

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

Housing Authority Of Baltimore City

PHA Plans

5 Year Plan for Fiscal Years 2004 - 2008
Annual Plan for Fiscal Year 2004

**Re-Submitted For Approval to the
US Depart. of Housing & Urban Dev.
June 29, 2004**

**Approved by HABC Board of Commissioners March 23, 2004
First Submission to HUD April 2, 2004
HUD Revised June 15, 2004**

**NOTE: THIS PHA PLANS TEMPLATE (HUD 50075) IS TO BE COMPLETED IN
ACCORDANCE WITH INSTRUCTIONS LOCATED IN APPLICABLE PIH NOTICES**

**PHA Plan
Agency Identification**

PHA Name: *Housing Authority of Baltimore City*

PHA Number: *MD002*

PHA Fiscal Year Beginning: *07/2004*

Public Access to Information

Information regarding any activities outlined in this plan can be obtained by contacting: (select all that apply)

- Main administrative office of the PHA
*417 East Fayette Street, Suite 1301
Baltimore, MD 21202*
- PHA development management offices
- PHA local offices

Display Locations For PHA Plans and Supporting Documents

The PHA Plans (including attachments) are available for public inspection at: (select all that apply)

- Main administrative office of the PHA
*417 East Fayette Street, Suite 1301
Baltimore, MD 21202*
- PHA development management offices
- PHA local offices
- Main administrative office of the local government
- Main administrative office of the County government
- Main administrative office of the State government
- Public library
*Enoch Pratt Free Library, Central Branch
The Maryland Room
400 Cathedral Street
Baltimore, MD 21201*
- PHA website
www.baltimorehousing.org
- Other (list below)
*HABC Rental and Assisted Housing Office
300 Cathedral Street
Baltimore, MD 21201*

PHA Plan Supporting Documents are available for inspection at: (select all that apply)

Main business office of the PHA
*417 East Fayette Street, Suite 1301
Baltimore, MD 21202*

PHA development management offices

Other (list below)

*The Administrative Plan for the Housing Choice Voucher Program
is also available for inspection at:*

*HABC Rental and Assisted Housing Office
300 Cathedral Street, Suite 500
Baltimore, MD 21201*

5-YEAR PLAN
PHA FISCAL YEARS 2004 - 2008
[24 CFR Part 903.5]

A. Mission

State the PHA's mission for serving the needs of low-income, very low income, and extremely low-income families in the PHA's jurisdiction. (select one of the choices below)

- The mission of the PHA is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.
- The PHA's mission is: (state mission here)
Through participation of the HABC stakeholders, especially staff and residents, to provide quality housing and related services in a professional manner, emphasizing self-sufficiency, caring and affordable environments.

B. Goals

The goals and objectives listed below are derived from HUD's strategic Goals and Objectives and those emphasized in recent legislation. PHAs may select any of these goals and objectives as their own, or identify other goals and/or objectives. Whether selecting the HUD-suggested objectives or their own, **PHAS ARE STRONGLY ENCOURAGED TO IDENTIFY QUANTIFIABLE MEASURES OF SUCCESS IN REACHING THEIR OBJECTIVES OVER THE COURSE OF THE 5 YEARS.** (Quantifiable measures would include targets such as: numbers of families served or PHAS scores achieved.) PHAs should identify these measures in the spaces to the right of or below the stated objectives.

HUD Strategic Goal: Increase the availability of decent, safe, and affordable housing.

- PHA Goal: Expand the supply of assisted housing
Objectives:
- Apply for additional rental vouchers
 - Reduce public housing vacancies
 - Leverage private or other public funds to create additional housing opportunities
 - Acquire or build units or developments
 - Other (list below)
Apply for additional vouchers to serve special purpose needs

- PHA Goal: Improve the quality of assisted housing
 - Objectives:
 - Improve public housing management: (PHAS score) **80.0 (2003)**
 - Improve voucher management: (SEMAP score) **50.0 (2003)**
 - Increase customer satisfaction
 - Concentrate on efforts to improve specific management functions (list; e.g., public housing finance; voucher unit inspections)
 - ***Strict enforcement of voucher unit inspection (HQS)***
 - ***Partner with outside organizations that can provide housing search assistance and mobility counseling services***
 - ***Be more responsive in correcting unit deficiencies***
 - ***Improve vacancy turnaround***
 - ***Improve percentage of work order completion***
 - ***Reinforce property standards through asset management***
 - ***Expand financial resources for public housing***
 - Renovate or modernize public housing units
 - Demolish or dispose of obsolete public housing
 - Provide replacement public housing
 - Provide replacement vouchers
 - Other: (list below)
 - ***Create and maintain the replacement housing required by the Partial Consent Decree entered in Thompson v. HUD***
 - ***Renovate and develop handicapped accessible units required under the Bailey Consent Decree.***

- PHA Goal: Increase assisted housing choices
 - Objectives:
 - Provide voucher mobility counseling
 - Conduct outreach efforts to potential voucher landlords
 - Increase voucher payment standards
 - Implement voucher homeownership program
 - Implement public housing or other homeownership programs
 - Implement public housing site-based waiting lists
 - ***For mixed finance developments.***
 - Convert public housing to vouchers:
 - Other: (list below)
 - ***Seek partners to provide mobility and counseling services***

HUD Strategic Goal: Improve community quality of life and economic vitality

- PHA Goal: Provide an improved living environment
 - Objectives:
 - Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments
 - Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments
 - Implement public housing security improvements
 - Designate developments or buildings for particular resident groups (elderly, persons with disabilities)
 - Other: (list below)

HUD Strategic Goal: Promote self-sufficiency and asset development of families and individuals

- PHA Goal: Promote self-sufficiency and asset development of assisted households
 - Objectives:
 - Increase the number and percentage of employed persons in assisted families
 - Provide or attract supportive services to improve assistance recipients' employability
 - Provide or attract supportive services to increase independence for the elderly or families with disabilities
 - Other: (list below)
Provide education, information and resources to address health disparities in public housing communities

HUD Strategic Goal: Ensure Equal Opportunity in Housing for all Americans

- PHA Goal: Ensure equal opportunity and affirmatively further fair housing Objectives:
- Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability
 - Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability
 - Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required
 - Other: (list below)

The following is a brief statement of the Housing Authority of Baltimore City's progress in meeting the mission and goals described in the 5-Year Plan. The specific goals discussed herein are:

- *Increase the availability of decent, safe, and affordable housing by:*
 - *Expanding the supply of assisted housing*
 - *Improving the quality of assisted housing*
 - *Increasing assisted housing choices*
- *Improve community quality of life and economic vitality*
- *Promote self-sufficiency and asset development of families and individuals*
- *Ensure equal opportunity in housing for all Americans*

Increase the availability of decent, safe and affordable housing:

Expanding the supply of assisted housing: HABC is achieving this goal in several ways. The Housing Choice voucher Program (HCVP) will increase the availability of decent, safe, and affordable housing by setting aside vouchers for special purpose needs. Specifically, the HCVP will set aside 300 vouchers as a reasonable accommodation to persons with disabilities. In addition, 250 vouchers will be set aside and designated for those with immediate needs, while another 300 vouchers will be set aside for non-elderly persons with disabilities. Last, 500 vouchers will be set aside for project-based units, and HABC will continue to apply for opt-out vouchers as designated by HUD. HABC is also working to increase the availability of decent, safe housing by decreasing the number of vacancies in its public housing program. HABC has created a Rapid Vacant Team (RVT), which is dedicated to turning over vacancies in a more efficient and effective manner.

In addition to setting aside vouchers for special needs and decreasing vacancies, HABC has also been able to leverage state and private funding to increase

affordable housing in Baltimore and to stretch limited public housing dollars. In the coming year HABC will complete, through its development partner, construction and occupancy for 84 public housing rental and 5 public housing for-sale units in the Broadway Overlook HOPE VI project, which includes \$42 million in private and other public investment. This is only one of the projects under way to increase decent, safe and affordable housing through the auspices of HABC.

Improve the quality of assisted housing: The HABC continues to demonstrate its commitment to improving the quality of assisted housing by its progress in the enforcement of HQS. For the month ending May 31, 2004, HABC's Inspection Unit has earned 10 points for the first time for the HQS Enforcement indicator in SEMAP. As for SEMAP, for the period ending May 31, 2004 HABC's SEMAP score is 76%, or 110 out of 145 available points. This score is a significant improvement over that reported in 2003.

HABC's commitment to improve the quality of assisted housing extends to its public/private partnerships. HABC has created an Asset Management Team for its Partnership Housing Program. The Asset Management Team oversees a partnership's operational management, budget monitoring, financial reporting and contracts. In addition, effective July 1, 2004, eight (8) private management companies have been engaged to oversee twenty (20) of our public housing development sites. Of the eight (8) companies under contract, one (1) management company (BJR) is new and has never been under contract with HABC as a private management company.

Increasing assisted housing choices: The Housing Authority has created several homeownership programs to increase assisted housing choices for residents:

- ™ The Direct Purchase Homeownership Program – 15 Units. This program was approved by HUD in June 2003. Participants in this program receive a second mortgage funded by the HOPE VI funds. Four (4) participants have purchased homes through this Program***
- ™ The Section 8 Direct Purchase Homeownership Program – 53 Units. The Plan for this Program has been submitted to HUD for approval. Participants in this Program will receive a Section 8 homeownership voucher and a soft second mortgage funded by the HOPE VI funds.***
- ™ The Section 8 Lease Purchase Homeownership Program – 100 Units. The Plan for this Program has been submitted to HUD for approval. A couple of evidentiaries will be submitted to HUD in the near future. Participants in this Program will lease a unit while they address the issues that prevent them from qualifying for a mortgage. If they successfully address those issues, they will be able to purchase the home they lease with assistance from a Section 8 homeownership voucher and a soft second mortgage funded by the HOPE VI funds.***

HABC has also contracted for IHI to operate a Section 8 project based rental program. As of June 21, 2004, 109 families have leased units through the Section 8 project rental program.

Last, HABC has been able to leverage state and private funding to increase affordable housing in Baltimore and to stretch limited public housing dollars. In the previous 18 months, HABC:

- *secured \$1,850,000 in State of Maryland funding for 30 scattered site units acquired and rehabbed in a mixed finance transaction by St. Ambrose Housing Aid;*
- *secured, through its development partner, \$5,132,213 in private and other public funds to acquire and rehab 110 units, including 11 ACC (OpSub Only) units, in the West Hills development;*
- *secured, through its development partner, \$9.2 million in private and other public funds to create 93 new public housing replacement units and 31 tax credit affordable units at Flag House Courts;*
- *procured a development partner for the mixed-finance rehab of 40 public housing rental and 12 Tax Credit rental units in Reservoir Hill, which is anticipated to generate approximately \$8.5 million in private financing;*
- *procured a development partner for the mixed finance rehab of 24 public housing rental units in Sharp Leadenhall, which is anticipated to generate approximately \$3.5 million in private financing;*
- *completed, through its private development partner, the Heritage Crossing HOPE VI development which generated \$28.7 million in private and other public investment for the development of 75 public housing rental and 185 affordable for-sale units;*
- *purchased from FHA, for redevelopment as mixed income housing, the failed Freedom Village Apartments site; and,*
- *issued, with the East Baltimore Development, Inc., a Request for Qualifications for housing developers for 300 mixed income units (including 100 public housing replacement units) and \$1 million sf of life sciences technology space to be developed adjacent to the Johns Hopkins Medical Campus. This approximately \$60 million project (housing alone) will be developed with approximately \$52.5 million in private and other public financing.*

In the coming year, HABC will:

- *complete, through its development partner, construction and occupancy on 84 public housing rental and 5 public housing for-sale units in the Broadway Overlook HOPE VI project, which included \$42 million in private and other public investment;*

- *seek private development partners for the mixed income rehab of scattered site public housing units in the Barclay neighborhood, to include equity and debt from private investment sources;*
- *issue, with the Department of Housing and Community Development, request(s) for proposals for the mixed finance redevelopment of the Uplands Apartments site with approximately 278 affordable housing units, including approximately 72 units for low income renters. This \$120 million project will be almost entirely privately financed;*
- *issue a Request for Qualifications for the mixed income development of the Freedom Village Apartments site, to include approximately 250 rental and for-sale units (with 100 units for low income renters) and to be developed exclusively with non-public housing funds;*
- *issue Requests for Qualifications for the mixed finance acquisitions of market rate multifamily properties in stable city neighborhoods using a mix of RHF funds and private and other public funds; and,*
- *issue Requests for Proposals for the creation of affordable rental units using the Project Based Section 8 program which, by definition, will leverage significant private equity and debt.*
- *Acquire of build units of developments*

Other strategies to improve the quality of assisted housing and increase assisted housing choices are:

1. Improve quality of assisted housing

- *Demolish or dispose of obsolete public housing:
In the past year, HABC has initiated or secured Demolition or Disposition approval for 1,165 scattered site public housing units, 98 public housing units at O'Donnell Heights, and 122 public housing units at CK Anderson.*
- *Provide Replacement Public Housing:
All of the public and assisted housing unit development activities described above (under Leverage private or other public funds to create additional housing opportunities) are intended to serve as replacement units for distressed public housing.*

2. Increase assisted housing choices:

*Implement public housing site based wait lists:
A site based ACOP for the Broadway Overlook HOPE VI project was submitted to HUD for review in FY 2004.*

Improve community quality of life and economic vitality:

The HABC will implement specific admissions preferences that will achieve the above-stated goal. For instance, HABC will implement a preference for households that contribute to meeting income goals (broad range of incomes). In addition, HABC has continued to maintain the elderly designation at properties at Pleasant View Gardens and The Terraces, as it is required by stipulations in the Partial Consent Decree in Thompson et al. v. HUD et. al.

