C will be housed along with applicants for admission at a ratio of one transfer for every seven admissions.

Upon offer and acceptance of a unit, the family will execute all lease up documents and pay any rent and/or security deposit within two (2) days of being informed the unit is ready to rent. The family will be allowed seven (7) days to complete the transfer. The family will be responsible for paying rent at the old unit as well as the new unit for any period of time they have possession of both. The prorated rent and other charges (key deposit and any additional security deposit owing) must be paid at the time of lease execution.

The following is the policy for the rejection of an offer to transfer:

- A. If the family rejects with good cause any unit offered, they will not lose their place on the transfer waiting list.
- B. If the transfer is being made at the request of the Housing Authority and the family rejects two offers without good cause, the Housing Authority will take action to terminate their tenancy. If the reason for the transfer is that the current unit is too small to meet the Housing Authority's optimum occupancy standards, the family may request in writing to stay in the unit without being transferred so long as their occupancy will not exceed two people per living/sleeping room.
- C. If the transfer is being made at the family's request and the rejected offer provides deconcentration incentives, the family will maintain their place on the transfer list and will not otherwise be penalized.
- D. If the transfer is being made at the family's request, the family may, without good cause and without penalty, turn down one offer that does not include deconcentration incentives. After turning down a second such offer without good cause, the family's name will be removed from the transfer list.

16.6 COST OF THE FAMILY'S MOVE

The cost of the transfer generally will be borne by the family in the following circumstances:

- A. When the transfer is made at the request of the family or by others on behalf of the family (i.e, by the police);
- B. When the transfer is needed to move the family to an appropriately sized unit, either larger or smaller;
- C. When the transfer is necessitated because a family with disabilities needs the accessible unit into which the transferring family moved (The family without disabilities signed a statement to this effect prior to accepting the accessible unit);
or
- D. When the transfer is needed because action or inaction by the family caused the unit to be unsafe or uninhabitable.

The cost of the transfer will be borne by the Housing Authority in the following circumstances:

- A. When the transfer is needed in order to carry out rehabilitation activities; or
- B. When action or inaction by the Housing Authority has caused the unit to be unsafe or inhabitable.

The responsibility for moving costs in other circumstances will be determined on a case by case basis.

16.7 TENANTS IN GOOD STANDING

When the transfer is at the request of the family, it will not be approved unless the family is in good standing with the Housing Authority. This means the family must be in compliance with their lease, current in all payments to the Housing Authority, and must pass a housekeeping inspection.

16.8 TRANSFER REQUESTS

A tenant may request a transfer at any time by completing a transfer request form. In considering the request, the Housing Authority may request a meeting with the tenant to better understand the need for the transfer and to explore possible alternatives. The Housing Authority will review the request in a timely manner and if a meeting is desired, it shall contact the tenant within ten (10) business days of receipt of the request to schedule a meeting.

The Housing Authority will grant or deny the transfer request in writing within ten (10) business days of receiving the request or holding the meeting, whichever is later.

If the transfer is approved, the family's name will be added to the transfer waiting list.

If the transfer is denied, the denial letter will advise the family of their right to utilize the grievance procedure.

16.9 RIGHT OF THE HOUSING AUTHORITY IN TRANSFER POLICY

The provisions listed above are to be used as a guide to insure fair and impartial means of assigning units for transfers. It is not intended that this policy will create a property right or any other type of right for a tenant to transfer or refuse to transfer.

if there are no suitable units available within the Public Housing projects to accommodate a disabled tenant, such disabled tenant may be transferred to a Section 8 unit by the Housing Authority.

17.0 INSPECTIONS

An authorized representative of the Housing Authority and an adult family member will inspect the premises prior to commencement of occupancy. A written statement of the condition of the premises will be made, all equipment will be provided, and the statement will be signed by both parties with a copy retained in the Housing Authority file and a copy given to the family member. An authorized Housing Authority representative will inspect the premises at the time the resident vacates and will furnish a statement of any charges to be made provided the resident turns in the proper notice under State law. The resident's security deposit can be used to offset against any damages to the unit caused by the resident or the resident's guest(s).

17A MOVEIN INSPECTIONS

The Housing Authority and an adult member of the family will inspect the unit prior to signing the lease. Both parties will sign a written statement of the condition of the unit. A copy of the signed inspection will be given to the family and the original will be placed in the tenant file.

17.2 ANNUAL INSPECTIONS

The Housing Authority will inspect each public housing unit annually to ensure that each unit meets the Housing Authority's housing standards. Work orders will be submitted and completed to correct any deficiencies.

17.3 PREVENTATIVE MAINTENANCE INSPECTIONS

This type inspection is generally conducted along with the annual inspection. This type inspection is intended to keep items in good repair. It checks weatherization, checks

the condition of the smoke detectors, mechanical equipment if any, thermostats and water temperatures; checks for leaks; and provides an opportunity to provide minor maintenance servicing.

17A SPECIAL INSPECTIONS

A special inspection may be scheduled to enable HUD or others to inspect a sample of the housing stock maintained by the Housing Authority.

17.5 HOUSEKEEPING INSPECTIONS

Generally, at the time of annual reexamination, or at other times as necessary, the Housing Authority will conduct a housekeeping inspection to ensure the family is maintaining the unit in a safe and sanitary condition.

17.6 NOTICE OF INSPECTION

For inspections defined as annual inspections, preventative maintenance inspections, special inspections and housekeeping inspections the Housing Authority will give the tenant at least two (2) days written notice.

17.7 EMERGENCY INSPECTIONS

If any employee and/or agent of the Housing Authority has reason to believe that an emergency exists within the housing unit, the unit can be entered without notice. The person(s) that enters the unit will leave a written notice to the resident that indicates the date and time the unit was entered and the reason why it was necessary to enter the unit.

17.8 PREMOVE-OUT INSPECTIONS

When a tenant gives notice that they intend to move, the Housing Authority will offer to schedule a pre-move-out inspection with the family. The inspection allows the Housing Authority to help the family identify any problems which, if left uncorrected, could lead to vacate charges. This inspection is a courtesy to the family and has been found to be helpful both in reducing costs to the family and in enabling the Housing Authority to ready units more quickly for the future occupants.

17.9 MOVE-OUT INSPECTIONS

The Housing Authority conducts the move-out inspection after the tenant vacates to assess the condition of the unit and determine responsibility for any needed repairs. When possible, the tenant is notified of the inspection and is encouraged to be present. This inspection becomes the basis for any claims that may be assessed against the security deposit.

18.0 REPAYMENT AGREEMENTS

When a resident owes the Housing Authority back charges and is unable to pay the balance by the due date, the resident may request that the Housing Authority allow them to enter into a Repayment Agreement. The Housing Authority has the sole discretion of whether to accept such an agreement. All Repayment Agreements must assure that the full payment is made within a period not to exceed twelve (12) months. All Repayment Agreements must be in writing and signed by both parties. Failure to comply with the Repayment Agreement terms may subject the Resident to eviction procedures.

The Housing Authority will allow repayment agreements for tenants whose rental amount is the minimum rent and who have had their rent abated for a temporary period.

19.0 TERMINATION

19.1 TERMINATION BY TENANT

The tenant may terminate the lease at any time upon submitting a 30 day written notice. If the tenant vacates prior to the end of the thirty (30) days, they will be responsible for rent through the end of the notice period or until the unit is re-rented, whichever occurs first;

19.2 TERMINATION BY THE HOUSING AUTHORITY

The Housing Authority after 10/01/2000 will not renew the lease of any family that is not in compliance with the community service requirement or an approved Agreement to Cure. If they do not voluntarily leave the property, eviction proceedings will begin.

The Housing Authority will terminate the lease for serious or repeated violations of material lease terms. Such violations include but are not limited to the following:

- A. Nonpayment of rent or other charges;
- B. A history of late rental payments;
- C. Failure to provide timely and accurate information regarding family composition, income circumstances, or other information related to eligibility or rent;
- D. Failure to allow inspection of the unit;
- E. Failure to maintain the unit in a safe and sanitary manner;
- F. Assignment or subletting of the premises;
- G. Use of the premises for purposes other than as a dwelling unit (other than for housing authority approved resident businesses);
- H. Destruction of property;
- I. Acts of destruction, defacement, or removal of any part of the premises or failure to cause guests to refrain from such acts;
- J. Non-compliance with Non-Citizen Rule Requirements;
- K. Permitting persons not on the lease to reside in the unit more than fourteen (14) days each year without the prior written approval of the Housing Authority; and
- L. Other good cause, including the following:
 - 1. The Housing Authority will take immediate action to evict any household that includes an individual who is subject to a lifetime registration requirement under a State sex offender registration program.
 - 2. The Housing Authority will immediately terminate assistance if the Authority determines that any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.
 - 3. Drug-related criminal activity or violent criminal activity, engaged in on or off the premises, as well as other criminal activity that would threaten the health and safety of residents, owners or owner's employees, contractors, or agents, or that would threaten residents' peaceful enjoyment of the premises, is grounds for termination of tenancy if the tenant or a household member engaged in such activity.

If another person under the tenant's control including a guest of the tenant household, engages in such activity on the premises, the activity is grounds for the Housing Authority to terminate tenancy.

The Housing Authority may terminate assistance if it determines that a household member is illegally using a drug or when the Authority determines that a pattern of illegal use of a drug threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.

- 4. The Housing Authority may terminate the tenancy if a tenant is fleeing to avoid prosecution, or custody or confinement after conviction for a crime that is a felony or high misdemeanor in the State of New York, in addition, the Housing Authority may terminate the tenancy if a tenant is violating a condition of probation or parole imposed under Federal or State law.

5. All residents of the Housing Authority managed public housing units shall be obligated to assure that no tenant, member of the tenant's household or guest engages in any criminal activity that threatens the health safety or right to peaceful enjoyment of the premises by other residents, or engages in any drug-related criminal activity on or off the premises; and to assure that no other person under the tenant's control engages in any activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents, or engages in any drug-related criminal activity on the premises. The Housing Authority may terminate the tenancy if a tenant fails to meet these obligations.
6. If the Housing Authority determines that a household member's abuse or pattern of abuse of alcohol threatens the health, safety, or right to peaceful enjoyment of the premises by other residents, the Authority will terminate the tenancy of such household.
7. If a tenant furnished false or misleading information concerning illegal drug use, alcohol abuse, or rehabilitation, the Housing Authority will terminate the tenancy of such tenant.
8. The Housing Authority may evict a tenant by judicial action for criminal activity regardless of whether the covered person has been arrested or convicted for such activity without satisfying the standard of proof used for criminal conviction.