Promote self-sufficiency and asset development of families and individuals:

The HABC's division of Employment and Empowerment provided an array of services to support residents with employment and training goals. For the period July 1, 2003 – May 30, 2004 the following is reported:

- ***There were a total of 1,396 residents enrolled in employment program activities, 984 residents were employed for a 70.4% placement rate.***
- ***In the area of supportive services the following categories can be reported:***
 - ***1071 units of Job retention services were provided (Transportation assistance, counseling, etc.)***
 - ***134 Residents received Transportation Assistance (bus tokens or van service)***
 - ***Assisted 24 residents in purchasing a used vehicle (the Vehicle for Change Program)***
 - ***77 Residents enrolled in Driver's Education Training – 49 received licenses***
 - ***130 Residents referred for Substance Abuse Counseling***
 - ***90 Residents enrolled in the GED Preparation course***
 - ***17 Residents enrolled in the Adult Basic Education Training***
 - ***266 Residents were referred to Vocational Training***

In addition, the National Heart, Lung, and Blood Institute (NHLBI), in partnership with the Housing Authority of Baltimore City, Morgan State University Public Health Program, the Baltimore field office of the U.S. Department of Housing and Urban Development, and the Baltimore City Department of Recreation and Parks developed an initiative to promote cardiovascular health among African Americans in Baltimore City to eliminate the disparities in cardiovascular health and increase the quality of years of healthy life in Baltimore communities. Residents in Public Housing are the primary target group for the project and the project included such activities as intervention strategies, training for residents and health fairs.

Ensure equal opportunity in housing for all Americans

HABC has taken several steps to ensure an equal opportunity in housing for all Americans. Some of the steps taken include:

- *Fair housing training, for all HABC employees focusing on the requirements of the laws that protect the civil rights of persons with disabilities.*
- *Implementation of the MST automated system through which HABC now maintains its waiting list.*
- *Substantial revisions to HABC's Administrative Plan and Admissions and Continued Occupancy Policy, both of which set forth procedures and policies for the fair administration of HABC's waiting lists.*

In addition to the steps taken above to ensure an equal opportunity for all who apply to or receive assistance from the agency, HABC continues to implement the Thompson Partial Consent Decree and to create UFAS compliant units. An Immediate Needs Plan, to address the needs of residents who cannot use their units because of a disability has been implemented and an HABC team, consisting of representatives from Housing Operations, Resident Services and Engineering, meets with families who indicate they meet the Immediate Needs criteria to assess their needs. If the families are determined to meet the Immediate Needs criteria, the Team presents them with temporary and permanent solutions. The units that are being made UFAS compliant for persons with mobility impairments will be distributed throughout HABC's inventory and unit sizes.

Last, units are being made UFAS compliant for persons with hearing and vision impairments on demand within fourteen (14) days of the request for a hearing and vision UFAS compliant unit.

Other PHA Goals and Objectives: (list below)

Annual PHA Plan
PHA Fiscal Year 2004
[24 CFR Part 903.7]

i. Annual Plan Type:

Select which type of Annual Plan the PHA will submit.

Standard Plan

Streamlined Plan:

- High Performing PHA**
 Small Agency (<250 Public Housing Units)
 Administering Section 8 Only

Troubled Agency Plan

ii. Executive Summary of the Annual PHA Plan

[24 CFR Part 903.7 9 (r)]

Provide a brief overview of the information in the Annual Plan, including highlights of major initiatives and discretionary policies the PHA has included in the Annual Plan.

HABC's major initiatives and discretionary policies covered in this Annual Plan include:

- *Revision of its Section 8 Administrative Plan for the purpose of better managing this program consistent with industry norms and HUD regulation*
- *Initiatives to comply with the Thompson v. HUD Partial Consent Decree requirements*
- *Plans to develop additional financial opportunities to fund the improvement of its housing stock.*
- *Sustaining and preserving existing public housing developments*
- *Expanding housing opportunities for low and moderate-income households*
- *Expanding homeownership opportunities*
- *Coordinating with the Community Development Corporations (CDCs) to revitalize communities*
- *Reducing the concentration of poverty within public housing*
- *Supporting families making the transition from welfare to work*
- *Raising performance standards for Section 8 and public housing programs*
- *Transforming the public housing stock through planned demolition, disposition, replacement housing and mixed finance projects*
- *Renovating units consistent with the Bailey Consent Decree and the Uniform Federal Accessibility Standards*
- *Providing housing opportunities consistent with the Bailey Consent Decree*

iii. Annual Plan Table of Contents

[24 CFR Part 903.7 9 (r)]

Provide a table of contents for the Annual Plan, including attachments, and a list of supporting documents available for public inspection.

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Attachments

Indicate which attachments are provided by selecting all that apply. Provide the attachment's name (A, B, etc.) in the space to the left of the name of the attachment. Note: If the attachment is provided as a **SEPARATE** file submission from the PHA Plans file, provide the file name in parentheses in the space to the right of the title.

Required Attachments:

- A. HABC Statement of Policy on Deconcentration**
- B(1) FFY 2004 Capital Fund Program Annual Statement**
- B(2) FFY 2004 Replacement Housing Factor Statement**
- Most recent board-approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY)

Optional Attachments:

- C. PHA Management Organizational Chart
- D. (1) *FFY 2004 Capital Fund Program 5 Year Action Plan*
(2) *FFY 2003 Capital Program Performance & Evaluation Report*
(3) *FFY 2003 Annual Plan Statement Balance Of*
(4) *FFY 2003 Replacement Housing Factor Performance & Evaluation Report*
(5) *FFY 2002 Capital Program Performance & Evaluation Report*
(6) *FFY 2002 Replacement Housing Factor Performance & Evaluation Report*
(7) *FFY 2001 Capital Program Performance & Evaluation Report*
(8) *FFY 2001 Replacement Housing Factor Performance & Evaluation Report*
(9) *FFY 2000 Capital Program Performance & Evaluation Report*
(10) *FFY 2000 Replacement Housing Factor Performance & Evaluation Report*
(11) *FFY 1999 Replacement Housing Factor Performance & Evaluation Report*
- Public Housing Drug Elimination Program (PHDEP) Plan
- E. Comments of Resident Advisory Board or Boards (must be attached if not included in PHA Plan text)
- Other (List below, providing each attachment name)
 - F. (1)*HABC Administrative Plan for Thompson v. HUD Partial Consent Decree Section 8 Programs*
(2) *Operating Order Inces*
 - G. *HABC Criteria for Determining Substantial Deviation and Significant Amendment or Modification*
 - H. *Responses to Comments from Public Meeting on the Annual Plan*
 - I. *Deconcentration & Income Mixing Chart*
 - J. *Pet Policies*
 - K. *RASS Implementation Plan*
 - L. *Community Service Requirement*
 - M. *Administrative Plan for the Housing Choice Voucher Program*
 - N. *Admissions and Continued Occupancy Policy*

Supporting Documents Available for Review

Indicate which documents are available for public review by placing a mark in the “Applicable & On Display” column in the appropriate rows. All listed documents must be on display if applicable to the program activities conducted by the PHA.

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
X	PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan	5 Year and Annual Plans (
X	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions’ initiatives to affirmatively further fair housing that require the PHA’s involvement.	5 Year and Annual Plans
X	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI)) and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources
X	Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP]	Annual Plan: Eligibility, Selection, and Admissions Policies (
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public Housing Deconcentration and Income Mixing Documentation: 1. PHA board certifications of compliance with deconcentration requirements (section 16(a) of the US Housing Act of 1937, as implemented in the 2/18/99 <i>Quality Housing and Work Responsibility Act Initial Guidance; Notice</i> and any further HUD guidance) and 2. Documentation of the required deconcentration and income mixing analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public housing rent determination policies, including the methodology for setting public housing flat rents <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
X	Schedule of flat rents offered at each public housing development <input type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
X	Section 8 rent determination (payment standard) policies <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Rent Determination
X	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation)	Annual Plan: Operations and Maintenance
X	Public housing grievance procedures <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Grievance Procedures
X	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs
NO	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant	Annual Plan: Capital Needs
X	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs
X	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other approved proposal for development of public housing	Annual Plan: Capital Needs
X	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
X	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
NO	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
X	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
X	Policies governing any Section 8 Homeownership program <input checked="" type="checkbox"/> check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
X	Any cooperative agreement between the PHA and the TANF agency	Annual Plan: Community Service & Self-Sufficiency
X	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
X	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
X	The most recent Public Housing Drug Elimination Program (PHEDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
X	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
X	Troubled PHAs: MOA/Recovery Plan Section 8	Troubled PHAs
X	Other supporting documents (optional) (list individually; use as many lines as necessary) Section 8 Payment Standards	

1. Statement of Housing Needs

[24 CFR Part 903.7 9 (a)]

A. Housing Needs of Families in the Jurisdiction/s Served by the PHA

Based upon the information contained in the Consolidated Plan/s applicable to the jurisdiction, and/or other data available to the PHA, provide a statement of the housing needs in the jurisdiction by completing the following table. In the "Overall" Needs column, provide the estimated number of renter families that have housing needs. For the remaining characteristics, rate the impact of that factor on the housing needs for each family type, from 1 to 5, with 1 being "no impact" and 5 being "severe impact." Use N/A to indicate that no information is available upon which the PHA can make this assessment.

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Afford-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Income <= 30% of AMI	35,316	5	5	5	3	3	5
Income >30% but <=50% of AMI	13,156	5	5	5	3	3	5
Income >50% but <80% of AMI	4,811	1	2	2	1	2	2
Elderly	10,908	4	3	2	3	1	2
Families with Disabilities	21,610*	5	4	3	5	2	2
Race/Ethnicity: Black Households <80% AMI	36,858	5	5	5	3	3	5
Race/Ethnicity: White Households <80% AMI	13,226	5	5	5	3	3	5
Race/Ethnicity: Hispanic Households <80% AMI	995	5	5	5	3	3	5
Race/Ethnicity: Other Households <80% AMI	2,204	5	5	5	3	3	5

** This estimate comes from the current five-year Consolidated Plan. No good data exists that can answer this accurately. The special Census tabulations prepared for HUD on housing need does not include disability as a category. Disabilities noted in the Consolidated Plan: physically disabled 14, 150; developmentally disabled 1,460; severe mental illness 6,000.*

What sources of information did the PHA use to conduct this analysis? (Check all that apply; all materials must be made available for public inspection.)

- Consolidated Plan of the Jurisdiction/s
Indicate year: **2000-2005**
- U.S. Census data: the Comprehensive Housing Affordability Strategy (“CHAS”) dataset
The data contained in the housing needs table of the 2004 Plan is taken from new CHAS data sets released by HUD in September 2003. This data supplants the earlier CHAS data contained in the City's current five- year Consolidated Plan. The new CHAS data is from a special tabulation prepared by the Bureau of the Census for HUD and uses information from the 2000 census. The CHAS data used in prior year Plans was generated from the 1990 Census.
- American Housing Survey data
Indicate year:
- Other housing market study
Indicate year:
- Other sources: (list and indicate year of information)

B. Housing Needs of Families on the Public Housing and Section 8 Tenant- Based Assistance Waiting Lists

State the housing needs of the families on the PHA's waiting list/s. **Complete one table for each type of PHA-wide waiting list administered by the PHA.** PHAs may provide separate tables for site-based or sub-jurisdictional public housing waiting lists at their option.