The Housing Authority shall exercise its right to obtain criminal conviction records from the National Crime Information Center (NCIC), police departments and other Law enforcement agencies.

The Housing Authority shall also exercise its right to gather and use criminal history information from other sources (such as the Internet or private databanks). If the Housing Authority obtains criminal history information from other sources, the regulatory provisions for handling the data do not apply.

Every applicant family member (18 years of age or older) **Must sign a release form for the search of criminal records.**

The Housing Authority shall use criminal history information and conviction records to screen applicants, to enforce lease provisions, and for use in eviction actions.

Any criminal records received by the Housing Authority under the regulatory provisions shall: 1) be maintained confidentially; 2) not be misused or improperly disseminated; and 3) destroyed once the purpose for which the record was requested has been accomplished.

The Housing Authority is aware of the following penalties concerning same:

Criminal penalty conviction for a misdemeanor and imposition of a penalty of not more than \$5,000. For knowingly and willfully accessing or disclosing or misusing criminal history information in an unauthorized manner.

Civil liability — an applicant or tenant may bring civil action against the Housing Authority or person in district court.

Before denying admission, beginning an eviction proceeding or using the criminal conviction information for lease enforcement actions, the Housing Authority must give the family a copy of the proposed action, and must provide the family an opportunity to contest the accuracy and relevance of the information.

The Housing Authority may not pass along to the applicant the costs of a criminal records check.

If a household member has committed act which would require termination of tenancy, the Housing Authority may require the household to exclude the offending family member in order to be continued in tenancy.

The Housing Authority's eviction actions shall be consistent with fair housing and equal opportunity provisions.

The following definitions relate to the above:

"COVERED PERSON" means a tenant, any member of tenant's household, a guest, or another person under the tenant's control.

"GUEST" a person temporarily staying in the unit with the consent of a tenant or other member of the household who has expressed or implied authority to so consent on behalf of the tenant.

"HOUSEHOLD" usually means the family and Housing Authority approved Live-In Aide.

"OTHER PERSON UNDER THE TENANT'S CONTROL" means the person, although not staying as a guest in the unit, is, or was at the time of the activity in question, on the premises because of an invitation from the tenant or other member of the household who has expressed or implied authority to so consent on behalf of the Tenant.

19.3 ABANDONMENT

The Housing Authority will consider a unit to be abandoned when a resident has both fallen behind in rent and has clearly indicated by words or actions an intention not to continue living in the unit.

When a unit has been abandoned, a Housing Authority representative may enter the unit and remove any abandoned property. It will be stored in a reasonably secure place. A notice will be mailed to the resident stating where the property is being stored and when it will be sold or disposed of. Such sale/disposal and notification regarding same, shall be in accord with applicable State Law. If the Housing Authority does not have a new address for the resident, the notice will be mailed to the unit address so it can be forwarded by the post office. Any money raised by the sale of the property goes to cover money owed by the family to the Housing Authority such as back rent and the cost of storing and selling the goods. If there is any money left over and the family's forwarding address is known the Housing Authority will mail it to the family, If the family's address is not known, the Housing Authority will keep it for the resident for one year. If it is not claimed within that time, it belongs to the Housing Authority.

Within thirty (30) days of learning of abandonment, the Housing Authority will either return the deposit or provide a statement of why the deposit is being kept.

19.4 RETURN OF SECURITY DEPOSIT

After a family moves out, the Housing Authority will return the security deposit within thirty (30) days or give the family a written statement of why all or part of the security deposit is being kept. The rental unit must be restored to the same conditions as when the family moved in, except for normal wear and tear. Deposits will not be used to cover normal wear and tear or damage that existed when the family moved in.

The Housing Authority will be considered in compliance with the above if the required payments, or both, are deposited in the U.S. mail with first class postage paid within thirty (30) days.

20.0 PUBLIC HOUSING OCCUPANCY BY POLICE OFFICERS

In order to permit a police officer to occupy a public housing dwelling unit the Housing Authority must list the terms and conditions for such occupancy in its PHA Plan along with a statement that the action was taken to increase security for its residents,

GLOSSARY

50058 Form: The HUD form that housing authorities are required to complete for each assisted household in public housing to record information used in the certification and re-certification process and at the option of the housing authority, for interim reexaminations.

'1937 Housing Act: The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (24 CFR 5.100)

Adjusted Annual Income: The amount of household income, after deductions for specified allowances, on which tenant rent is based. (24 CFR 5.811)

Adult: A household member who is 18 years or older who is the head of the household, or spouse or co-head.

Allowances:Amounts deducted from the household's annual income in determining adjusted annual income (the income amount used in the rent calculation). Allowances are given for elderly families, dependents, medical expenses for elderly families, disability expenses, and child care expenses for children under 13 years of age. Other allowance can be given at the discretion of the housing authority,

Annual Contributions Contract (ACC): The written contract between HUD and a housing authority under which **HUD** agrees to provide funding for a program under the 1937 Act, and the housing authority agrees to comply with HUD requirements for the program. (24 CFR 5.403)

Annual Income: All amounts, monetary or not that:

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

Annual income also includes amounts derived (during the 12-month period) from assets to which any member of the family has access. (1937 Housing Act; 24 CFR 5.609)

Applicant (applicant family): A person or family that has applied for admission to a program but is not yet a participant in the program. (24 CFR 5.403)

As-Paid States: States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs. Currently, the four as-paid States are New Hampshire, New York, Oregon and Vermont.

Assets: The value of the equity in savings, checking, IRA and Keogh accounts, real property, stocks, bonds and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles are not counted as assets. (Also see "net family assets")

Asset Income: Income received from assets held by family members. If assets total more than \$5,000.00 income from the assets is "imputed" and the greater or actual asset income and imputed asset income is counted in annual income, (See "imputed asset income" below)

Ceiling Rent: Maximum rent allowed for some units in public housing projects.

Certification: The examination of a household's income, expenses, and family composition to determine the family's eligibility for program participation and to calculate the family's share of rent.

Child: For purposes of citizenship regulations, a member of the family other than the family head or spouse who is under 18 years of age. (24 CFR 5.504(b))

Child Care Expenses: Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for childcare. In the case of childcare necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income. (24 CFR 5.603(d))

Citizen: A citizen or national of the United States. (24 CFR 5.504(b))

Consent Form: Any consent form approved by HUD to be signed by assistance applicants and participants for the purpose of obtaining income information from employers and SWICAs, return information from the Social Security Administration, and return information for unearned income from the Internal Revenue Service, The consent forms may authorize the collection of other information from assistance

applicants or participants to determine eligibility or level of benefits. (24 CFR 5.214)

Decent, Safe and Sanitary: Housing is decent, safe and sanitary if it satisfies the applicable housing quality standards.

Department: The Department of Housing and Urban Development. (24 CFR 5.100)

Dependent: A member of the family (except foster children and foster adults), other than the family head or spouse, who is under 18 years of age or is a person with a disability or is a full-time student, (24 CFR 5.603(d))

Dependent Allowance: An amount, equal to \$480.00 multiplied by the number of dependents, that is deducted from the household's annual income in determining adjusted annual income.

Disability Assistance Expenses: Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source. (24 CFR 5.603(d))

Disability Assistance Expense Allowance: In determining adjusted annual income, the amount of disability assistance expenses deducted from annual income for families with a disabled household member,

Disabled Family: A family whose head, spouse, or sole member is a person with disabilities; two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides. (24 CFR 5.403(b)) (Also see "person with disabilities")

Disabled Person: See "person with disabilities".

Displaced Family: A family in which each member, or whose sole member, is a person displaced by governmental action (such as urban renewal), or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. (24 CFR 5.403(b))

Displaced Person: A person displaced by governmental action or a person whose dwelling has been damaged or destroyed as a result of a disaster or otherwise formally recognized, pursuant to Federal disaster relief laws. (1937 Act)

Drug-Related Criminal Activity: Drug trafficking or the illegal use, or possession for personal use of a controlled substance as defined in Section 102 of the Controlled

Substance Act (21 U.S.C. 802)

Elderly Family: A family whose head, spouse or sole member is a person who is at least 62 years of age; two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aides. (24 CFR 5.403)

Elderly Family Allowance: For elderly families, an allowance of \$400.00 is deducted from the household's annual income in determining adjusted annual income.

Elderly Person: A person who is at least 62 years of age. (1937 Housing Act)

Extremely Low-Income Families: Those families whose incomes do not exceed 30% of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families.

Fair Housing Act: Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601 et seq.) (24CFR .100)

Family: Includes but is not limited to:

- A. a family with or without children;
- B. an elderly family;
- C. a near-elderly family;
- D. a disabled family;
- E. a displaced family;
- F. the remaining member of a tenant family; and
- G. a single person who is not an elderly or displaced person, a person with disabilities, or the remaining member of a tenant family. (24 CFR 5.403)

Family Members: All members of the household other than live-in aides, foster children, and foster adults. All family members permanently reside in the unit, though they may be temporarily absent. All family members are listed on the lease,

Family Self-Sufficiency Program (FSS Program): The program established by a housing authority to promote self-sufficiency among participating families, including the coordination of supportive services. (24 CFR 984.1 03(b))

Flat Rent: A rent amount the family may choose to pay in lieu of having their rent determined under the formula method. The flat rent is established by the housing authority set at the lesser of market value for the unit or the cost to operate the unit.

Families selecting the fiat rent option have their income evaluated once every three years, rather than annually.

Formula Method: A means of calculating a family's rent based on 10% of their monthly

income, 30% of their adjusted monthly income, the welfare rent, or the minimum rent. Under the formula method, rents may be capped by a ceiling rent. Under this method, the family's income is evaluated at least annually.

Full-Time Student: A person who is carrying a subject load that is considered fulltime for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree. (24 CFR 5.803(d))

Head of Household: The adult member of the family who is the head of the household for purposes of determining income eligibility and rent. (24 CFR 5.504(b))

Household Members: All members of the household including members of the family, live-in aides, foster children, and foster adults. All household members are listed on the lease, and no one other than household members are listed on the lease.

Housing Assistance Plan: A housing plan that is submitted by a unit of general local government and approved by HUD as being acceptable under the standards of 24 CFR 570.

Imputed Income: For households with net family assets of more than \$5,000.00 the amount calculated by multiplying net family assets by a HUD specified percentage. If imputed income is more than actual income from assets, the imputed amount is used as income from assets in determining annual income.

In-Kind Payments: Contributions other than cash made to the family or to a family member in exchange for services provided or for the general support of the family (e.g. groceries provided on a weekly basis, baby sitting provided on a regular basis).

Interim (examination): A reexamination of a family income, expenses, and household composition conducted between the regular annual recertifications when a change in a household's circumstances warrants such a reexamination.

Live-In Aide: A person who resides with one or more elderly persons, near-elderly persons, or persons with disabilities and who:

- A. Is determined to be essential to the care and well being of the persons;
 - B. Is not obligated for the support of the persons; and
 - C. Would not be living in the unit except to provide the necessary supportive services.
- (24 CFR 5.403(b))

Low-Income Families: Those families whose incomes do not exceed 80% of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80% of the median for the area on the basis of the Secretary's

findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low family incomes. (1937 Act)

Medical Expenses: Medical expenses (of all family members of an elderly or disabled family) including medical insurance premium, that are anticipated during the period for which annual income is computed and that are not covered by insurance (24 CFR 5.603(d)), These expenses include, but are not limited to, prescription and non-prescription drugs, costs for doctors, dentists, therapists, medical facilities, care for a service animals, transportation for medical purposes,

Mixed Family: A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status. (24 CFR 5.504(b)),

Monthly Adjusted Income: One twelfth of adjusted income. (24CFR 5.603(d)).

Monthly Income: One twelfth of annual income. (24 CFR 5.603(d)).

National: A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession. (24 CFR 5.504(b)).

Near-Elderly Family: A family whose head; spouse or sole member is a person who is at least 50 years of age but below the age of 62; two or more persons, who are at least 50 years of age but below the age of 62, living together; or one or more persons who are at least 50 years of age but below the age of 62 living with one or more live-in aides. (24 CFR 5.403(b)),

Net Family Assets:

- A. Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD ownership programs. The value of necessary items of personal property such as furniture and automobile shall be excluded.
- B. In cases where a trust fund has been established and the trust is not revocable by or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income.
- C. In determining net family assets, housing authorities or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for

less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms. (24 CFR 5.603(d)).

Non-Citizen: A person who is neither a citizen nor national of the United States. (24 CFR 5'604(b)).

Occupancy Standards: The standards that a housing authority establishes for determining the appropriate number of bedrooms needed to house families of different sizes or composition.

Person with Disabilities: A person who:

A. Has a disability as defined in Section 223 of the Social Security Act, which states:

"Inability to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death or that has lasted or can be expected to last for a continuous period of not less than 12 months; or •

In the case of an individual who attained the age of 55 and is blind and unable by reason of such blindness to engage in substantial, gainful activity requiring skills or ability comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time."

B. Is determined, pursuant to regulations issued by the Secretary, to have a physical, mental or emotional impairment that:

1. is expected to be of long-continued and indefinite duration;
2. Substantially impedes his or her ability to live independently; and
3. Is of such a nature that such ability could be improved by more suitable housing conditions; or

C. Has a developmental disability as defined in Section 102(7) of the Developmental Disabilities and Bill of Rights Act which states:

"Severe chronic disability that:

1. Is attributed to a mental or physical impairment or combination of mental and physical impairment;
2. Is manifested before the person attains age 22;
3. Is likely to continue indefinitely;
4. Results in substantial functional limitation in three or more of the following areas of major life activity: (1) self care (2) receptive and responsive language (3) learning (4) mobility (5) self direction (6) capacity for independent living and (7) economic self-sufficiency; and

5. Reflects the person's need for a combination and sequence of special interdisciplinary or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated. "

This definition does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agency for acquired immunodeficiency syndrome. (1937 Act)

No individual shall be considered to be a person with disabilities for purposes of eligibility solely based on any drug or alcohol dependence.

Proration of Assistance: The reduction in a family's housing assistance payment to reflect the proportion of family members in a mixed family who are eligible for assistance. (24 CFR 5.520)

Public Housing Agency (PHA): Any State, county, municipality or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in or assist in the development or operation of low-income housing under the 1937 Housing Act. (24 CFR 5.100)

Recertification: The annual reexamination of a family's income, expenses, and composition to determine the family's rent.

Remaining Member of a Tenant Family: A member of the family listed on the Lease who continues to live in the public housing dwelling after all other family members have left. (Handbook 7565.1 REV-2, 3-5b)

Self Declaration: A type of verification statement by the tenant as to the amount and source of income, expenses or family composition. Self-declaration is acceptable verification only when third-party verification or documentation cannot be obtained.

Shelter Allowance: That portion of a welfare benefit (e.g. TANF) that the welfare agency designates to be used for rent and utilities.

Single Person: Someone living alone or intending to live alone who does not qualify as an elderly family, a person with disabilities, a displaced person, or the remaining member of a tenant family. (Public Housing Handbook 7465.1 REV-2, 3-5).

State Wage Information Collection Agency (SWICA): The State agency receiving quarterly wage reports from employers in the State or an alternative system that has been determined by the Secretary of Labor to be as effective and timely in providing employment-related income and eligibility information. (24 CFR 5.214)

Temporary Assistance to Needy Families (TANF): The program that replaced the Assistance to Families with Dependent Children (AFDC) that provides financial

assistance to needy families who meet program eligibility criteria. Benefits are limited to a specified time period.

Tenant: The person or family renting or occupying an assisted dwelling unit. (24 CFR 5.504(b)),

Tenant Rent:: The amount payable monthly by the family as rent to the housing authority. Where all utilities (except telephone) and other essential housing services are supplied by the housing authority or owner, tenant rent equals total tenant payment. Where some or all utilities (except telephone) and other essential housing services are supplied by the housing authority and the cost thereof is not included in the amount paid as rent, tenant rent equals total tenant payment less the utility allowance. (24 CFR 5.603(d)).

Third-Party (verification): Written or oral confirmation of a family's income, expenses or household composition provided by a source outside the household.

Total Tenant Payment (TTP):

A. Total tenant payment for families whose initial lease is effective on or after August 1, 1982:

1. Total tenant payment is the amount calculated under Section 3(a)(1) of the 1937 Act which is the higher of:
 - a. 30% of the family's monthly adjusted income;
 - b. 10% of the family's monthly income;
 - c. If the family is receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual costs, is specifically designated by such agency to meet the family's housing costs, the portion of such payments which is so designated.

If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under the section 3(a)(1) shall be the amount resulting from one application of the percentage.

2. Total tenant payment for families residing in public housing does not include charges for excess utility consumption or other miscellaneous charges.

B. Total tenant payment for families residing in public housing whose initial lease was effective before August 1, 1982: Paragraphs (b) and (c) of 24 CFR 913.107, as it existed immediately before November 18, 1996, will continue to govern the total tenant payment of families, under a public housing program, whose initial lease was effective before August 1, 1982.

Utility Allowance: if the cost of utilities (except telephone) and other housing services

for an assisted unit is not included in the tenant rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made by a housing authority of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment. (24 CFR 5.603).

Utility Reimbursement: The amount, if any, which the utility allowance for the unit, if applicable, exceeds the total tenant payment for the family occupying the unit. (24 CFR 5.603).

Very Low-income Families: Low-income families whose incomes do not exceed 50% of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50% of the median for the areas on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes. Such ceilings shall be established in consultation with the Secretary of Agriculture for any rural area, as defined in Section 520 of the Housing Act of 1949, taking into account the subsidy characteristics and types of programs to which such ceilings apply. (1937 Act).

Welfare Assistance: Welfare or other payments to families or individuals, based on need, that are made under programs funded by Federal, State or local governments. (24 CFR 5.603(d)).

Welfare Rent: In "as-paid" welfare programs, the amount of the welfare benefit designated for shelter and utilities.

ACRONYMS

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| ACC | Annual Contributions Contract |
| CFR | Code of Federal Regulations |
| FSS | Family Self Sufficiency (program) |
| HCDA | Housing and Community Development Act |
| HQS | Housing Quality Standards |
| HUD | Department of Housing and Urban Development |
| INS | (U.S.) Immigration and Naturalization Service |
| NAHA | (Cranston-Gonzalez) National Affordable Housing Act |

| | |
|------|---|
| NOFA | Notice of Funding Availability |
| OMB | (U.S.) Office of Management and Budget |
| PHA | Public Housing Agency |
| QHWR | Quality Housing and Work Responsibility Act of 1998 |
| SSA | Social Security Administration |
| TTP | Total Tenant Payment |

ADDENDUM

#1: NON-DISCRIMINATION AND REASONABLE ACCOMMODATIONS POLICY

- WITH REGARD TO PERSONS WITH DISABILITIES PARTICIPATING IN THE HOUSING AUTHORITY'S PUBLIC HOUSING AND SECTION 6 HOUSING CHOICE VOUCER PROGRAMS

INTRODUCTION

Section 504 of the Rehabilitation Act of 1973 provides that no otherwise qualified individual with disabilities in the United States shall, solely by reason of her or his disability be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Section 504 requires Public Housing and Section 8 Agencies to affirmatively ensure that people with disabilities are given an equal opportunity to participate in the programs administered by the Housing Authority. HUD's Section 504 regulations which are contained in 24 CFR 8 provide a more detailed explanation of Public Housing and Section 8 responsibilities. The regulation requires that a qualified person with a disability:

- Must meet the essential eligibility requirements for Public Housing and Section 8 assistance and
- Must **be** afforded an opportunity equal to that afforded to others, and/or
- Must be provided housing or benefits afforded to others, and/or

- May not be provided different or separate housing or benefits unless necessary to provide the person with a disability with housing or benefits that are as effective as those provided to others.

The Federal law regarding disabled persons is designed to afford people with disabilities an "equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement" as those who do not have disabilities.

The Housing Authority is obligated to administer the Public Housing and Section 8 Programs it administers in the most integrated setting possible that is appropriate to the needs of qualified individuals rather than to separate the individual from the general population.

In any case, a participant with a disability must ask for an accommodation of the disability before the Housing Authority treats him/her differently.