Housing Needs of Families on the Waiting List <i>Public Housing</i>			
Waiting list type: (select one)			
<input type="checkbox"/> Section 8 tenant-based assistance			
<input checked="" type="checkbox"/> Public Housing			
<input type="checkbox"/> Combined Section 8 and Public Housing			
<input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional)			
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover *
Waiting list total	14,725		1,325
Extremely low income <=30% AMI	13,224	89.8%	
Very low income (>30% but <=50% AMI)	1,369	9.29%	
Low income (>50% but <80% AMI)	132	>1%	
Families with children	6,877	46.7%	
Elderly families	931	6.3%	
Families with Disabilities	6,617	44.9%	
Race/ethnicity: <i>White</i>	543	3.6%	
Race/ethnicity: <i>Black</i>	13,800	93.7%	
Race/ethnicity: <i>Asian</i>	53	>1%	
Race/ethnicity: <i>American Indian</i>	54	>1%	
Race/ethnicity: <i>Native Hawaiian/ Pacific Islander</i>	41	>1%	
Race/ethnicity: <i>Not Defined</i>	234	1.5%	

Housing Needs of Families on the Waiting List <i>Public Housing</i>			
Characteristics by Bedroom Size (Public Housing Only)			
1BR	7,797	53%	
2 BR	4,542	31%	
3 BR	2,033	14%	
4 BR	296	2%	
5 BR			
5+ BR	57	1%	
Is the waiting list closed (select one)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes: How long has it been closed (# of months)? Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input type="checkbox"/> Yes Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input type="checkbox"/> No <input type="checkbox"/> Yes			

****HABC interprets turnover as the number of families leaving the program annually. For Public Housing, this figure is calculated based on the move-outs per month, as provided in the Monthly Vacancy Report.***

Housing Needs of Families on the Waiting List Section 8			
Waiting list type: (select one)			
<input checked="" type="checkbox"/> Section 8 tenant-based assistance			
<input type="checkbox"/> Public Housing			
<input type="checkbox"/> Combined Section 8 and Public Housing			
<input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional)			
If used, identify which development/subjurisdiction:			
	# of families <i>(as of 12/31/03)</i>	% of total families	Annual Turnover *
Waiting list total	15,169		480
Extremely low income <=30% AMI	14,714	97.0%	
Very low income (>30% but <=50% AMI)	364	2.4%	
Low income (>50% but <80% AMI)	86	.57%	
Families with children	8,332	54.9%	
Elderly families	767	5.05%	
Families with Disabilities	5,622	37.06%	
Race/ethnicity - White	713	4.7%	
Race/ethnicity - Black	14,275	94.1%	
Race/ethnicity – American Indian/Alaska Native	49	3.23%	
Race/ethnicity - Asian	27	1.78%	
Race/ethnicity – Native Hawaiian/Pacific Islander	24	1.58%	
Race/ethnicity - Hispanic	98	6.46%	
* HABC interprets turnover as the number of families leaving the program annually.			

Housing Needs of Families on the Waiting List

Section 8

Is the waiting list closed (select one)? No Yes

If yes:

How long has it been closed (# of months)? **10 (Since 2/14/03)**

Does the PHA expect to reopen the list in the PHA Plan year? No Yes

Does the PHA permit specific categories of families onto the waiting list, even if generally closed? No Yes

1. Emergency Preferences

- ***Family displaced due to Natural Disaster***
- ***Family displaced due to Public Action***
- ***Intimidated Victim or Witness of a Crime referred by the Maryland States Attorney and/or Police Agencies***
- ***Families currently in HABC Public Housing where the head of household, spouse or other family member has a disability for which they request a reasonable accommodation***

2. Families where the head of household, spouse or any family member has a disability.

Persons may live in Public Housing and still be on the HCV (Section 8) waiting list.

C 1: The following strategies apply to Public Housing Only

C. Strategy for Addressing Needs

Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list **IN THE UPCOMING YEAR**, and the Agency's reasons for choosing this strategy.

(1) Strategies

Need: Shortage of affordable housing for all eligible populations

Strategy 1. Maximize the number of affordable units available to the PHA within its current resources by:

Select all that apply

- Employ effective maintenance and management policies to minimize the number of public housing units off-line
- Reduce turnover time for vacated public housing units
- Reduce time to renovate public housing units
- Seek replacement of public housing units lost to the inventory through mixed finance development
- Seek replacement of public housing units lost to the inventory through section 8 replacement housing resources
- Maintain or increase section 8 lease-up rates by establishing payment standards that will enable families to rent throughout the jurisdiction
- Undertake measures to ensure access to affordable housing among families assisted by the PHA, regardless of unit size required
- Maintain or increase section 8 lease-up rates by marketing the program to owners, particularly those outside of areas of minority and poverty concentration
- Maintain or increase section 8 lease-up rates by effectively screening Section 8 applicants to increase owner acceptance of program
- Participate in the Consolidated Plan development process to ensure coordination with broader community strategies
- Other (list below)
 - *Apply for State of Maryland Partnership Rental Housing funds*
 - *Support applications by private partners for Low Income Housing Tax Credits*
 - *Create and maintain replacement housing required by the Partial Consent Decree entered in Thompson v. HUD*
 - *Apply for additional vouchers to serve special purpose needs.*
 - *Create and maintain units for non-elderly persons with disabilities and units that comply with the Uniform Federal Accessibility Standards in accordance with the consent decree entered in Bailey v. HABC.*

Strategy 2: Increase the number of affordable housing units by:

Select all that apply

- Apply for additional section 8 units should they become available
- Leverage affordable housing resources in the community through the creation of mixed - finance housing
- Pursue housing resources other than public housing or Section 8 tenant-based assistance.
- Other: (list below)

Need: Specific Family Types: Families at or below 30% of median

Strategy 1: Target available assistance to families at or below 30 % of AMI

Select all that apply

- Exceed HUD federal targeting requirements for families at or below 30% of AMI in public housing
- Exceed HUD federal targeting requirements for families at or below 30% of AMI in tenant-based section 8 assistance
- Employ admissions preferences aimed at families with economic hardships
- Adopt rent policies to support and encourage work
- Other: (list below)

Need: Specific Family Types: Families at or below 50% of median

Strategy 1: Target available assistance to families at or below 50% of AMI

Select all that apply

- Employ admissions preferences aimed at families who are working
- Adopt rent policies to support and encourage work
- Other: (list below)

Need: Specific Family Types: The Elderly

Strategy 1: Target available assistance to the elderly:

Select all that apply

- Seek designation of public housing for the elderly
- Apply for special-purpose vouchers targeted to the elderly, should they become available
- Other: (list below)
Seek renewal of existing designation of the Terraces Garden Cooperative Apts. and Pleasant View Gardens senior buildings, as required by the Mixed-Finance development funding sources.

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:

Select all that apply

- Seek designation of public housing for families with disabilities
- Carry out the modifications needed in public housing based on the section 504 Needs Assessment for Public Housing
- Apply for special-purpose vouchers targeted to families with disabilities, should they become available
- Affirmatively market to local non-profit agencies that assist families with disabilities
- Other: (list below)
 - *Section 8 vouchers for immediate needs families*
 - *Create a 3-out-of-4 preference to one-bedroom units located in the family developments for non-elderly persons with disabilities that are not designated for non-elderly persons with disabilities.*

Need: Specific Family Types: Races or ethnicities with disproportionate housing needs

Strategy 1: Increase awareness of PHA resources among families of races and ethnicities with disproportionate needs:

Select if applicable

- Affirmatively market to races/ethnicities shown to have disproportionate housing needs
- Other: (list below)
Affirmatively market to race/ethnicity under-represented on the waiting list.

Strategy 2: Conduct activities to affirmatively further fair housing

Select all that apply

- Counsel section 8 tenants as to location of units outside of areas of poverty or minority concentration and assist them to locate those units
- Market the section 8 program to owners outside of areas of poverty /minority concentrations
- Other: (list below)
 - *Complete the creation of 40 units located in Non-Impacted Areas in accordance with the Thompson Consent Decree*
 - *Begin the creation of 57 Broadway off-site units to be located in Non-Impacted Areas in accordance with the Thompson Consent Decree, as amended*

Other Housing Needs & Strategies: (list needs and strategies below)

(NONE)

(2) Reasons for Selecting Strategies

Of the factors listed below, select all that influenced the PHA's selection of the strategies it will pursue:

- Funding constraints
- Staffing constraints
- Limited availability of sites for assisted housing
- Extent to which particular housing needs are met by other organizations in the community
- Evidence of housing needs as demonstrated in the Consolidated Plan and other information available to the PHA
- Influence of the housing market on PHA programs
- Community priorities regarding housing assistance
- Results of consultation with local or state government
- Results of consultation with residents and the Resident Advisory Board
- Results of consultation with advocacy groups
- Other: (list below)
 - *Thompson Consent Decree*
 - *Bailey Consent Decree*

C 2: The following strategies apply to The Housing Choice Voucher Program (Section 8) Only

C. Strategy for Addressing Needs

Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list **IN THE UPCOMING YEAR**, and the Agency's reasons for choosing this strategy.

(1) Strategies

Need: Shortage of affordable housing for all eligible populations

Strategy 1. Maximize the number of affordable units available to the PHA within its current resources by:

Select all that apply

- Employ effective maintenance and management policies to minimize the number of public housing units off-line
- Reduce turnover time for vacated public housing units
- Reduce time to renovate public housing units
- Seek replacement of public housing units lost to the inventory through mixed finance development
- Seek replacement of public housing units lost to the inventory through section 8 replacement housing resources
- Maintain or increase section 8 lease-up rates by establishing payment standards that will enable families to rent throughout the jurisdiction
- Undertake measures to ensure access to affordable housing among families assisted by the PHA, regardless of unit size required
- Maintain or increase section 8 lease-up rates by marketing the program to owners, particularly those outside of areas of minority and poverty concentration
- Maintain or increase section 8 lease-up rates by effectively screening Section 8 applicants to increase owner acceptance of program
- Participate in the Consolidated Plan development process to ensure coordination with broader community strategies
- Other (list below)

Strategy 2: Increase the number of affordable housing units by:

Select all that apply

- Apply for additional section 8 units should they become available
- Leverage affordable housing resources in the community through the creation of mixed - finance housing
- Pursue housing resources other than public housing or Section 8 tenant-based assistance.
- Other: (list below)

Need: Specific Family Types: Families at or below 30% of median

Strategy 1: Target available assistance to families at or below 30 % of AMI

Select all that apply

- Exceed HUD federal targeting requirements for families at or below 30% of AMI in public housing
- Exceed HUD federal targeting requirements for families at or below 30% of AMI in tenant-based section 8 assistance
- Employ admissions preferences aimed at families with economic hardships
- Adopt rent policies to support and encourage work
- Other: (list below)

Need: Specific Family Types: Families at or below 50% of median

Strategy 1: Target available assistance to families at or below 50% of AMI

Select all that apply

- Employ admissions preferences aimed at families who are working
- Adopt rent policies to support and encourage work
- Other: (list below)

Need: Specific Family Types: The Elderly

Strategy 1: Target available assistance to the elderly:

Select all that apply

- Seek designation of public housing for the elderly
- Apply for special-purpose vouchers targeted to the elderly, should they become available
- Other: (list below)

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:

Select all that apply

- Seek designation of public housing for families with disabilities
- Carry out the modifications needed in public housing based on the section 504 Needs Assessment for Public Housing
- Apply for special-purpose vouchers targeted to families with disabilities, should they become available
- Affirmatively market to local non-profit agencies that assist families with disabilities
- Other: (list below)
 - *Set aside vouchers for families where the head of household, spouse or other family member has a disability.*
 - *Conducting outreach to landlords providing education about the advantages (e.g. tax credits and exception rents) of providing accessible units.*
 - *Identifying units that are accessible or have accessible features and maintaining a list of these units in a database*
 - *Implementing an Enhanced Leasing Assistance Program, in accordance with the Bailey Consent Decree, to assist persons with disabilities who choose to participate in successfully leasing a unit*
 - *Project-basing units for persons with disabilities*

Need: Specific Family Types: Races or ethnicities with disproportionate housing needs

Strategy 1: Increase awareness of PHA resources among families of races and ethnicities with disproportionate needs:

Select if applicable

- Affirmatively market to races/ethnicities shown to have disproportionate housing needs
- Other: (list below)
Affirmatively market to race/ethnicity under-represented on the waiting list.