All requests for accommodation or modification may be subject to verification that the individual meets the need presented by the disability. Verification may include, a consultation with a reliable, knowledgeable professional. Requests for reasonable accommodation from a person with a disability will be granted when the Housing Authority has determined that granting the accommodation would be consistent with HUD policies and pertinent Federal, State and local regulations.

A person with disabilities is defined as a person who:

- A. Has a disability as defined in Section 223 of the Social Security Act, which states:

"Inability to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death or that has lasted or can be expected to last for a continuous period of not less than 13 months; or

In the case of an individual who attained the age of 55 and is blind and unable by reason of such blindness to engage in substantial, gainful activity requiring skills or ability comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time".

- B. Is determined, pursuant to regulations issued by the Federal government, to have physical, mental or emotional impairment that:
1. Is expected to be of long-continued and indefinite duration;
 2. Substantially impedes his or her ability to live independently; and

3, is of such a nature that such ability could be improved by more suitable housing conditions; or

C. Has a developmental disability as defined in Section 102(7) of the Developmental Disabilities and Bill of Rights Act which states:

"Severe chronic disability that:

1. Is attributed to a mental or physical impairment or combination of mental and physical impairment;
2. Is manifested before the person attains age 22;
3. Is likely to continue indefinitely;
4. Results in substantial, functional limitation in 3 or more of the following areas of major life activity; (1) self care (2) receptive and responsive language (3) learning (4) mobility (5) self-direction (6) capacity for independent living and (7) economic self-sufficiency; and
5. Reflects the person's need for a combination and sequence of special interdisciplinary or general care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated".

This definition does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agency for acquired immunodeficiency syndrome (1937 Act).

AIDS victims and those who test positive for the HIV virus are considered to have a disability.

Individuals with contagious diseases who do not pose a direct threat to others are covered by the Act,

No individual shall be considered to be a person with disabilities for purposes of housing assistance eligibility solely based on any drug or alcohol dependence.

ACCOMMODATIONS POLICY

Sometimes people with disabilities may need a reasonable accommodation in order to take full advantage of the Housing Authority programs and related services. When such accommodations are granted, they do not confer special treatment or advantage for the person with a disability, rather, they make the program accessible to them in a way that would otherwise not be possible due to their disability. This policy clarifies how people can request accommodations and the guidelines the Housing Authority will follow in determining whether it is reasonable to provide a requested accommodation. Because disabilities are not always apparent, the Housing Authority will ensure that all applicants/tenants are aware of the opportunity to request reasonable accommodations,

This policy is applicable to all Housing Authority situations described in the Housing Authority's Public Housing Admissions and Continued Occupancy Policy and the Section 8 Administrative Plan when a family initiates contact with the Housing Authority, when the Housing Authority initiates contact with a family including when a family applies, and when the Housing Authority schedules or reschedules appointments of any kind.

The Housing Authority operating policies and practices will be designed to provide assurances that all persons with disabilities will be provided reasonable accommodation so that they may fully access and utilize the housing programs and related services. The availability of specific accommodations will be made known by including notices on Housing Authority forms and letters to all families, and all requests will be verified so that the Housing Authority can properly accommodate the need presented by the disability.

Except as otherwise provided in 24 CFR, no individual with disabilities shall be denied the benefits of, be excluded from participation or otherwise be subjected to discrimination, because the Housing Authority facilities are inaccessible to or unusable by persons with disabilities.

The Housing Authority will utilize organizations, which provide assistance for hearing- and-sight-impaired persons when needed.

The Housing Authority will refer families who have persons with disabilities to agencies in the community that offer services to persons with disabilities,

Notifications of reexamination, inspection, appointment, termination of assistance or eviction will include information about requesting a reasonable accommodation. Any notification requesting action by a Public Housing tenant or Section 8 participant will include information about requesting a reasonable accommodation.

if an applicant or tenant has a disability and think they might need or want a reasonable accommodation they may request it at any time in the application process or at any time they need an accommodation. This is up to them. If they would prefer not to discuss their situation with the housing authority, that is their right.

The Housing Authority's Executive Director or other decision making official will thoroughly review each request for reasonable accommodation(s) and make a decision regarding the approval of denial of same. Such decision, and the reason(s) for same shall be transmitted to the applicant/tenant within 20 days of the receipt of their request for reasonable accommodation.

All decisions granting or denying requests for reasonable accommodations will be in writing.

The following questions will be asked of persons requesting a reasonable accommodation:

1. Is the requestor a person with disabilities?

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

2. Is the requested accommodation related to the disability?

If it is apparent that the request is related to the apparent or documented disability, the answer to this question is "yes". If it is not apparent, the Housing Authority will obtain documentation that the requested accommodation is needed due to the disability. The Housing Authority will not inquire as to the nature of the disability.

3. Is the requested accommodation reasonable?

In order to be determined reasonable, the accommodation must meet the following criteria:

Would the accommodation constitute a fundamental alteration? The Housing Authority's business is housing. If the request would alter the fundamental business that the Housing Authority conducts, that would not be reasonable.

Would the requested accommodation create an undue financial hardship or administrative burden? If the cost would be an undue burden, the Housing Authority may request a meeting with the individual to investigate and consider equally effective alternatives.

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

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

The cost necessary to carry out approved requests, including requests for physical modifications, will be borne by the Housing Authority if there is no one else willing to pay for the modification.

if a Public Housing tenant requests as a reasonable accommodation that they be permitted to make physical modifications at their own expense, the Housing Authority will generally approve such request if it does not violate codes or affect the structural integrity of the unit.

Any request for an accommodation that would enable a Public Housing tenant or Section 8 Participant to materially violate essential lease terms or program obligations will not be approved, i.e. allowing nonpayment of rent, destruction of property, disturbing the peaceful enjoyment of others, etc.

Requests for reasonable accommodation from persons with disabilities will be granted upon verification that they meet the need presented by the disability and they do not create a "undue financial and administrative burden" for the Housing Authority, meaning an action requiring "significant difficulty or expense".

In determining whether accommodation would create an undue hardship, the following guidelines will apply:

- The nature and cost of the accommodation needed;

- The overall financial resources of the agency available for modification of the facility or facilities involved in the provision of the reasonable accommodation; and

- The number of persons employed at such facility, the number of families likely to need such accommodation, the effect on expenses and resources, or the likely impact on the operation of the facility as a result of the accommodation.

When Public Housing or Section 8 applicants are denied placement on the waiting list, or the Housing Authority is terminating assistance, the family will be informed that the presence of a disability may be considered as mitigating circumstance during the informal review process (see the Housing Authority's Section 8 Administrative Plan for informal review procedures) of grievance hearing (see the Housing Authority's Public Housing Admissions and Continued Occupancy Policy for grievance hearing procedures) on the matter.

Examples of mitigating circumstances are: (a) A person with a cognitive disorder may not have understood the requirement to report increases in income, (b) Minor criminal records for public drunkenness may be due to medication; (c) prior incarcerations for being disorderly may be due to an emotional disorder.

If the investigation reveals that the complaint is justified and substantiated, the Executive Director will formulate a corrective action plan. The complaining party will be notified in writing that it appears that the complaint was justified and an appropriate corrective action plan has been formulated. A copy of the plan shall be attached to the letter. The plan shall provide for appropriate remedial action to prevent a recurrence of the wrongful act or behavior.

Applicants/tenants who think they have been discriminated against on the basis of disability may file a complaint with the Housing Authority for investigation and resolution/response. The procedure for reporting, investigating and resolving/responding to such complaints shall be as follows:

Applicants/tenants will be asked to report/file complaints in writing to the Housing Authority's Executive Director, but are not compelled to do so.

As soon as possible but no later than ten days after receiving the complaint, the Executive Director or investigator appointed by the Executive Director, if the complaint is against the Executive Director, will interview the applicant/tenant. If the applicant/tenant is reluctant to sign a written complaint, the Executive Director or investigator will prepare written notes of the date, time and place of the complaint and the specific allegations. These notes will be read back to the employee/applicant who will be asked to affirm, preferably in writing the information's accuracy.

The Executive Director will render a decision within fourteen days after a thorough investigation of the complaint is completed, if the validity of a complaint cannot be determined or the complaint is groundless, the complaining employee/applicant shall be notified in writing.

It is to be noted that public housing tenants have the choice of utilizing the complaint procedure set forth above or the Housing Authority's resident grievance procedure; and participants in the Section 8 Program have the choice of utilizing the complaint procedure set forth above or the Housing Authority's Section 8 informal hearing procedure.

FORMS

The Housing Authority will utilize the following forms (copies attached) in implementing this policy:

1. Notice to all Applicants and Tenants: Reasonable Accommodations for Applicants and Tenants with Disabilities.'
2. Special Unit Requirement(s) Questionnaire.
3. Disability Verification Form
4. Verification of Need for Units with Special Features
5. Checklist for Disability Assistance Expense Verifications
6. Disability Expense Allowance Verification
7. Certification of Need for Person with Disabilities
8. Attendant Care Verification

9. Employer's Certification of Need for Auxiliary Apparatus to Permit Employment
10. Auxiliary Apparatus Cost Verification Sheet
11. Family Certification for Disability Expense Reimbursement

Notice to all Applicants and Tenants: Reasonable Accommodations for Applicants and Tenants with Disabilities

The Housing Authority (HA) is a public agency that provides low rent housing to eligible families including families with children, elderly families, disabled families, and single people. The HA is not permitted to discriminate against applicants on the basis of their race, religion, sex, color, national origin, age, disability or familial status. In addition, the HA has a legal obligation to provide "reasonable accommodations" to applicants if they or any family members have a disability. A reasonable accommodation is a structural change, the HA can make to its units or common areas, or a modification of a rule, policy, procedure, or service, that will assist an otherwise eligible applicant or resident with a disability to make effective use of the HA's programs. Examples of reasonable accommodations would include:

- Making alterations to a HA unit so it could be used by a family member with a wheelchair;
- Adding or altering unit features so they may be used by a family member with a disability;
- Installing strobe type flashing light smoke detectors in an apartment for a family with a hearing impaired member;
- Permitting a family to have a large dog to assist a family member with a disability;
- Making large type documents, Braille documents, cassettes or a reader available to an applicant or tenant with a vision impairment during the application and/or

- 3. Will you or any of your family members need a live-in aide to assist you?
 Yes _____ No ____
 If Yes, please explain _____
- 4. If you checked any of the above listed categories of units, please explain exactly what you need to accommodate your situation. Attach additional sheets if needed.