Strategy 2: Conduct activities to affirmatively further fair housing

Select all that apply

- Counsel section 8 tenants as to location of units outside of areas of poverty or minority concentration and assist them to locate those units
- Market the section 8 program to owners outside of areas of poverty /minority concentrations
- Other: (list below)
 - ***Implementing the Special Mobility Counseling Program required by the Thompson Consent Decree, which includes both tenant-based and project-based vouchers to be used in Non-Impacted Areas***
 - ***Implementing the Homeownership Demonstration Program required by the Thompson Consent Decree, which provides homeownership opportunities in Non-Impacted Areas.***
 - ***Implementing admissions preferences and designation of units in accordance with the consent decree entered in Bailey v. HABC.***

Other Housing Needs & Strategies: (list needs and strategies below)

(2) Reasons for Selecting Strategies

Of the factors listed below, select all that influenced the PHA's selection of the strategies it will pursue:

- Funding constraints
- Staffing constraints
- Limited availability of sites for assisted housing
- Extent to which particular housing needs are met by other organizations in the community
- Evidence of housing needs as demonstrated in the Consolidated Plan and other information available to the PHA
- Influence of the housing market on PHA programs
- Community priorities regarding housing assistance
- Results of consultation with local or state government
- Results of consultation with residents and the Resident Advisory Board
- Results of consultation with advocacy groups
- Other: (list below)
 - ***Thompson Consent Decree***
 - ***Bailey Consent Decree***

2. Statement of Financial Resources

[24 CFR Part 903.7 9 (b)]

List the financial resources that are anticipated to be available to the PHA for the support of Federal public housing and tenant-based Section 8 assistance programs administered by the PHA during the Plan year. Note: the table assumes that Federal public housing or tenant based Section 8 assistance grant funds are expended on eligible purposes; therefore, uses of these funds need not be stated. For other funds, indicate the use for those funds as one of the following categories: public housing operations, public housing capital improvements, public housing safety/security, public housing supportive services, Section 8 tenant-based assistance, Section 8 supportive services or other.

Financial Resources: Planned Sources and Uses		
Sources	Source \$ (In Thousands)	Planned Uses
1. FY 2005 BUDGET (FFY 2004)	Through June 30, 2005	
a) Public Housing Operating Fund	54,701	At 95% proration
b) Public Housing Capital Fund (including RHF estimates)	26,600	Pending HUD approval
c) HOPE VI Revitalization	0	
d) HOPE VI Demolition	0	
e) Annual Contributions for Section 8 Tenant-Based Assistance	88,242	
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)	0	
g) Resident Opportunity and Self- Sufficiency Grants	0	
h) Community Development Block Grant	0	
i) HOME	500	Capital Improvement
Other Federal Grants (list below)	0	
Upfront Grant	8,280	Freedom Village
2. Prior Year Federal Grants (unobligated funds only) (list below)		
2003 CFP Including Balance of 2003	14,859	Capital Improvement
2003 Replacement Housing Factor	4,089	Replacement Housing
2002 CFP	2,532	Capital Improvement
HOPE VI - Claremont	18,853	Capital Improvement

Financial Resources: Planned Sources and Uses		
Sources	Source \$ (In Thousands)	Planned Uses
3. Public Housing Dwelling Rental Income	27,000	Operations
4. Other income (list below)		
<i>Youthbuild</i>	400	<i>Supportive Services</i>
<i>Elderly Service Coordinator</i>	300	<i>Supportive Services</i>
<i>Business Development</i>	293	<i>Supportive Services</i>
5. Non-federal sources (list below)		
<i>Vending Machines</i>	110	<i>Operations</i>
<i>Antennas</i>	440	<i>Operations</i>
<i>Interest on Investment</i>	200	<i>Operations</i>
<i>Tenant Charges – Court Costs</i>	200	<i>Operations</i>
<i>Other Income</i>	100	<i>Operations</i>
<i>Various State Grants</i>	3,313	<i>Supportive Services</i>
<i>Private Grants</i>	544	<i>Supportive Services</i>
<i>Bond Fund</i>	65,100	<i>Capital Improvements</i>
Total resources	<u>316,716</u>	

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.7 9 (c)]

A. Public Housing

Exemptions: PHAs that do not administer public housing are not required to complete subcomponent 3A.

For complete policies governing this component please see Attachment N: Admissions and Continued Occupancy Policy with the Dwelling Lease.

(1) Eligibility

a. When does the PHA verify eligibility for admission to public housing? (select all that apply)

- When families are within a certain number of being offered a unit: (state number)
Within the top 100 applications
- When families are within a certain time of being offered a unit: (state time)
- Other: (describe)

b. Which non-income (screening) factors does the PHA use to establish eligibility for admission to public housing (select all that apply)?

- Criminal or Drug-related activity
- Rental history
- Housekeeping
- Other (describe)

May conduct home visits and credit checks on applicant listed as head of household.

c. Yes **No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?

d. Yes No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?

e. Yes No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)

*****HABC uses the Judicial Information System (JIS) which provides us with the ability to search District Court and Circuit Court records for the State of Maryland. A District Court records search is completed for all applicants and household members age 14 and older. Circuit Court record search may be completed when information gleaned from the District Court indicates that a case was transferred to the Circuit Court for processing.***

(2)Waiting List Organization

a. Which methods does the PHA plan to use to organize its public housing waiting list
(select all that apply)

- Community-wide list
- Sub-jurisdictional lists
- Site-based waiting lists
- Other (describe)

- ***HOPE VI and Thompson v. HUD Partial Consent Decree.***
Heritage Crossing
Flag House
- ***40 units created in compliance with Thompson v. HUD Partial Consent Decree***
- ***57 units created in compliance with Thompson v. HUD Partial Consent Decree***

b. Where may interested persons apply for admission to public housing?

- PHA main administrative office
HABC Rental and Assisted Housing Office
300 Cathedral Street
Baltimore, MD 21201

- PHA development site management office

- Other (list below)
Applications may also be obtained from:

417 East Fayette Street, Suite 266
Baltimore, MD 21202

c. If the PHA plans to operate one or more site-based waiting lists in the coming year, answer each of the following questions; if not, skip to subsection (3) Assignment

1. How many site-based waiting lists will the PHA operate in the coming year? **2**
Broadway Overlook
St. Ambrose Scattered Sites

2. Yes No: Are any or all of the PHA's site-based waiting lists new for the upcoming year (that is, they are not part of a previously-HUD-approved site based waiting list plan)?
If yes, how many lists? **1**

3. Yes No: May families be on more than one list simultaneously
If yes, how many lists? 8

- **Public Housing Waiting List**
- **Housing Choice Voucher Program Waiting List**
- **Section 8 Site-Based Waiting Lists**
 - **Moderate Rehabilitation**
 - **Project-Based**
- **HOPE VI Waiting List (1 of 3 if displaced – Heritage Crossing, Flaghouse, Broadway Overlook)**
- **Asset Managed Waiting Lists (2 – 40-unit and 57-unit)**
- **St. Ambrose Scattered Sites Waiting List**

4. Where can interested persons obtain more information about and sign up to be on the site-based waiting lists (select all that apply)?

- PHA main administrative office
- All PHA development management offices
- Management offices at developments with site-based waiting lists
- At the development to which they would like to apply
- Other (list below)

(3) Assignment

a. How many vacant unit choices are applicants ordinarily given before they fall to the bottom of or are removed from the waiting list? (select one)

- One
- Two
- Three or More

b. Yes No: Is this policy consistent across all waiting list types?

- ***Under the site-based ACOP for Broadway Overlook HOPE VI, families with a priority for return are provided with three vacant unit choices. New applicants are provided with one choice.***

c. If answer to b is no, list variations for any other than the primary public housing waiting list/s for the PHA:

(4) Admissions Preferences

a. Income targeting:

- Yes No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 40% of all new admissions to public housing to families at or below 30% of median area income?

b. Transfer policies:

In what circumstances will transfers take precedence over new admissions? (list below)

- Emergencies (*See Other*)
- Overhoused
- Underhoused
- Medical justification
- Administrative reasons determined by the PHA (e.g., to permit modernization work)
- Resident choice: (state circumstances below)
- Other: (list below)

If HABC initiates transfer for the following emergencies:

- *Habitability/Structural damage/Safety*
- *In response to an immediate needs reasonable accommodation request by a resident because the household has a family member with a disability; these families receive priority for accessible units and units with accessible features*
- *HABC demolition/disposition of unit*
- *Government action*
- *Intimidated crime victim or intimidated witness of crime referred by the MD Office of the State's Attorney and/or police agencies.*

c. Preferences

1. Yes No: Has the PHA established preferences for admission to public housing (other than date and time of application)? (If "no" is selected, skip to subsection (5) Occupancy)

2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences:

- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- Victims of domestic violence
- Substandard housing
- Homelessness
- High rent burden (rent is > 50 percent of income)

Other preferences: (select below)

- Working families and those unable to work because of age or disability
- Veterans and veterans' families
- Residents who live and/or work in the jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)
- Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes
- Other preference(s) (list below)

In accordance with the consent decree entered in Bailey v. HABC, non-elderly disabled persons will receive a preference for 100 percent of the 584 one-bedroom units in the family developments that will be designated for occupancy by non-elderly persons with disabilities, and a preference for 3 out of 4 of the remaining 1180 one-bedroom units in family developments as they become available through turnover.

3. If the PHA will employ admissions preferences, please prioritize by placing a "1" in the space that represents your first priority, a "2" in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use "1" more than once, "2" more than once, etc.

Date and Time

Former Federal preferences:

- 1** Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- 1** Victims of domestic violence
- 1** Substandard housing
- 1** Homelessness
- 3** High rent burden

Other preferences (select all that apply)

- 4 Working families and those unable to work because of age or disability
- 5 Veterans and veterans' families
- 4 Residents who live and/or work in the jurisdiction
- 2 Those enrolled currently in educational, training, or upward mobility programs
- 3 Households that contribute to meeting income goals (broad range of incomes)
- 3 Households that contribute to meeting income requirements (targeting)
- 2 Those previously enrolled in educational, training, or upward mobility programs
- 1 Victims of reprisals or hate crimes
- Other preference(s) (list below)
 - 1 *Intimidated crime victim or intimidated witness of crime referred by the MD Office of the State's Attorney and/or police agencies.*
 - 1 *Non-elderly persons with disabilities will receive 3 out of 4 admissions preference for the 1,180 one-bedroom units in the family public housing developments that are currently not occupied by non-elderly persons.*

4. Relationship of preferences to income targeting requirements:

- The PHA applies preferences within income tiers
- Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Occupancy

a. What reference materials can applicants and residents use to obtain information about the rules of occupancy of public housing (select all that apply)

- The PHA-resident lease
- The PHA's Admissions and (Continued) Occupancy policy
- PHA briefing seminars or written materials
- Other source (list)

b. How often must residents notify the PHA of changes in family composition? (select all that apply)

- At an annual reexamination and lease renewal
- Any time family composition changes
- At family request for revision
- Other (list)

(6) Deconcentration and Income Mixing

a. Yes No: Did the PHA's analysis of its family (general occupancy) developments to determine concentrations of poverty indicate the need for measures to promote deconcentration of poverty or income mixing?

b. Yes No: Did the PHA adopt any changes to its admissions policies based on the results of the required analysis of the need to promote deconcentration of poverty or to assure income mixing?

c. If the answer to b was yes, what changes were adopted? (select all that apply)

Adoption of site-based waiting lists
If selected, list targeted developments below:

Employing waiting list "skipping" to achieve deconcentration of poverty or income mixing goals at targeted developments
If selected, list targeted developments below:
Rehabilitation Housing: Scattered Sites Locations
(See HABC Policy on Deconcentration: Attachment A)

Employing new admission preferences at targeted developments
If selected, list targeted developments below:
Rehabilitation Housing: Scattered Sites Locations
(See HABC Policy on Deconcentration: Attachment A)

Other (list policies and developments targeted below)

d. Yes No: Did the PHA adopt any changes to other policies based on the results of the required analysis of the need for deconcentration of poverty and income mixing?

e. If the answer to d was yes, how would you describe these changes? (select all that apply)

- Additional affirmative marketing
- Actions to improve the marketability of certain developments
- Adoption or adjustment of ceiling rents for certain developments
- Adoption of rent incentives to encourage deconcentration of poverty and income-mixing
- Other (list below)

f. Based on the results of the required analysis, in which developments will the PHA make special efforts to attract or retain higher-income families? (select all that apply)

- Not applicable: results of analysis did not indicate a need for such efforts
 List (any applicable) developments below:

Rehabilitation Housing: Scattered Sites Locations

g. Based on the results of the required analysis, in which developments will the PHA make special efforts to assure access for lower-income families? (select all that apply)

- Not applicable: results of analysis did not indicate a need for such efforts
 List (any applicable) developments below:

B. Section 8

Exemptions: PHAs that do not administer section 8 are not required to complete sub-component 3B. **Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).**

(1) Eligibility

a. What is the extent of screening conducted by the PHA? (select all that apply)

- Criminal or drug-related activity only to the extent required by law or regulation
 Criminal and drug-related activity, more extensively than required by law or regulation
 More general screening than criminal and drug-related activity (list factors below)
 Other (list below)
- ***Rent and tenancy history for prior occupants of Public Housing and the HCV (Section 8) Moderate Rehabilitation Program.***
 - ***Baltimore City Fire Department records for families claiming Emergency Preference due to natural disaster.***

- b. Yes No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?
- c. Yes No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?
- d. Yes No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)
- e. Indicate what kinds of information you share with prospective landlords? (select all that apply)
- Criminal or drug-related activity
- Other (describe below)
- Only as required by law and regulation, such as current address. Also name and address (if known) of landlord at family's current and prior address.

(2) Waiting List Organization

- a. With which of the following program waiting lists is the section 8 tenant-based assistance waiting list merged? (select all that apply)
- None
- Federal public housing
- Federal moderate rehabilitation
- Federal project-based certificate program
- Other federal or local program (list below).
- b. Where may interested persons apply for admission to section 8 tenant-based assistance? (select all that apply)
- PHA main administrative office
- Other (list below)
***HABC Rental & Assisted Housing Customer Relations Office
 300 Cathedral Street, Suite 102
 Baltimore, MD 21201***

(3) Search Time

- a. Yes No: Does the PHA give extensions on standard 60-day period to search for a unit?

If yes, state circumstances below:

The initial voucher term will be 60 days. In addition, the HABC grants extensions as follows:

- *Vouchers may be extended by one 30-day interval for a total period not to exceed 90 days from the date of issuance*
- *An additional 30 days as a reasonable accommodation to make the program accessible and usable for a family with a disability.*

(4) Admissions Preferences

- a. Income targeting

- Yes No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 75% of all new admissions to the section 8 program to families at or below 30% of median area income?

- b. Preferences

1. Yes No: Has the PHA established preferences for admission to section 8 tenant-based assistance? (other than date and time of application) (if no, skip to subcomponent (5) Special purpose section 8 assistance programs)
2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences

- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- Victims of domestic violence
- Substandard housing
- Homelessness
- High rent burden (rent is > 50 percent of income)

Other preferences (select all that apply)

- Working families and those unable to work because of age or disability
- Veterans and veterans' families
- Residents who live and/or work in your jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)
- Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes (*as referred by the MD States Attorney*)
- Other preference(s) (list below)
 - *Intimidated Victim s/Witnesses of Crime referred by the Maryland States Attorney and/or Police Agencies*
 - *Families currently in HABC Public Housing where the head of household, spouse or other family member has a disability for which they request a reasonable accommodation*
 - *State Rental Assistance Program participants*
 - *Families where the head of household, spouse or any family member has a disability.*

3. If the PHA will employ admissions preferences, please prioritize by placing a "1" in the space that represents your first priority, a "2" in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use "1" more than once, "2" more than once, etc.

Date and Time

Former Federal preferences

- 1** Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
Victims of domestic violence
Substandard housing
Homelessness
- 3** High rent burden

Other preferences (select all that apply)

- 4** Working families and those unable to work because of age or disability
- 5** Veterans and veterans' families
- Residents who live and/or work in your jurisdiction
- 4** Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)
- Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs
- 1** Victims of reprisals or hate crimes (*as referred by the MD States Attorney*)
- Other preference(s) (list below)
 - **1 Intimidated Victim s/Witnesses of Crime referred by the Maryland States Attorney and/or Police Agencies**
 - **1 Families currently in HABC Public Housing where the head of household, spouse or other family member has a disability for which they request a reasonable accommodation**
 - **2 State Rental Assistance Program participants**
 - **4 Families where the head of household, spouse or any family member has a disability.**

4. Among applicants on the waiting list with equal preference status, how are applicants selected? (select one)

- Date and time of application
- Drawing (lottery) or other random choice technique

5. If the PHA plans to employ preferences for "residents who live and/or work in the jurisdiction" (select one)

- This preference has previously been reviewed and approved by HUD
- The PHA requests approval for this preference through this PHA Plan

6. Relationship of preferences to income targeting requirements: (select one)

- The PHA applies preferences within income tiers
- Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Special Purpose Section 8 Assistance Programs

a. In which documents or other reference materials are the policies governing eligibility, selection, and admissions to any special-purpose section 8 program administered by the PHA contained? (select all that apply)

- The Section 8 Administrative Plan
- Briefing sessions and written materials
- Other (list below)
 - *HABC Administrative Plan for Thompson v HUD Partial Consent Decree Section 8 Programs*

b. How does the PHA announce the availability of any special-purpose section 8 programs to the public?

- Through published notices
- Other (list below)
 - *Outreach performed by service providers as applicable*

4. PHA Rent Determination Policies

[24 CFR Part 903.7 9 (d)]

A. Public Housing

Exemptions: PHAs that do not administer public housing are not required to complete sub-component 4A.

(1) Income Based Rent Policies

Describe the PHA's income based rent setting policy/ies for public housing using, including discretionary (that is, not required by statute or regulation) income disregards and exclusions, in the appropriate spaces below.

a. Use of discretionary policies: (select one)

- The PHA will not employ any discretionary rent-setting policies for income based rent in public housing. Income-based rents are set at the higher of 30% of adjusted monthly income, 10% of unadjusted monthly income, the welfare rent, or minimum rent (less HUD mandatory deductions and exclusions). (If selected, skip to sub-component (2))

---or---

- The PHA employs discretionary policies for determining income based rent (If selected, continue to question b.)

b. Minimum Rent

1. What amount best reflects the PHA's minimum rent? (select one)

- \$0
 \$1-\$25
 \$26-\$50

2. Yes No: Has the PHA adopted any discretionary minimum rent hardship exemption policies?

3. If yes to question 2, list these policies below:

c. Rents set at less than 30% than adjusted income

1. Yes No: Does the PHA plan to charge rents at a fixed amount or percentage less than 30% of adjusted income?
2. If yes to above, list the amounts or percentages charged and the circumstances under which these will be used below:
Under flat rents, it is possible for a tenant to pay less than 30% of their adjusted monthly income

d. Which of the discretionary (optional) deductions and/or exclusions policies does the PHA plan to employ (select all that apply)

- For the earned income of a previously unemployed household member
- For increases in earned income
- Fixed amount (other than general rent-setting policy)
If yes, state amount/s and circumstances below:
- Fixed percentage (other than general rent-setting policy)
If yes, state percentage/s and circumstances below:
- For household heads
- For other family members
- For transportation expenses
- For the non-reimbursed medical expenses of non-disabled or non-elderly families
- Other (describe below)

e. Ceiling rents

1. Do you have ceiling rents? (rents set at a level lower than 30% of adjusted income) (select one)

- Yes for all developments
- Yes but only for some developments
- No

2. For which kinds of developments are ceiling rents in place? (select all that apply)

- For all developments
- For all general occupancy developments (not elderly or disabled or elderly only)
- For specified general occupancy developments
- For certain parts of developments; e.g., the high-rise portion
- For certain size units; e.g., larger bedroom sizes
- Other (list below)

3. Select the space or spaces that best describe how you arrive at ceiling rents (select all that apply)

- Market comparability study
- Fair market rents (FMR)
- 95th percentile rents
- 75 percent of operating costs
- 100 percent of operating costs for general occupancy (family) developments
- Operating costs plus debt service
- The "rental value" of the unit
- Other (list below)

f. Rent re-determinations:

1. Between income reexaminations, how often must tenants report changes in income or family composition to the PHA such that the changes result in an adjustment to rent? (select all that apply)

- Never
- At family option
- Any time the family experiences an income increase
- Any time a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold)_____
- Other (list below)

g. Yes No: Does the PHA plan to implement individual savings accounts for residents (ISAs) as an alternative to the required 12 month disallowance of earned income and phasing in of rent increases in the next year?

(2) Flat Rents

1. In setting the market-based flat rents, what sources of information did the PHA use to establish comparability? (select all that apply.)

- The section 8 rent reasonableness study of comparable housing
- Survey of rents listed in local newspaper
- Survey of similar unassisted units in the neighborhood
- Other (list/describe below)

B. Section 8 Tenant-Based Assistance

Exemptions: PHAs that do not administer Section 8 tenant-based assistance are not required to complete sub-component 4B. **Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).**

(1) Payment Standards

Describe the voucher payment standards and policies.

a. What is the PHA's payment standard? (select the category that best describes your standard)

- At or above 90% but below 100% of FMR
- 100% of FMR
- Above 100% but at or below 110% of FMR
- Above 110% of FMR (if HUD approved; describe circumstances below)
The Payment Standard is set at 110% of the FMR except in the following Census tracts:
 - ***Census tracts at 120% of FMR: 2713, 2714, 2715.03***
 - ***Census tracts at 115% of FMR: 2715.01, 2720.02***

b. If the payment standard is lower than FMR, why has the PHA selected this standard? (select all that apply)

- FMRs are adequate to ensure success among assisted families in the PHA's segment of the FMR area
- The PHA has chosen to serve additional families by lowering the payment standard
- Reflects market or submarket
- Other (list below)

c. If the payment standard is higher than FMR, why has the PHA chosen this level? (select all that apply)

- FMRs are not adequate to ensure success among assisted families in the PHA's segment of the FMR area
- Reflects market or submarket
- To increase housing options for families
- Other (list below)

d. How often are payment standards reevaluated for adequacy? (select one)

- Annually
 Other (list below)

e. What factors will the PHA consider in its assessment of the adequacy of its payment standard? (select all that apply)

- Success rates of assisted families
 Rent burdens of assisted families
 Other (list below)

(2) Minimum Rent

a. What amount best reflects the PHA's minimum rent? (select one)

- \$0
 \$1-\$25
 \$26-\$50

b. Yes No: Has the PHA adopted any discretionary minimum rent hardship exemption policies? (if yes, list below)

5. Operations and Management

[24 CFR Part 903.7 9 (e)]

Exemptions from Component 5: High performing and small PHAs are not required to complete this section. Section 8 only PHAs must complete parts A, B, and C(2)

A. PHA Management Structure

Describe the PHA's management structure and organization.

(select one)

- An organization chart showing the PHA's management structure and organization is attached. *See Attachment C*
- A brief description of the management structure and organization of the PHA follows:

B. HUD Programs Under PHA Management

List Federal programs administered by the PHA, number of families served at the beginning of the upcoming fiscal year, and expected turnover in each. (Use "NA" to indicate that the PHA does not operate any of the programs listed below.)

Program Name	Units or Families Served at Year Beginning 07/01/03	Expected Turnover*
Public Housing	<i>11,181</i>	<i>1,469</i>
Section 8 Vouchers	<i>9,677</i>	<i>480</i>
Section 8 Certificates		
Section 8 Mod Rehab	<i>698</i>	<i>125</i>
Special Purpose Section 8 Certificates/Vouchers (list individually)	<i>Fairfax Gardens 76 (Units)</i>	
Public Housing Drug Elimination Program (PHDEP)	<i>0</i>	
<i>Partial Consent Decree Project-Based(Sec.8)</i>	<i>49</i>	
<i>Partial Consent Decree Tenant-Based(Sec. 8)</i>	<i>67 See Note</i>	
Other Federal Programs(list individually)	<i>449</i>	
<i>Family Self-Sufficiency (Sec. 8) Contract Administration:</i>		
<i>New Construction</i>	<i>663</i>	<i>75</i>
<i>Sub/Rehab</i>	<i>432</i>	<i>50</i>

*HABC interprets turnover as the number of families leaving the program annually.