5. What is the name of the family member needing the features identified above?

Whom should we contact to verify your need for a special apartment?

Name _____

Address _____ Phone # _____

Applicant Signature _____

Date _____

Disability Verification Form

Public Housing Authorities are required to verify the disability of applicants claiming to be disabled to determine the applicant's eligibility for the housing and to compute rent. The resident has signed a release form below giving you permission to supply us with this information. Please fill out the form below and return it at your earliest convenience.

Sincerely yours, _____

The Department of Housing and Urban Development defines a disabled person in 3 ways:

- 1. A disabled person is one with an inability to engage in any substantial gainful activity because of any physical or mental impairment that is expected to result in death or has lasted or can be expected to last continuously for at least 12 months; or for a blind person at least 55 years old, inability because of blindness to engage in any substantial gainful activities comparable to those in which the person was previously engaged with some regularity and over a substantial period.
- 2. A developmentally disable person is one with a severe chronic disability that:
 - a. is attributable to a mental and/or physical impairment;

- b. as manifested before age 22
 - c. is likely to continue indefinitely;
 - d. results in substantial functional limitations in three or more of the following areas: capacity for independent living, self-care, receptive and expressive language; learning, mobility, self-direction, and economic self sufficiency AND
 - e. requires special interdisciplinary or generic care treatment, or other services which are of extended or lifelong duration and are individually planned or coordinated.
- 3 A disabled person is also one who has a physical, emotional or mental impairment that:
- a. is expected to be of long-continued or indefinite duration;
 - b. substantially impedes the person's ability to live independently;
 - c. is such that the person's ability to live independently could be improved by more suitable housing conditions.

_____, hereby certify that _____ (person signing the release below should be considered disabled in accordance with definition number _____ above.)

Name and Title _____ Date _____
Signature _____ Phone _____

TENANT/APPLICANT RELEASE

_____, hereby authorize the release of the requested information.

Signature _____ Date _____

Verification of Need for Unit with Special Features

Name _____ Date _____
Address _____ Applicant _____

Dear Sir/Madam:

The above-named person is applying for admission to public housing and has expressed a need for either a unit with the special features, or a live-in-aide. The applicant has named you as a person who can verify the need for the features/aide. Indicate whether, in your professional judgment, the applicant needs the features noted below in an apartment, or needs the services of a live-in-attendant as a reasonable accommodation to a disability. If you have any questions, please call me at _____ Your prompt return of this form in the attached stamped, self-addressed envelope would expedite processing.

Sincerely: _____
Name Signature

1. Name of family member with special housing need: _____

2. Nature of need(s):

Special Unit

____ A separate bedroom

____ A barrier-free apartment

____ One-level unit

____ Other modifications to unit

____ Live In Attendant

____ Unit for Vision-Impaired

____ Unit for Hearing Impaired

____ Bedroom & Bath on 1st Floor

____ Extra Bedroom

3. Verification and explanation of need(s):

Please do not provide any information about the nature or extent of the applicant's disability. Simply indicate whether, in your professional judgment, the applicant needs the above feature in an apartment:

4. Name of person providing verification _____ Signature _____

Name of Agency _____

Phone # _____ Agency Address _____ Date _____

_____ hereby authorize the release of the requested information.

Signature _____ Date _____

Checklist for Disability Assistance Expense Verifications

Attendant care frees a family member; including the handicapped family member, to work:

Written certification from attendant as to cost incurred.

____ Copies of canceled checks used to make attendant care payments, receipts from care source,

____ Written certification from Rehabilitation Agency or doctor that handicapped person requires care to be employed, or that care enables another family member to work.

____ Auxiliary apparatus frees a family member, including handicapped family member, to work:

____ Receipts for purchase of apparatus.

____ Evidence of monthly payments or total payments for apparatus.

— Where handicapped family member is employed, a statement from the employer that the apparatus is necessary for employment.

Written certificate from Rehabilitation Agency or doctor that handicapped person requires auxiliary apparatus to be employed, or to enable another family Member to work.

____ Certification by family that no repayment is received for the costs associated with attendant care or auxiliary apparatus provided.

Disability Expense Allowance Verification

Dear Sir or Madam:

Special considerations in public housing are authorized for families with expenses related to the attendant care or auxiliary apparatus required for a family member with disabilities. The availability of the care or the apparatus must enable the person with disabilities or other family member to work. Verification of the need for and amount of such expenses can result in a reduced rent for the family. Such verifications must be retained in our files.

Will you please fill in the information or certify as to the need for attendant care or auxiliary apparatus as requested on the attached form? Once completed please return it to us as soon as possible. We will keep the information in strict confidence and will use it to determine the family's eligibility for reduced rent.

Sincerely,

Tenant/Applicant Release

I/1A/e _____, hereby give consent for the information sought by this letter to be released as requested.

Signature

Date

Certification of Need for Person with Disabilities

For _____ Attendant Care Auxiliary Apparatus

Name of family member with disability: _____

Full name and address of professional completing this certification:

Name: _____

Address: _____

I certify that the above-named person requires the services of an attendant or the use of auxiliary apparatus to enhance his/her ability to live independently.

The availability of the care or auxiliary apparatus enables:

- the person with a disability named above to work, and/or
- other family member(s) to work.

If further information is required, please contact _____
By calling (____) _____

Signature

Date

Title

Attendant Care Verification

TO WHOM IT MAY CONCERN: Public Housing Authorities are required by Federal Law to verify the cost of attendant care for residents with disabilities so that the costs may be taken into consideration when computing rent. You will note that the resident has signed a release form below, giving you permission to supply us with this information. If you could fill out the form below and return it, it would be most appreciated.

Sincerely yours,

VERIFICATION

I hereby certify that I provide care for _____ (disabled person) and that this care enables _____ to earn employment income. During the year beginning _____ and ending _____, I will be providing care _____ hours per week, for _____ weeks of the year, My rate of pay is _____ per hour, and I will be paid once every _____. The hours when I will be providing care area as follows:

Name: Monday: _____ hours
Tuesday: _____ hours
Wednesday: _____ hours
Thursday: _____ hours
Friday: _____ hours
Saturday: _____ hours
Sunday: _____ hours

_____ Date: _____

Signature: _____ Phone #: _____

Title: _____

Tenant/Applicant Release

_____ hereby authorized the release of the requested information.

Signature

Date

Employer's Certification of Need for Auxiliary Apparatus to Permit Employment

Name of family member with disabilities: _____

Full name and address of employer completing this certification:

Name: _____

Address: _____

I certify that the above-named person is employed by our agency/firm; and that the use of auxiliary apparatus is necessary for his/her employment.

If further information is required, please contact _____
By calling (___) _____

Signature

Date

Title

Tenant/Applicant Release

_____, hereby authorize the release of the requested information.

Signature

Date

Auxiliary Apparatus Cost Verification Sheet: Family Member with Disability

Family member's name: _____ Age _____

indicate the type of apparatus furnished to the handicapped or disabled family member:

Wheelchair Reading Device
Walker Other: _____

Indicate if apparatus is leased or purchased:

Date purchased: ____ / ____ / _____ Cost: \$ _____

Date Leased: ____/____/____ Cost: \$ _____

Are installment or lease payments being made? _____ Yes _____ No
Car: _____ make _____ model _____ year _____ tag # _____

If yes, indicate frequency and amount: \$ _____ weekly _____ monthly

Term of installment purchase or lease: _____ (# of months, from
_____ to _____

Estimated apparatus costs for upcoming 12 months _____

Equipment added to vehicles to permit use by a handicapped or disabled individual:

Describe type of equipment:

Estimated cost (labor and materials): \$ _____

Type of vehicle modified:

| | | | | | |
|----------------|------|-------|------|-------|-------|
| Car: | make | model | year | tag # | _____ |
| Truck: | make | model | year | tag # | _____ |
| Van: | make | model | year | tag # | _____ |
| Date modified: | / | | | | _____ |

Are payments being made on vehicle modifications? Yes No

If yes, indicate frequency and amount: \$ _____

_____ Weekly _____ monthly _____ other:

Term of installment purchase:

(# of months), From _____ to _____

Estimated vehicle modification costs for upcoming 12 months: \$ _____

Name of individual or company that has or will provide apparatus or vehicle modification:

Name: _____ Phone #: _____

Address: _____

Contact person:

Signature

Date

Title

Family Certification for Disability Expense Reimbursement

Name of family member with disability:

I/We _____ certify that the above-named person is being provided with attendant care or the use of auxiliary apparatus to enhance his/her ability to live independently. The circumstances related to the cost of the care or apparatus are as follows:

We do not receive reimbursement from any outside source such as insurance, Medicare, state grants, or individuals.

We are receiving reimbursement for a portion of these costs from _____ in the amount of \$ _____ per _____ week _____ month. We will provide third party documentation as to the frequency and amount of this reimbursement.

The cost of attendant care or auxiliary equipment is not paid to a family member living in our household.

Signature _____

Date _____

Title

#2: LIVE-IN AIDE POLICY

In accordance with Federal Regulation 24 C.F.R. 965.4(d)(3)(1), the Housing Authority has adopted the following policy regarding the regulation of the residence of live-in aides in dwelling units owned by the Authority. This policy is designed to enable the Authority to determine the proper accommodation of the mental or physical handicaps of tenants in a manner consistent with the rights of other tenants and the purposes of the Authority's housing program.

General Legal Qualifications In order to be eligible for a live-in aide.

The aide may reside with a disabled or handicapped person if the aide:

1. is determined to be essential to the care and well-being of the tenant or the

- tenant's household;
2. is not obligated for the support of the tenant;
 3. would not be living in the household, except to provide the necessary supportive services;
 4. is not in residence in the unit to provide such significant supportive services so that the tenant cannot participate in the Authority's housing program presently constituted or would require the Authority to significantly or substantially change the basic nature of its housing program.

Request Procedure.

In order to gain approval for a live-in aide, a tenant must comply with the following procedures.

Tenant shall submit the request in writing on a fully completed live-in aide request form.