Note: Total represents 67 families placed under the 2002 contract with Quadel, which includes 2 vouchers transferred from Baltimore Neighborhoods, Inc. to Quadel for administration. Of the 67 families previously placed by Baltimore Neighborhoods, Inc., only 2 were found to be living in eligible census tracts in July 2003 when Quadel began administration.

C. Management and Maintenance Policies

List the PHA's public housing management and maintenance policy documents, manuals and handbooks that contain the Agency's rules, standards, and policies that govern maintenance and management of public housing, including a description of any measures necessary for the prevention or eradication of pest infestation (which includes cockroach infestation) and the policies governing Section 8 management.

(1) Public Housing Maintenance and Management: (list below)

- *HABC Dwelling Lease*
- *Operating Order Index (See Attachment F-2)*
- *Statement of Policies and Standards Governing Admissions to and Continued Occupancy of Low-Income Public Housing operated by HABC*

(2) Section 8 Management: (list below)
Section 8 Administrative Plan

6. PHA Grievance Procedures

[24 CFR Part 903.7 9 (f)]

Exemptions from component 6: High performing PHAs are not required to complete component 6. Section 8-Only PHAs are exempt from sub-component 6A.

A. Public Housing

1. Yes No: Has the PHA established any written grievance procedures in addition to federal requirements found at 24 CFR Part 966, Subpart B, for residents of public housing?

If yes, list additions to federal requirements below:

2. Which PHA office should residents or applicants to public housing contact to initiate the PHA grievance process? (select all that apply)

Residents

- PHA main administrative office
*417 East Fayette St., Suite 266
Baltimore, MD 21202*
- PHA development management offices
- Other (list below)

Applicants

- PHA main administrative office
*HABC Rental and Assisted Housing Office
Customer Relations
300 Cathedral Street, Suite 102
Baltimore, Maryland 21201
Phone: (443) 984-2200
TDD/TDY: 1-800-735-2258*

HABC advises applicants when their request for housing has been denied by way of a letter. For the Housing Choice Voucher Program (HCVP), attached to the letter of denial is a "Request For Hearing" form that will initiate the grievance process. As for the Public Housing program, applicants are advised that they have 14 days from the date of the denial letter to request a hearing.

Persons with disabilities needing a reasonable accommodation to participate in the informal review process should call the number listed above.

- PHA development management offices
- Other (list below)

B. Section 8 Tenant-Based Assistance

1. Yes No: Has the PHA established informal review procedures for applicants to the Section 8 tenant-based assistance program and informal hearing procedures for families assisted by the Section 8 tenant-based assistance program in addition to federal requirements found at 24 CFR 982?

If yes, list additions to federal requirements below:

When the HABC denies a preference to an applicant, and the applicant disagrees with the decision, the HABC will offer the applicant an informal review.

2. Which PHA office should applicants or assisted families contact to initiate the informal review and informal hearing processes? (select all that apply)

- PHA main administrative office
 Other (list below)

***HABC Rental and Assisted Housing Office
Customer Relations
300 Cathedral Street, Suite 102
Baltimore, Maryland 21201
Phone: (443) 984-2200/2222
TDD/TDY: 1-800-735-2258***

Persons with disabilities needing a reasonable accommodation to participate in the informal review process should call the number listed above.

7. Capital Improvement Needs

[24 CFR Part 903.7 9 (g)]

Exemptions from Component 7: Section 8 only PHAs are not required to complete this component and may skip to Component 8.

A. Capital Fund Activities

Exemptions from sub-component 7A: PHAs that will not participate in the Capital Fund Program may skip to component 7B. All other PHAs must complete 7A as instructed.

(1) Capital Fund Program Annual Statement

Using parts I, II, and III of the Annual Statement for the Capital Fund Program (CFP), identify capital activities the PHA is proposing for the upcoming year to ensure long-term physical and social viability of its public housing developments. This statement can be completed by using the CFP Annual Statement tables provided in the table library at the end of the PHA Plan template **OR**, at the PHA's option, by completing and attaching a properly updated HUD-52837.

Select one:

The Capital Fund Program Annual Statement is provided as an attachment to the PHA Plan at Attachment B

-or-

The Capital Fund Program Annual Statement is provided below: (if selected, copy the CFP Annual Statement from the Table Library and insert here)

(2) Optional 5-Year Action Plan

Agencies are encouraged to include a 5-Year Action Plan covering capital work items. This statement can be completed by using the 5 Year Action Plan table provided in the table library at the end of the PHA Plan template **OR** by completing and attaching a properly updated HUD-52834.

a. Yes No: Is the PHA providing an optional 5-Year Action Plan for the Capital Fund? (if no, skip to sub-component 7B)

b. If yes to question a, select one:

The Capital Fund Program 5-Year Action Plan is provided as an attachment to the PHA Plan. *See Attachment D*

-or-

The Capital Fund Program 5-Year Action Plan is provided below: (if selected, copy the CFP optional 5 Year Action Plan from the Table Library and insert here)

B. HOPE VI and Public Housing Development and Replacement Activities (Non-Capital Fund)

Applicability of sub-component 7B: All PHAs administering public housing. Identify any approved HOPE VI and/or public housing development or replacement activities not described in the Capital Fund Program Annual Statement.

- Yes No: a) Has the PHA received a HOPE VI revitalization grant? (if no, skip to question c; if yes, provide responses to question b for each grant, copying and completing as many times as necessary)
b) Status of HOPE VI revitalization grant (complete one set of questions for each grant)

Development name: ***Flag House***

Development (project) number: ***MD002P016***

Status of grant: (select the statement that best describes the current status)

- Revitalization Plan under development
 Revitalization Plan submitted, pending approval
 Revitalization Plan approved
 Activities pursuant to an approved Revitalization Plan
-

Development name: ***Murphy Homes (Heritage Crossing)***

Development (project) number: ***MD002P018***

Status of grant: (select the statement that best describes the current status)

- Revitalization Plan under development
 Revitalization Plan submitted, pending approval
 Revitalization Plan approved
 Activities pursuant to an approved Revitalization Plan underway
-

Development name: ***Lexington (The Terraces)***

Development (project) number: ***MD002P019***

Status of grant: (select the statement that best describes the current status)

- Revitalization Plan under development
 Revitalization Plan submitted, pending approval
 Revitalization Plan approved
 Activities pursuant to an approved Revitalization Plan underway
-

Development name: ***The Broadway Overlook***

Development (project) number: ***MD002P025***

Status of grant: (select the statement that best describes the current status)

- Revitalization Plan under development
 - Revitalization Plan submitted, pending approval
 - Revitalization Plan approved
 - Activities pursuant to an approved Revitalization Plan underway
-

Development name: ***Affordable Housing Initiative***

Development (project) number: ***N/A***

Status of grant: (select the statement that best describes the current status)

- Revitalization Plan under development
 - *Revitalization Plan submitted, pending approval
 - Revitalization Plan approved
 - *Activities pursuant to an approved Revitalization Plan underway
- *Portions of the Revitalization Plan have been approved, and activities pursuant to the approved portions of the Revitalization Plan are underway***
-

Development name: ***Claremont Homes***

Development (project) number: ***MD002P014/039***

Status of grant: (select the statement that best describes the current status)

- Revitalization Plan under development
- Revitalization Plan submitted, pending approval
- Revitalization Plan approved
- Activities pursuant to an approved Revitalization Plan underway

Yes No: c) Does the PHA plan to apply for a HOPE VI Revitalization grant in the Plan year?

If yes, list development name/s below:

- Yes No: d) Will the PHA be engaging in any mixed-finance development activities for public housing in the Plan year?
If yes, list developments or activities below:

Flag House

Broadway Overlook

Consent Decree Production of New Units

Scattered Site Disposition and Redevelopment

Claremont Homes

O'Donnell Heights

- Yes No: e) Will the PHA be conducting any other public housing development or replacement activities not discussed in the Capital Fund Program Annual Statement?
If yes, list developments or activities below:

REPLACEMENT HOUSING FACTOR FUND PROJECT

40 Units

The HABC is required by the Partial Consent Decree entered in Thompson v. HUD to create forty (40) public housing units in non-impacted areas identified in the Partial Consent Decree. HABC has entered into agreements with private entities to create, own and manage the units. Because one of the dwellings acquired under the Decree contains an extra unit, there will be forty-one (41) units. The forty-one (41) units are being funded in part by funds made available through the State of Maryland's Partnership Rental Housing Program (PRHP). Replacement Housing Factor Funds also are being used for acquisition and capital improvement costs.

All of the units are located in Baltimore City, consistent with the appropriations language passed by the State Legislature when it set aside PRHP funds for these units.

Eleven (11) of the units are in a multi-family development. The remaining units are single-family homes (row houses, semi-detached houses, and detached houses). These units have been acquired and are in various stages of construction.

A Declaration of Trust will be attached to each of the forty-one (41) units to assure their long-term availability for HABC residents.

57 Off-site Broadway Homes Units

In May 1999 the parties to the Thompson v. HUD lawsuit entered into a consent order, amending the partial consent decree, which provides that in connection with the redevelopment of the Broadway Homes, HABC will create fifty-seven (57) off-site units in non-impacted areas. These units will be completely owned and operated by a non-profit housing development corporation for the exclusive use by HABC families. Using its own financing, and HUD Replacement Housing Factor Funds, the non-profit corporation will acquire and rehabilitate properties. A Declaration of Trust will be attached to each of the fifty-seven (57) units to assure their long-term availability for HABC residents. On September 24, 2003, HABC submitted a Financing Application and Rental-Term Sheet to HUD for its review and approval.

8. Demolition and Disposition

[24 CFR Part 903.7 9 (h)]

Applicability of component 8: Section 8 only PHAs are not required to complete this section.

1. Yes No: Does the PHA plan to conduct any demolition or disposition activities (pursuant to section 18 of the U.S. Housing Act of 1937 (42 U.S.C. 1437p)) in the plan Fiscal Year? (If “No”, skip to component 9; if “yes”, complete one activity description for each development.)

2. Activity Description

- Yes No: Has the PHA provided the activities description information in the **optional** Public Housing Asset Management Table? (If “yes”, skip to component 9. If “No”, complete the Activity Description table below.)

Demolition/Disposition Activity Description	
1a. Development name: <i>Scattered Site Units (Bulk Application)</i>	
1b. Development (project) number: <i>MD002024, MD002035, MD002040, MD002058, MD002059, MD002062, MD002063, MD002064, MD002065, MD002066, MD002067, MD002068, MD002069, MD002072, MD002076, MD002077, MD002084, MD002089</i>	
2. Activity type: Demolition <input type="checkbox"/> Disposition <input checked="" type="checkbox"/>	
3. Application status (select one) Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input checked="" type="checkbox"/>	
4. Date application approved, submitted, or planned for submission: <i>09/04</i>	
5. Number of units affected: <i>529</i>	
6. Coverage of action (select one) <input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development	
7. Timeline for activity: a. Actual or projected start date of activity: <i>12/03</i> - <i>Received approval from Board of Directors and resident leaders in 12/03</i> - <i>Application to be submitted to HUD 09/04.</i> b. Projected end date of activity: <i>12/04</i>	

Demolition/Disposition Activity Description	
1a. Development name:	<i>Scattered Sites Units (Demo Mod)</i>
1b. Development (project) number:	<i>MD002024, MD002035, MD002040, MD002058, MD002059, MD002062, MD002063, MD002064, MD002065, MD002066, MD002067, MD002068, MD002069, MD002072, MD002076, MD002077, MD002084, MD002089</i>
2. Activity type:	Demolition <input type="checkbox"/> Disposition <input checked="" type="checkbox"/>
3. Application status (select one)	Approved <input checked="" type="checkbox"/> Demolition Approved Submitted, pending approval <input type="checkbox"/> Planned application <input checked="" type="checkbox"/> Application for Disposition to be submitted.
4. Date application approved or planned for submission:	04/03 & 03/04
6. Number of units affected:	254
7. Coverage of action (select one)	<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development
8. Timeline for activity:	a. Actual or projected start date of activity: 03/04 Planned Submission Disposition Application b. Projected end date of activity: 6/04

Demolition/Disposition Activity Description
1a. Development name: <i>Scattered Site Units (Harlem Park, Israel Baptist, Umoja, Joe Whitford & God's Time, Holy Nativity)</i>
1b. Development (project) number: <i>MD002024, MD002035, MD002040, MD002058, MD002059, MD002062, MD002063, MD002064, MD002065, MD002066, MD002067, MD002068, MD002069, MD002072, MD002076, MD002077, MD002084, MD002089</i>
2. Activity type: Demolition <input type="checkbox"/> Disposition <input checked="" type="checkbox"/>
3. Application status (select one) Approved <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date application approved , submitted, or planned for submission: <i>12/01 and 9/02</i>
5. Number of units affected: <i>101</i>
6. Coverage of action (select one) <input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Timeline for activity: a. Actual or projected start date of activity: <i>14 units have been sold, 83 units have settlement dates pending and 4 units were declined by the original requestor and will be conveyed to the City of Baltimore. The environmental reviews are expected to be completed 02/03 for the conditionally approved units.</i> b. Projected end date of activity: <i>6/04</i>

Demolition/Disposition Activity Description
1a. Development name: <i>Scattered Sites Units (New Life & GBIW)</i>
1b. Development (project) number: <i>MD002035, MD002067, MD002069</i>
2. Activity type: Demolition <input type="checkbox"/> Disposition <input checked="" type="checkbox"/>
3. Application status (select one) Approved <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date application approved , submitted, or planned for submission: <i>06/30/03</i>
5. Number of units affected: <i>3</i>
6. Coverage of action (select one) <input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Timeline for activity: a. Actual or projected start date of activity: <i>01/03</i> b. Projected end date of activity: <i>04/04</i>

Demolition/Disposition Activity Description	
1a. Development name: <i>Scattered Sites Units (Biotech I)</i>	
1b. Development (project) number: <i>MD002040, MD002058, MD002059, MD002066, MD002076</i>	
2. Activity type: Demolition <input type="checkbox"/> Disposition <input checked="" type="checkbox"/>	
3. Application status (select one) Approved <input type="checkbox"/> Submitted, pending approval <input checked="" type="checkbox"/> Planned application <input type="checkbox"/>	
4. Date application approved, submitted , or planned for submission: <i>10/02</i>	
5. Number of units affected: <i>9</i>	
6. Coverage of action (select one) <input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development	
7. Timeline for activity: a. Actual or projected start date of activity: <i>10/02</i> b. Projected end date of activity: <i>06/04</i>	

Demolition/Disposition Activity Description	
1a. Development name: <i>Scattered Sites Units (Butchers Hill, Ideal Federal, Biotech II)</i>	
1b. Development (project) number: <i>MD002024, MD002035, MD002040, MD002058, MD002059, MD002062, MD002063, MD002064, MD002065, MD002066, MD002067, MD002068, MD002069, MD002072, MD002076, MD002077, MD002084, MD002089</i>	
2. Activity type: Demolition <input type="checkbox"/> Disposition <input checked="" type="checkbox"/>	
3. Application status (select one) Approved <input type="checkbox"/> Submitted, pending approval <input checked="" type="checkbox"/> Planned application <input type="checkbox"/>	
4. Date application approved, submitted , or planned for submission: <i>05/03</i>	
5. Number of units affected: <i>139</i>	
6. Coverage of action (select one) <input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development	
7. Timeline for activity: a. Actual or projected start date of activity: <i>05/03</i> b. Projected end date of activity: <i>06/04</i>	

Demolition/Disposition Activity Description
1a. Development name: <i>Scattered Sites Units (Vacant Lots & Bethel Street)</i> 1b. Development (project) number: <i>MD002024, MD002035, MD002040, MD002058, MD002059, MD002062, MD002063, MD002064, MD002065, MD002066, MD002067, MD002068, MD002069, MD002072, MD002076, MD002077, MD002084, MD002089</i>
2. Activity type: Demolition <input type="checkbox"/> Disposition <input checked="" type="checkbox"/>
3. Application status (select one) Approved <input type="checkbox"/> Submitted, pending approval <input checked="" type="checkbox"/> Planned application <input type="checkbox"/>
4. Date application approved, submitted , or planned for submission: <i>07/03</i>
5. Number of units affected: <i>99</i>
6. Coverage of action (select one) <input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Timeline for activity: a. Actual or projected start date of activity: <i>07/03</i> b. Projected end date of activity: <i>06/04</i>

Demolition/Disposition Activity Description
1a. Development name: <i>Charles K. Anderson</i> 1b. Development (project) number: <i>MD002073</i>
2. Activity type: Demolition <input checked="" type="checkbox"/> Disposition <input type="checkbox"/>
3. Application status (select one) Approved <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date application approved , submitted, or planned for submission: <i>11/8/03</i>
5. Number of units affected: <i>122</i>
6. Coverage of action (select one) <input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development
7. Timeline for activity: a. Actual or projected start date of activity: <i>01/04</i> b. Projected end date of activity: <i>06/04</i>

Demolition/Disposition Activity Description	
1a. Development name:	<i>Claremont</i>
1b. Development (project) number:	<i>MD002014 Low Rise Units</i>
2. Activity type:	Demolition <input checked="" type="checkbox"/> Disposition <input type="checkbox"/>
3. Application status (select one)	Approved <input type="checkbox"/> Submitted, pending approval <input checked="" type="checkbox"/> Planned application <input type="checkbox"/>
4. Date application approved, submitted , or planned for submission:	<i>01/04</i>
5. Number of units affected:	<i>292</i>
6. Coverage of action (select one)	<input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development
7. Timeline for activity:	a. Actual or projected start date of activity: <i>TO BE DETERMINED</i> b. Projected end date of activity: <i>TO BE DETERMINED</i>

Demolition/Disposition Activity Description	
1a. Development name:	<i>O'Donnell Heights</i>
1b. Development (project) number:	<i>MD002009</i>
2. Activity type:	Demolition <input checked="" type="checkbox"/> Disposition <input type="checkbox"/>
3. Application status (select one)	Approved <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date application approved , submitted, or planned for submission:	<i>10/03</i>
5. Number of units affected:	<i>98</i>
6. Coverage of action (select one)	<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Timeline for activity:	a. Actual or projected start date of activity: <i>TO BE DETERMINED</i> b. Projected end date of activity: <i>TO BE DETERMINED</i>

Demolition/Disposition Activity Description	
1a. Development name:	<i>O'Donnell Heights</i>
1b. Development (project) number:	MD002009
2. Activity type:	Demolition <input checked="" type="checkbox"/> Disposition <input type="checkbox"/>
3. Application status (select one)	Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input checked="" type="checkbox"/>
4. Date application approved, submitted, or <i>planned</i> for submission:	TBD
5. Number of units affected:	200
6. Coverage of action (select one)	<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Timeline for activity:	a. Actual or projected start date of activity: <i>TO BE DETERMINED</i> b. Projected end date of activity: <i>TO BE DETERMINED</i>

Demolition/Disposition Activity Description	
1a. Development name:	<i>Cherry Hill 12</i>
1b. Development (project) number:	MD002012
2. Activity type:	Demolition <input checked="" type="checkbox"/> Disposition <input type="checkbox"/>
3. Application status (select one)	Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input checked="" type="checkbox"/>
4. Date application approved, submitted, or <i>planned</i> for submission:	TBD
5. Number of units affected:	113
6. Coverage of action (select one)	<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Timeline for activity:	a. Actual or projected start date of activity: <i>TO BE DETERMINED</i> b. Projected end date of activity: <i>TO BE DETERMINED</i>

9. Designation of Public Housing for Occupancy by Elderly Families or Families with Disabilities or Elderly Families and Families with Disabilities

[24 CFR Part 903.7 9 (i)]

Exemptions from Component 9; Section 8 only PHAs are not required to complete this section.

1. Yes No: Has the PHA designated or applied for approval to designate or does the PHA plan to apply to designate any public housing for occupancy only by the elderly families or only by families with disabilities, or by elderly families and families with disabilities or will apply for designation for occupancy by only elderly families or only families with disabilities, or by elderly families and families with disabilities as provided by section 7 of the U.S. Housing Act of 1937 (42 U.S.C. 1437e) in the upcoming fiscal year? (If “No”, skip to component 10. If “yes”, complete one activity description for each development, unless the PHA is eligible to complete a streamlined submission; PHAs completing streamlined submissions may skip to component 10.)

2. Activity Description

- Yes No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? If “yes”, skip to component 10. If “No”, complete the Activity Description table below.

Designation of Public Housing Activity Description	
1a. Development name: <i>Pleasant View Gardens</i>	
1b. Development (project) number: <i>MD002P110</i>	
2. Designation type:	
Occupancy by only the elderly <input checked="" type="checkbox"/>	
Occupancy by families with disabilities <input type="checkbox"/>	
Occupancy by only elderly families and families with disabilities <input type="checkbox"/>	
3. Application status (select one)	
Approved; included in the PHA's Designation Plan <input type="checkbox"/>	
Submitted, pending approval <input type="checkbox"/>	
Planned application <input type="checkbox"/>	
<i>Planned renewal of original approval</i> <input checked="" type="checkbox"/>	
4. Date this designation approved, submitted, or planned for submission: <u><i>(03/30/04)</i></u>	
<i>Date of original approval: (10/10/97)</i>	
5. If approved, will this designation constitute a (select one)	
<input type="checkbox"/> New Designation Plan	
<input type="checkbox"/> Revision of a previously-approved Designation Plan?	
6. Number of units affected: <i>110</i>	
7. Coverage of action (select one)	
<input type="checkbox"/> Part of the development	
<input type="checkbox"/> Total development	
<input checked="" type="checkbox"/> <i>Renewal with no changes to previously approved application</i>	

Designation of Public Housing Activity Description	
1a. Development name: <i>Terraces Garden Cooperative Apts.</i>	
1b. Development (project) number: : MD002P019	
2. Designation type:	
Occupancy by only the elderly <input checked="" type="checkbox"/>	
Occupancy by families with disabilities <input type="checkbox"/>	
Occupancy by only elderly families and families with disabilities <input type="checkbox"/>	
3. Application status (select one)	
Approved; included in the PHA's Designation Plan <input type="checkbox"/>	
Submitted, pending approval <input type="checkbox"/>	
Planned application <input type="checkbox"/>	
<i>Planned renewal of original approval</i> <input checked="" type="checkbox"/>	
4. Date this designation approved, submitted, or planned for submission: <u>(03/30/04)</u>	
<i>Date of original approval: (10/06/98)</i>	
5. If approved, will this designation constitute a (select one)	
<input type="checkbox"/> New Designation Plan	
<input type="checkbox"/> Revision of a previously-approved Designation Plan?	
6. Number of units affected: 41	
7. Coverage of action (select one)	
<input type="checkbox"/> Part of the development	
<input type="checkbox"/> Total development	
<input checked="" type="checkbox"/> <i>Renewal with no changes to previously approved application</i>	

Designation of Public Housing Activity Description	
1a. Development name: 584 one-bedroom units	
1b. Development (project) number: : TBD (Agency-wide)	
2. Designation type:	
Occupancy by only the elderly <input type="checkbox"/>	
Occupancy by families with disabilities <input checked="" type="checkbox"/>	
Occupancy by only elderly families and families with disabilities <input type="checkbox"/>	
3. Application status (select one)	
Approved; included in the PHA's Designation Plan <input type="checkbox"/>	
Submitted, pending approval <input type="checkbox"/>	
Planned application <input type="checkbox"/>	
4. Date this designation approved, submitted, or planned for submission: <u>TBD</u>	
<i>Date of original approval:</i>	
5. If approved, will this designation constitute a (select one)	
<input checked="" type="checkbox"/> New Designation Plan	
<input type="checkbox"/> Revision of a previously-approved Designation Plan?	
6. Number of units affected: 584	
7. Coverage of action (select one) <u>TBD</u>	
<input type="checkbox"/> Part of the development	
<input type="checkbox"/> Total development	

10. Conversion of Public Housing to Tenant-Based Assistance

[24 CFR Part 903.7 9 (j)]

Exemptions from Component 10; Section 8 only PHAs are not required to complete this section.

A. Assessments of Reasonable Revitalization Pursuant to section 202 of the HUD FY 1996 HUD Appropriations Act

1. Yes No: Have any of the PHA's developments or portions of developments been identified by HUD or the PHA as covered under section 202 of the HUD FY 1996 HUD Appropriations Act? (If "No", skip to component 11; if "yes", complete one activity description for each identified development, unless eligible to complete a streamlined submission. PHAs completing streamlined submissions may skip to component 11.)