1. The said request form shall supply all information requested including the reasons for the request, how a live-in aide would help the tenant comply with the terms of the lease and how the presence of a live-in aide accommodates the tenant's particular needs.
2. Tenant shall provide medical documentation of the tenant's physical or mental disability necessitating the live-in aide. Tenant shall grant the Authority access to the tenant's medical records and history.
3. Tenant shall submit to any mental or physical evaluations by Authority's physicians or other experts in order to determine the nature and significance of Tenant's mental and physical impairment. If the Authority, in its sole discretion, is not satisfied with the medical documentation received by tenant.

Evaluation Criteria. if the Authority agrees that the tenant qualifies for a live-in aide in accord with paragraphs 1 and 2 of this policy, tenant shall submit the name of the specific live-in aide to the Authority for approval of the specific aide chosen. The Authority will consider the following in making its determination of the suitability of the live-in aide:

1. Standard tenant selection criteria pertaining to ability to abide by the terms of a lease, including criminal history.
2. Qualifications of the proposed individual to act as a live-in aide for the particular tenant. This shall include but not be limited to:

- Experience in rendering the type of aid necessary for the particular tenant as required by the medical information as evaluated by the Authority.
 - The training or education of the prospective aide which would help or prepare the proposed live-in aide to provide the necessary care.
3. Whether the availability of the proposed aide is sufficient to meet the needs of the tenant.
 4. The suitability of the tenant's unit, considering the addition of the aide to the household and whether a properly sized unit is available where a transfer is possible.

Continuing Evaluation. The status of the residency of the aide is subject to periodic review by the Authority. The aide may be removed by the Authority if he or she fails to abide by the terms of the lease, becomes medically unnecessary or fails to meet any criterion of this policy. The tenant's medical condition is also subject to periodic review to determine that tenant continues to be qualified for the aide program. Tenant, upon request by the Authority, must submit Tenant's current medical records and must cooperate with medical tests or evaluations performed by Authority's medical experts upon request,

REQUEST FOR APPROVAL OF LIVE-IN-AIDE

The undersigned resident hereby attest as follows:

1. I am disabled and/or handicapped person.
2. As a result of my disability/handicap, I require the care of a resident live-in aide for _____ (insert time period).
3. Such live-in aide would not be obligated for my financial support.
4. Such live-in aide would not be living in my household, except to provide the necessary supportive services.

Thereby furnish the Housing Authority with the enclosed medical documentation evidencing my physical or mental disability/handicap necessitating the residency of a live-in aide within my dwelling unit for the above stated time period and attesting to the fact that such residency is essential to my care and well being, and that the live-in aide

#3: PET POLICY

The GHA hereby adopt the following rules to govern the registration Ownership and care of pets by residents of the Housing Authority. These rules supersedes any pet rules previously adopted by the GHA The effective date of these rules is July 1, 2003.

PETS PERMITTED

Only one (1)common household pet is permitted for each dwelling unit, subject to these rules. The lease holder/head of household of the dwelling unit will be deemed the owner of the pet located in the dwelling unit and will be fully responsible for such pet (the "resident", "resident owner"). For the purpose of these rules, common household pets are defined as and shall be limited to dogs, cats, caged birds and fish. No pet may exceed eighteen inches in height or weight no more than twenty-five pounds when fully grown. No fish tank with the capacity of more than ten (10) gallons is permitted.

Any animal deemed by the Housing Authority to be potentially harmful to the health and safety of others, including but not limited to attack or fight trained dogs will not be allowed. For the purpose of this rule, the following breeds/type of dogs: Rottweillers, Doberman Pinchers and any other type of breed of dog are not permitted under state and local law or ordinance.

PET REGISTRATION AND LICENSING

The resident owner must register all pets with the Housing Authority at the main office located at 9 Maple Street, White Plains, NY 10603. Each pet must be registered before it is brought onto the property or premises of the Housing Authority. The registration will and must be updated monthly during the resident's annual re-certification review. Such registration must include the following:

A certificate signed by a licensed veterinarian or a state or local authority empowered to inoculate animals stating that the pet has received all Inoculations required by applicable state and local law and is scheduled to receive any additional inoculations at the appropriate age of the pet; documentation that the pet is licensed in accordance with applicable state and local law, regulations and ordinance; the name and address and telephone number of one or more adults who will care for the pet in the event of the absence or incapability of the pet owner.

A complete and signed Authorization/Pet Ownership Form. The Housing Authority may also refuse to register a pet or refuse to permit a pet's ownership by a resident to continue if the Housing Authority reasonably determines, based on pet's owner's habits and practices, that the pet owner will be or is unable to keep the pet in compliance with the Pet Rules and other lease obligations. The pet's temperament may be considered

as a factor in determining the prospective pet owner's ability to comply with pet rules and other lease obligations.

ADDITIONAL CARE/ HYGIENE REQUIREMENTS FRO DOGS AND CATS

All dogs and cats must be properly bathed and cared for including the following:

- Proper periodic treatment for odors / dermatitis (skin problems) including the use of flea/tick sprays or powders as needed;
- Frequent brushing for hygiene purposes;
- Toenails should, be periodically clipped by a veterinarian or pet groomer and cats should be provided with a scratching post by the owner;
- Resident must use bleach or other strong disinfectant in the event that the resident's pet urinates, sprays or defecates in an apartment or other indoor areas;
- All pets must have an annual check-up and receive an updated certificate of inoculations by a licensed veterinarian or State or Local official and such certificate shall be presented by the resident owner to the Housing Authority at the time of the annual re-certification.

Spraying or Neutering

All cats and dogs must be sprayed or neutered before they become six months old and the resident owner must promptly furnish the Housing Authority with documentation from a licensed veterinarian that such pet has been sprayed or neutered as the case may be.

Pet Waste

Pet owners may exercise pet or allow the deposit of waste on Housing Authority property, except with the respect to cats. All animals waste must be cleared promptly by the owner and discarded in a sanitary manner. Resident shall be responsible for the immediate removal of dog feces dropped anywhere by placing same in a bag or small container and disposing of the same properly and as prescribed by applicable local ordinance.

With Respect to Cats

Residents owning a cat shall provide waterproof tray for the animal's use in the resident's apartment. Waste is to be separated from kitty litter daily and placed in properly wrapped trash bags. Under no circumstances is kitty litter to be flushed in the toilet. Properly wrapped litter should be double bagged and place in the proper trash container.

No pet may be left unattended by the resident or a responsible adult household member of the resident for a period of twelve (12) consecutive hours,

Leash and Muzzle Regulations & Limited Areas of Pet Access

All dogs and cats must be appropriately restrained and under the control of a responsible individual over the age of eight (8) when outside the resident owner's apartment on a leash no longer than four feet in length.

Dogs must be muzzled at all times when outside the resident owner's apartment.

Dogs and cats are not allowed in any community room, laundry room, hallways, offices or any other common area in any Housing Authority building,

Noise

The resident owner is responsible for controlling any pet noise.

No excessive pet noise will be tolerated and may be grounds for the removal of the pet or termination of the pet owner's residency.

would accommodate my particular needs.

I hereby grant the Housing Authority access to my medical records and history.

I hereby agree to submit to any mental or physical evaluation by the Housing Authority's physicians or other experts in order to determine the nature and significance of my mental or physical impairment, if the Authority, in its sole discretion, is not satisfied with the enclosed medical documentation.

I understand that if the Authority agrees that I qualify for a live-in aide, I must submit the name of the specific live-in aide to the Authority for approval. I further understand that the Authority will consider the following in making its determination of the suitability of the live-in aide.

1. Standard tenant selection criteria pertaining to ability to abide by the terms of a lease, including criminal history
2. Qualifications of the proposed individual to act as a live-in aide. This shall include, but not be limited to:
 - Experience in rendering the type of aide necessary for the tenant's care as required by the medical information furnished hereunder;
 - The training or education of the prospective aide which would help or prepare the proposed live-in aide to provide the necessary care.
3. Whether the availability of the proposed aide is sufficient to meet the tenant's health care needs.
4. The suitability of the tenant's dwelling unit, considering the addition of the aide to the household, and whether a properly sized unit is available where a transfer is possible.

I understand that the status of the residency of the aide if approved, shall be subject to periodic review by the Authority; and the aide may be removed by the Authority if he or she fails to abide by the terms of the lease, or the aide becomes medically unnecessary or fails to meet any criteria of the Authority's Live-In Aide Policy. In addition, I understand that my medical condition is also subject to periodic review to determine if I continue to qualify for the aide program.

DATE: _____

TENANT'S SIGNATURE

TENANT'S ADDRESS

#4: COMMUNITY SERVICE ADMINISTRATIVE DOCUMENTS**COMMUNITY SERVICE/SELF-SUFFICIENCY PROGRAM REQUIREMENT**

The U.S. Department of Housing and Urban Development (HUD) requires that this Authority notify you of the reinstatement of the federal regulation which requires all non-exempt adult (18 years or older) household members to perform 8 hours of community service each month. Failure to comply with this regulation can lead to eviction of the entire household.

The community service requirement applies to all 'adult residents (18 years or older) in public housing except for those exempted under Section 12(c) of the Act.

Residents exempt from the community service requirement are those:

- Age 62 years or older.
- Blind or disabled (as defined under 218(i)(1) or 1614 of the Social Security Act (42 U.S.C.415(i)(1); 1382c) and who certify that because of this disability they are unable to comply with the service provisions; or primary caretakers of such individuals.
- Engaged for a minimum of thirty (30) hours per week in work activities as defined in section 407(d) of the Social Security Act (42 U.S.C. 607(d)), specified below:
 1. Unsubsidized employment;
 2. Subsidized private-sector employment;
 3. Subsidized public-sector employment;
 4. Work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available;
 5. On-the-job-training;
 6. Job-search and job-readiness assistance;
 7. Community service programs;
 8. Vocational educational training (not to exceed 12 months with respect to any individual);
 9. Job-skills training directly related to employment;
 10. 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;
 11. Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case or a recipient who has not completed secondary school or received such a certificate; and
 12. The provision of childcare services to an individual who is participating in a community service program.

- Meet the requirements for being exempt from having to engage in a work activity under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) or under any other welfare program of the State in which the PHA is located, including a State administered welfare-to-work program.
- If a member of a family receiving TANF assistance, benefits, or service under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); 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 non-compliance with such program.

The Authority will notify all adult (18 years or older) family members who are not exempt from the community service requirements, of their specific obligations under such requirements.

NOTIFICATION OF COMMUNITY SERVICE/SELF-SUFFICIENCY PROGRAM REQUIREMENT

Dear Resident:

This is in reference to the reinstated Community service requirement. Since you do not appear to be exempt from such requirement, you are hereby given notice that effective your continued eligibility for Public Housing will be contingent upon your either (1) contributing eight hours per month of community service (not including political activities), or (2) participating in an economic self-sufficiency program. The eight hours can be community service, economic self-sufficiency or a combination of the two.

Community service includes performing work or duties in the public benefit that serve to improve the quality of life and/or enhance resident self-sufficiency, and/or increase the self-responsibility of the resident within the community.

An economic self-sufficiency program is one that is designed to encourage, assist, train or facilitate the economic independence of participants and their families or to provide work for participants. These programs may include programs for job training, work placement, basic skills training, education, English proficiency, work fare, financial or household management, apprenticeship, and any program necessary to ready a participant to work (such as substance abuse or mental health treatment).

The Housing Authority will assist you, upon request in identifying available volunteer community service positions.

In addition, the Housing Authority is creating a number of community service positions such as monitoring common areas, litter patrols, and supervising and record keeping for volunteers. Please contact the Authority's main office if you are interested in volunteering for one of these positions in order to meet your community service requirement.

You will be required to complete a time sheet each month reflecting the performance of the required eight hours of community service or participation for a period of eight hours in a economic self-sufficiency program. You must have your supervisor date and sign your time sheet, and you must forward the completed time sheet to the Housing Authority's Community Service Coordinator by the second Monday of each month. Time sheet forms are available at the Housing Authority's administrative office.

Within no less than thirty days prior to your lease anniversary date, the Housing Authority's Community Service Coordinator will advise the Authority as to whether or not you are in compliance with the above state requirement.

If you are found to be in non-compliance, you will be notified as follows:

1. That you have been found to be in non-compliance;
2. That such non-compliance determination is subject to the Authority's Resident Grievance Procedure;
3. That, unless you enter into an agreement to comply, you will be declared ineligible for continued occupancy in public housing as of the date of your family's next annual reexamination.

If you have any questions on the above, please feel free to call me.

Sincerely,

TIME SHEET OF COMMUNITY SERVICE/SELF-SUFFICIENCY REQUIREMENT

Time Sheet for the Month of _____ 20 _____

Volunteer Community Service Program/Self-Sufficiency Program

Name & Address of resident completing this time sheet:

Description of the type of Volunteer Community Service furnished by the above named resident during the above stated time period and/or description of the Self-Sufficiency Program activity in which such resident participated during such time period:

The undersigned hereby attests that the above stated service and/or program participation was furnished on the following dates and for the hours set forth opposite thereto.

| Date | Number of Hours |
|-------|-----------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

(Resident's Signature)

Date: _____

(Supervisor's Signature and Position)

Date:

(Supervisor's printed name and place of employment)

COMMUNITY SERVICE/SELF-SUFFICIENCY PROGRAM COMPLIANCE AGREEMENT

The undersigned resident of public housing administered by this Authority hereby agrees to enter into an economic self-sufficiency program or to contribute community service for a minimum period of eight (8) hours per month per each year beginning with the first day of _____, 20_____.

I understand that failure on my part to comply with the above or to fall behind in my obligation to perform community service by more than three (3) hours over any three (3) month period, will result in termination of my public housing residency.

Name of Resident: _____
(Print)

Signature of Resident: _____

Date: _____

COMMUNITY SERVICE SELF-SUFFICIENCY PROGRAM EXEMPTION CERTIFICATION

I certify that I am eligible for an exemption from the Community Service requirement for the following reason:

- >, I am 62 or older.
- I am blind or disabled, and as a result I cannot comply with the community service requirements. I am verifying my disability by:
 - My receipt of Supplemental Security Income (S51) or Social Security Disability (SSDI) benefits for a disability recognized by the Social Security Administration (SSA).
 - My receipt of Transitional Assistance Disability benefits (have applied for SS1 disability benefits and has been found by DHS to meet the SSI disability standards).
 - My receipt of Aid for Aged, Blind, or Disabled (AABD) benefits.
 - My receipt of worker's compensation for my disability with documentation provided by a medical provider.
 - I am providing documentation provided by a medical provider demonstrating that I meet the disability requirement.
 - I am providing documentation of medical assistance or interim SSDI benefits.
 - I am receiving no benefits but am able to submit documentation from a medical provider that my blindness or disability, as defined by the Social Security Act, prevents them from meeting the community or economic self-sufficiency requirement.
- > I am the primary care provider of a (temporarily or permanently) blind or disabled person who meets the disability definition (as described above) and I am submitting the Community Service Exception Certification for verification;
- > I am temporarily or chronically ill and am able to submit documentation from my medical provider.
- I am responsible for the full time care to another household member due to that member's medical condition and am able to submit documentation from a medical provider.
- > I am a student enrolled in a recognized school, training program, or school of higher education.
- I am working at least 30 hours per week (Employment Verification for will serve as documentation).
- > I am a participant of a State welfare program and am in compliance with all economic sufficiency or work activity requirements or am exempt from program requirements (Must provide verification).
- A member of my household is receiving assistance, benefits or services under a State welfare program with a work requirement and the family member is in compliance with all program requirements.

A separate certification must be signed by each exempt adult household member.

Signature of Resident Claiming Exemption

Date

Address of Resident Claiming Exemption

This certification applies only to the Community Service Exemption per 24 CFR 960.601 and no other PHA program requirements.

#5: PARKING LOT RULES AND REGULATIONS

1. Parking is not permitted in: Fire zone, Handicapped or, garbage shed areas, on the grass or where NO PARKING/AUTHORIZED PARKING ONLY signs are posted. Vehicles will be towed without notice and at the owner's expense.
2. Stickers (to be placed in the left rear window) along with an assigned parking space, will be issued to all residents who submit a registration annually. Registration or insurance must be in the name of a tenant (s) on the lease.
3. Vehicles MUST be registered, drivable, and insured.
4. Residents have 30 days to register and insure a newly owned vehicle, however, residents must call the office with vehicle information (VEHICLE INFORMATION SUCH AS MAKE, MODEL, VIN NUMBER WHERE APPLICABLE, AND PARKING SPACE NUMBER. AFTER 30 DAYS, UNREGISTERED VEHICLES WILL BE TOWED. Parking is at "Your own risk" therefore all vehicles must be registered and insured.
5. Residents may permit their visitors to use their parking space ONLY, however, residents are not to park in any other resident's space while their guest is parked in their space, they will be towed otherwise.
6. Residents must call the office during office hours and the answering service after office hours to have an unauthorized vehicle towed from their space. Unauthorized vehicles will be towed without notice so please advise your guests.
7. State Site/Maple Street Lot: Parking is permitted in the office parking space between the hours of 7pm-1am and weekends only. Vehicles will be towed thereafter at the owner's expense.
8. Residents must notify the office and get a parking permit for their overnight guest. Please inform your guest of the parking rules.
9. Vehicles must be parked clearly between the lines in the designated areas. Vehicles will be towed if not parked properly including occupying more than one space.

10. Vehicles are not to be worked on at the lot. They are not to be placed on bricks, blocks or jacks at any given time.

11. Each household is guaranteed one parking space only. Additional spaces will be assigned if spaces are available.

**#6: AUTHORIZATION FOR THE RELEASE OF INFORMATION/
PRIVACY ACT NOTICE Form HUD-9886**

Authorization for the Release of Information/Privacy Act Notice

to the U.S. Department of Housing and Urban Development (HUD) and the Housing Agency/Authority (HA)

PHA requesting release of information; (Cross out space if none) (Full address, name of contact person, and date)

IHA requesting release of information: (Cross out space if none) (Full address, name of contact person, and date)

Authority: Section 904 of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988, as amended by Section 903 of the Housing and Community Development Act of 1992 and Section 3003 of the Omnibus Budget Reconciliation Act of 1993. This law is found at 42 U.S.C. 3544.

This law requires that you sign a consent form authorizing: (1) HUD and the Housing Agency/Authority (HA) to request verification of salary and wages from current or previous employers; (2) HUD and the HA to request wage

and unemployment compensation claim information from the state agency responsible for keeping that information; (3) HUD to request certain tax return information from the U.S. Social Security Administration and the U.S. Internal Revenue Service. The law also requires independent verification of income information. Therefore, HUD or the HA may request information from financial institutions to verify your eligibility and level of benefits.

Purpose: In signing this consent form, you are authorizing HUD and the above-named HA to request income information from the sources listed on the form. HUD and the HA need this information to verify your household's income, in order to ensure that you are eligible for assisted housing benefits and that these benefits are set at the correct level. HUD and the HA may participate in computer matching programs with these sources in order to verify your eligibility and level of benefits.

Uses of Information to be Obtained: HUD is required to protect the income information it obtains in accordance with the Privacy Act of 1974, 5 U.S.C. 552a. HUD may disclose information (other than tax return information) for certain routine uses, such as to other government agencies for law enforcement purposes, to Federal agencies for employment suitability purposes and to HAs for the purpose of determining housing assistance. The HA is also required to protect the income information it obtains in accordance with any applicable State privacy law. HUD and HA employees may be subject to penalties for unauthorized disclosures or improper uses of the income information that is obtained based on the consent form. Private owners may not request or receive information authorized by this form.

Who Must Sign the Consent Form: Each member of your household who is 18 years of age or older must sign the consent form. Additional signatures must be obtained from new adult members joining the household or whenever members of the household become 18 years of age.

Persons who apply for or receive assistance under the following programs are required to sign this consent form:

- PHA-owned rental public housing
- Turnkey HI Homeownership Opportunities
- Mutual Help Homeownership Opportunity
- Section 23 and 19(c) leased housing
- Section 23 Housing Assistance Payments
- HA-owned rental Indian housing
- Section 8 Rental Certificate
- Section 8 Rental Voucher
- Section 8 Moderate Rehabilitation

Failure to Sign Consent Form: Your failure to sign the consent form may result in the denial of eligibility or termination of assisted housing benefits, or both. Denial of eligibility or termination of benefits is subject to the HA's grievance procedures and Section 8 informal hearing procedures.

Sources of Information To Be Obtained

State Wage Information Collection Agencies. (This consent is limited to wages and unemployment compensation I have received during period(s) within the last 5 years when I have received assisted housing benefits.)

U.S. Social Security Administration (HUD only) (This consent is limited to the wage and self employment information and payments of retirement income as referenced at Section 6103(1)(7)(A) of the Internal Revenue Code.)

U.S. Internal Revenue Service (HUD only) (This consent is limited to unearned income [i.e., interest and dividends].)

Information may also be obtained directly from: (a) current and former employers concerning salary and wages and (b) financial institutions concerning unearned income (i.e., interest and dividends). I understand that income information obtained from these sources will be used to verify information that I provide in determining eligibility for assisted housing programs and the level of benefits. Therefore, this consent form only authorizes release directly from employers and financial institutions of information regarding any period(s) within the last 5 years when I have received assisted housing benefits.

Consent: I consent to allow HUD or the HA to request and obtain income information from the sources listed on this form for the purpose of verifying my eligibility and level of benefits under HUD's assisted housing programs. I understand that PTAs that receive income information under this consent form cannot use it to deny, reduce or terminate assistance without first independently verifying what the amount was, whether I actually had access to the funds and when the funds were received. In addition, I must be given an opportunity to contest those determinations. This consent form expires 15 months after signed.

Signatures:

| | | | |
|---|------|---------------------------------|------|
| Head of Household | | Date | |
| Soda' Security Number (if any) of Head of Household | | Other Family Member over age 18 | Date |
| Spouse | Date | Other Family Member over age 18 | Date |
| Other Family Member over age 18 | Date | Other Family Member over age 18 | Date |
| Other Family Member over age 18 | Date | Other Family Member over age 18 | Date |

Privacy Act Notice. Authority: The Department of Housing and Urban Development (HUD) is authorized to collect this information by the U.S. Housing Act of 1937 (42 U.S.C. 1437 et. seq.), Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), and by the Fair Housing Act (42 U.S.C. 3601-19). The Housing and Community Development Act of 1987 (42 U.S.C. 3543) requires applicants and participants to submit the Social Security Number of each household member who is six years old or older. Purpose: Your income and other information are being collected by HUD to determine your eligibility, the appropriate bedroom size, and the amount your family will pay toward rent and utilities. Other Uses: HUD uses your family income and other information to assist in managing and monitoring HUD-assisted housing programs, to protect the Government's financial interest, and to verify the accuracy of the information you provide. This information may be released to appropriate Federal, State, and local agencies, when relevant, and to civil, criminal, or regulatory investigators and prosecutors. However, the information will not be otherwise disclosed or released outside of HUD, except as permitted or required by law. Penalty: You must provide all of the information requested by the HA, including all Social Security Numbers you, and all other household members age six years and older, have and use. Giving the Social Security Numbers of all household members six years of age and older is mandatory, and not providing the Social Security Numbers will affect your eligibility. Failure to provide any of the requested information may result in a delay or rejection of your eligibility approval.

Penalties for Misusing this Consent:

HUD, the HA and any owner (or any employee of HUD, the HA or the owner) may be subject to penalties for unauthorized disclosures or improper uses of information collected based on the consent form.

Use of the information collected based on the form HUD 9886 is restricted to the purposes cited on the form HUD 9886. Any person who knowingly or willfully requests, obtains or discloses any information under false pretenses concerning an applicant or participant may be subject to a misdemeanor and fined not more than \$5,000.

Any applicant or participant affected by negligent disclosure of information may bring civil action for damages, and seek other relief, as may be appropriate, against the officer or employee of HUD, the HA or the owner responsible for the unauthorized disclosure or improper use.

Original is retained by the requesting organization.
ref. Handbooks 7420.7, 7420.8, & 7465.1

form HUD-9886 (7194)

"ONE STRIKE AND YOU'RE OUT" POLICY STATEMENT

It is the policy of the Greenburgh Housing Authority to make every effort to provide safe and decent living environment for all tenants of Public Housing. In so doing, the Housing Authority has adopted "One Strike and You're Out" Policy. Whereby involvement by a resident or resident's family in any gang, violent, gun and drug related or general criminal activity whether in the dwelling unit or elsewhere is cause for eviction even in the absence of conviction or arrest. And involvement in any drug related or general criminal activity in the dwelling unit by guest, visitor, or invitee to the dwelling unit will subject the resident to immediate eviction without any right to an administrative hearing in advance of eviction proceeding, subject to application and implantation as stated below

APPLICATION AND IMPLEMENTATION:

Minor Member of the Household:

Where a minor member of the household is involved in drug-related activity, the head of household shall be given the opportunity to get the minor into a treatment/rehab program and shall be required to give an undertaking that the minor shall remain in the program until the treatment is completed. However, should the minor fail to complete the treatment program, the entire household may be subject to eviction.

Adult Member of the Household

Where an adult member, who is not the head of household, is involved in drug related or general criminal activity, the head of household shall be given the opportunity to remove the adult member from the lease and the adult member will be barred-out. Failure to do so shall result in the eviction of the entire household.

Head of Household, Visitors or Invitees

Where the head of household, visitors or invitees are involved in drug related activity or any criminal activity whether in the dwelling or elsewhere is cause for eviction of the entire household. And the visitor/invitee involved in the crime shall be barred-out in accordance with GHA's Bar-Out Policy

GREENBURGH HOUSING AUTHORITY

BAR OUT POLICY (Revised 11/30/10)

It is the policy of the Greenburgh Housing Authority (GHA) to make every effort to provide a safe and decent living environment for all tenants of public housing. In so doing, it is necessary to bar-out persons from the premises whose behavior results in criminal activity and/or violates the policies of the GHA.

The Executive Director is authorized, upon the receipt and verification of any complaint to determine that a person shall be barred-out from housing authority property indefinitely or for limited periods. The Executive Director shall authorize a written notice to be served on the individual, either by hand delivery or first class mail to the person's last known place of residence. The person shall be advised that he/she is prohibited from entering housing authority property indefinitely or for limited periods and further advising the individual that any violation of said bar-out shall be considered criminal trespass. The Greenburgh Police Dept. will enforce the bar-out.

The Executive Director shall also post, in the lobby of the main office of the Authority, the names of all persons barred-out and said list will also be provided to all residents, board members and the Greenburgh Police Department.

The Bar-Out committee shall consist of the Executive Director, both Resident Commissioners (state and federal sites), one community police officer and a third board commissioner to be appointed by the chairperson of the board. Voting on recommendations to the Board of Commissioners will be limited to the three Board Commissioners. In the event of a tie vote, the Executive Director shall vote to break the tie.

REMOVAL FROM BAR-OUT LIST

Upon written request from a tenant stating reasons why a person should no longer be barred-out from housing authority property, the Executive Director shall convene the Bar-Out Committee within 10 business days to review the bar-out request. During this meeting the tenant will present the individual's case for removal from the bar-out list. The Bar-Out Committee will make a recommendation to the GHA Board, who will approve or reject the recommendation.

An individual may request removal from the bar-out within 30 days of the initial placement on the bar-out and once annually thereafter.

Upon written request from a tenant, individuals will be removed from the Bar-Out once the time period of the Bar-out expires. Requesting resident must provide justification for removal.

The Bar Out Committee may request an interview with the Barred Out Individual and additional documents prior to making a recommendation.

BAR-OUT LIST

The bar-out list will be jointly maintained by the Executive Director and Greenburgh Police.

The list will indicate the date the individual was placed on barred-out and the date the bar-out ends.

CRITERIA FOR BAR-OUT

The Greenburgh Housing Authority retains the right to bar persons from GHA property indefinitely/for limited periods for conduct occurring on and off housing authority property. Such conduct includes but is not limited to the following:

1. Any person arrested for murder will be barred-out for life.
2. Any person arrested for a sexual offense will be barred-out for life.
3. Any person arrested for child molestation will be barred-out for life.
4. Any person arrested for robbery/burglary maybe barred-out for life.
5. Any person arrested for manufacturing methamphetamine or other unlawful substance on or off GHA property may be barred-out for up to 10 years.
6. Any person arrested for weapon related activity/possession may be barred-out for up to 10 years.
7. Any person arrested for possession, sale, or distribution of an illegal/controlled substance on or off GHA property may be barred-out for up to 10 years.
8. Any person arrested for domestic/dating violence on GHA property maybe barred-out for up to five years
9. Any person who assaults an employee of GHA property may be barred-out for up to five years.
10. Any person fighting on GHA property requiring police intervention may be barred -out for up to two years.
11. Any person who vandalizes GHA property maybe barred out for up to two years.
12. An illegal tenant of a GHA unit maybe barred-out for up to two years years.
13. Any person causing a disturbance on GHA property may be barred out for up to two years.
14. Any person loitering on GHA property maybe barred-out for up to two years.
15. Any person arrested for Larceny maybe barred-out for up to two years.

BAR-OUT LIMITED ACCESS

An individual may be considered for bar-out with limited access based on the following:

Person is a caretaker for a disabled tenant who has no alternative caretaker.

Individual wishes to attend a special family event.

Limited access means the barred-out individual may only go directly to and from a specific apartment and will have no access to any other apartment or grounds of the Greenburgh Housing Authority. The limited access bar-out may also include date limitations such as a specific holiday or family event.

If granted, the barred-out individual with limited access will be required to carry documentation from GHA specifying his status to avoid arrest by Greenburgh Police.

Under normal circumstances the tenant will submit a written request to the Executive Director who will convene the Bar-Out Committee to make a recommendation. This must be done at least two weeks prior to the special family event.

The Bar-out Committee's recommendation will be forwarded to the GHA Board for approval or denial

The individual may apply in cases of emergency directly to the Executive Director for limited access until the GHA Board renders a final decision.

BAR OUT COMMITTEE REVIEW CRITERIA

After reviewing the "Criteria for Bar-Out" list, the committee will also consider the following before making a recommendation.

- 1) Seriousness of the crime and circumstances under which crime occurred.
- 2) Is the individual a repeat offender?
- 3) Has the individual been involved in other criminal activity since the bar-out was imposed.
- 4) What rehabilitative actions have the individual taken since the bar-out was imposed?
- 5) Does the individual represent a threat to the health, safety and quality of life of the tenants of GHA?
- 6) How do neighboring tenants feel about this individual's removal on the bar-out?