2. Activity Description

- Yes No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? If "yes", skip to component 11. If "No", complete the Activity Description table below.

B. Reserved for Conversions pursuant to Section 22 of the U.S. Housing Act of 1937

C. Reserved for Conversions pursuant to Section 33 of the U.S. Housing Act of 1937

11. Homeownership Programs Administered by the PHA

[24 CFR Part 903.7 9 (k)]

A. Public Housing

Exemptions from Component 11A: Section 8 only PHAs are not required to complete 11A.

1. Yes No: Does the PHA administer any homeownership programs administered by the PHA under an approved section 5(h) homeownership program (42 U.S.C. 1437c(h)), or an approved HOPE I program (42 U.S.C. 1437aaa) or has the PHA applied or plan to apply to administer any homeownership programs under section 5(h), the HOPE I program, or section 32 of the U.S. Housing Act of 1937 (42 U.S.C. 1437z-4). (If “No”, skip to component 11B; if “yes”, complete one activity description for each applicable program/plan, unless eligible to complete a streamlined submission due to small PHA or high performing PHA status. PHAs completing streamlined submissions may skip to component 11B.)

2. Activity Description

- Yes No: Has the PHA provided all required activity description information for this component in the optional Public Housing Asset Management Table? (If “yes”, skip to component 12. If “No”, complete the Activity Description table below.)

Public Housing Homeownership Activity Description (Complete one for each development affected)	
1a. Development name: <i>Scattered Sites Units</i>	
1b. Development (project) number: <i>MD002024, MD002035, MD002040, MD002058, MD002059, MD002062, MD002063, MD002064, MD002065, MD002066, MD002067, MD002068, MD002069, MD002072, MD002076, MD002077, MD002084, MD002089.</i>	
2. Federal Program authority:	
<input type="checkbox"/> HOPE I <input type="checkbox"/> 5(h) <input type="checkbox"/> Turnkey III <input checked="" type="checkbox"/> Section 32 of the USHA of 1937 (effective 10/1/99)	
3. Application status: (select one)	
<input type="checkbox"/> Approved; included in the PHA’S Homeownership Plan/Program <input type="checkbox"/> Submitted, pending approval <input checked="" type="checkbox"/> Planned application	
4. Date Homeownership Plan/Program approved, submitted , or planned for submission: <u>12/03</u>	
5. Number of units affected: 150	
6. Coverage of action: (select one)	
<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development	

Public Housing Homeownership Activity Description (Complete one for each development affected)	
1a. Development name: <i>Scattered Sites Units</i>	
1b. Development (project) number: <i>MD002024, MD002035, MD002040, MD002058, MD002059, MD002062, MD002063, MD002064, MD002065, MD002066, MD002067, MD002068, MD002069, MD002072, MD002076, MD002077, MD002084, MD002089.</i>	
2. Federal Program authority:	<input type="checkbox"/> HOPE I <input checked="" type="checkbox"/> 5(h) <input type="checkbox"/> Turnkey III <input type="checkbox"/> Section 32 of the USHA of 1937 (effective 10/1/99)
3. Application status: (select one)	<input checked="" type="checkbox"/> Approved; included in the PHA'S Homeownership Plan/Program <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date Homeownership Plan/Program approved , submitted, or planned for submission: <u>04/1996</u>	
5. Number of units affected: 9	
6. Coverage of action: (select one)	<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development
<p><i>Three properties of the nine were rehabilitated and sold to eligible families. These houses were part of a re-development strategy for the 2000 block of East Baltimore Street in the Butchers Hill community. Six properties remain to be sold and one substitution on the list, 123 West Hamburg St. was approved by HUD 04/03.</i></p>	

Public Housing Homeownership Activity Description (Complete one for each development affected)	
1a. Development name: <i>Scattered Sites Units</i>	
1b. Development (project) number: <i>MD002024, MD002035, MD002040, MD002058, MD002059, MD002062, MD002063, MD002064, MD002065, MD002066, MD002067, MD002068, MD002069, MD002072, MD002076, MD002077, MD002084, MD002089.</i>	
2. Federal Program authority:	<input type="checkbox"/> HOPE I <input checked="" type="checkbox"/> 5(h) <input type="checkbox"/> Turnkey III <input type="checkbox"/> Section 32 of the USHA of 1937 (effective 10/1/99)
3. Application status: (select one)	<input checked="" type="checkbox"/> Approved; included in the PHA'S Homeownership Plan/Program <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date Homeownership Plan/Program approved , submitted, or planned for submission: <i>1997</i>	
5. Number of units affected: <i>10</i>	
6. Coverage of action: (select one)	<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development
<i>Eight out of ten of these properties were developed in conjunction with the Peoples Homesteading Group and sold to very low-income families. The ninth property is awaiting approval of HOME funds for rehabilitation.</i>	

B. Section 8 Tenant Based Assistance

See Attachment F: Administrative Plan for Thompson v HUD Partial Consent Decree Section 8 Programs

1. Yes No: Does the PHA plan to administer a Section 8 Homeownership program pursuant to Section 8(y) of the U.S.H.A. of 1937, as implemented by 24 CFR part 982 ? (If “No”, skip to component 12; if “yes”, describe each program using the table below (copy and complete questions for each program identified), unless the PHA is eligible to complete a streamlined submission due to high performer status. **High performing PHAs** may skip to component 12.)

2. Program Description:

a. Size of Program

- Yes No: Will the PHA limit the number of families participating in the Section 8 homeownership option?

If the answer to the question above was yes, which statement best describes the number of participants? (select one)

- 25 or fewer participants
 26 - 50 participants
 51 to 100 participants
 more than 100 participants

b. PHA-established eligibility criteria

- Yes No: Will the PHA’S program have eligibility criteria for participation in its Section 8 Homeownership Option program in addition to HUD criteria?

If yes, list criteria below:

- ***Family must be eligible for the Housing Choice Voucher program.***
- ***Family must qualify as a first-time homeowner, or may be a co-operative member.***
- ***Family must meet the Federal minimum income requirement. Family must have a gross annual income equal to the Federal minimum wage multiplied by 2000, based on the income of adult family members who will own the home. Unless the family is elderly or disabled, income from welfare assistance will not be counted toward this requirement.***
- ***Family must meet the Federal minimum employment requirement:***

- *At least one adult family member who will own the home must be currently employed full time and must have been continuously employed for one year prior to homeownership assistance.*
- *HUD regulations define “full time employment” as not less than an average of 30 hours per week.*

HABC will impose the following additional initial requirements:

- *Family has had no family-caused violations of HUD’s Housing Quality standards within the last 1 year.*
- *Family is not within the initial 1-year period of a HAP Contract.*
- *Family does not owe money to the HABC.*
- *Family has not committed any serious or repeated violations of a HABC-assisted lease within the past 3 year/specified time period.*

The Section 8 Homeownership Program settled on its first home for a participant on November 5, 2003.

In addition to the HABC Section 8 Homeownership Program, HABC, through its contractor, the Innovative Housing Institute, is implementing a homeownership demonstration program through the Affordable Housing Initiative (AHI) pursuant to the Thompson v. HUD Partial Consent Decree.

Through the AHI Homeownership Plan, 168 subsidized homeownership opportunities will be offered:

- *Fifteen (15) units will be directly acquired by participants and will be subsidized with HOPE VI funds via a second mortgage (approved by HUD -- one family has already purchased a home under this program);*
- *Fifty-three (53) units will be acquired by participants with assistance from Section 8 homeownership vouchers and HOPE VI funds via a second mortgage (pending approval from HUD)*
- *One hundred (100) units will be acquired by participants through a lease/purchase program. The plan for the lease purchase program has been submitted to HUD for review and approval and the evidentiaries will be submitted to HUD by the end of February 2004.*

The eligibility criteria for the AHI Homeownership Plan differ from those established for the HABC Homeownership Plan. The AHI Homeownership Plan, including the eligibility criteria, is described more fully in the HABC Administrative Plan for Thompson v. HUD Partial Consent Decree Section 8 Programs at Attachment F.

12. PHA Community Service and Self-sufficiency Programs

[24 CFR Part 903.7 9 (l)]

Exemptions from Component 12: High performing and small PHAs are not required to complete this component. Section 8-Only PHAs are not required to complete sub-component C.

A. PHA Coordination with the Welfare (TANF) Agency

1. Cooperative agreements:

- Yes No: Has the PHA has entered into a cooperative agreement with the TANF Agency, to share information and/or target supportive services (as contemplated by section 12(d)(7) of the Housing Act of 1937)?

If yes, what was the date that agreement was signed? 02/26/2003

2. Other coordination efforts between the PHA and TANF agency (select all that apply)

- Client referrals
- Information sharing regarding mutual clients (for rent determinations and otherwise)
- Coordinate the provision of specific social and self-sufficiency services and programs to eligible families
- Jointly administer programs
- Partner to administer a HUD Welfare-to-Work voucher program
- Joint administration of other demonstration program
- Other (describe)

B. Services and programs offered to residents and participants

(1) General

a. Self-Sufficiency Policies

Which, if any of the following discretionary policies will the PHA employ to enhance the economic and social self-sufficiency of assisted families in the following areas? (select all that apply)

- Public housing rent determination policies
- Public housing admissions policies
- Section 8 admissions policies
- Preference in admission to section 8 for certain public housing families
- Preferences for families working or engaging in training or education programs for non-housing programs operated or coordinated by the PHA

- Preference/eligibility for public housing homeownership option participation
- Preference/eligibility for section 8 homeownership option participation
- Other policies (list below)

b. Economic and Social self-sufficiency programs

- Yes No: Does the PHA coordinate, promote or provide any programs to enhance the economic and social self-sufficiency of residents? (If “yes”, complete the following table; if “no” skip to sub-component 2, Family Self Sufficiency Programs. The position of the table may be altered to facilitate its use.)

Services and Programs				
Program Name & Description (including location, if appropriate)	Estimated Size	Allocation Method (waiting list/random selection/specific criteria/other)	Access (development office / PHA main office / other provider name)	Eligibility (public housing or section 8 participants or both)
Family Self Sufficiency	550	Recruitment	O'Donnell Heights – 2400 Gusryan Street Wyman House 123 W. 29 th Stree	Section 8
Skills Training	30	Established Criteria	417 E. Fayette Steet, Room 923 PACE Offices	Public Housing
PACE	400	Established Criteria	Pleasant View Gardens 210 N. Aisquith Cherry Hill Homes 2707 Sethlow Road McCulloh Homes 501 Dolphin Street O'Donnell Heights 6226 Elliott Street Westport/Mt. Winans 2552 Salerno Place	Public Housing
Step-Up	10	Established Criteria	417 E. Fayette Street, Room 923	Public Housing
YouthBuild	30	Established Criteria	Civic Works 2701 Saint Lo Drive 417 E. Fayette Street, Room 923	Public Housing

(2) Family Self Sufficiency program/s

a. Participation Description

Family Self Sufficiency (FSS) Participation		
Program	Required Number of Participants (start of FY 2000 Estimate)	Actual Number of Participants (As of: DD/MM/YY)
Public Housing	0	24 (11/30/03)
Section 8	550	436 (11/30/03)

- b. Yes No: If the PHA is not maintaining the minimum program size required by HUD, does the most recent FSS Action Plan address the steps the PHA plans to take to achieve at least the minimum program size?
If no, list steps the PHA will take below:

C. Welfare Benefit Reductions

1. The PHA is complying with the statutory requirements of section 12(d) of the U.S. Housing Act of 1937 (relating to the treatment of income changes resulting from welfare program requirements) by: (select all that apply)
- Adopting appropriate changes to the PHA's public housing rent determination policies and train staff to carry out those policies
 - Informing residents of new policy on admission and reexamination
 - Actively notifying residents of new policy at times in addition to admission and reexamination.
 - Establishing or pursuing a cooperative agreement with all appropriate TANF agencies regarding the exchange of information and coordination of services
 - Establishing a protocol for exchange of information with all appropriate TANF agencies
 - Other: (list below)

D. Reserved for Community Service Requirement pursuant to section 12(c) of the U.S. Housing Act of 1937

In Fiscal Year 2002 the HUD/VA Appropriations Act temporarily suspended the Community Service and Self-sufficiency Requirement, except for residents of HOPE VI developments. The Community Service Requirement submitted as part of the Housing Authority of Baltimore City's annual plan was consistent with the law as written at that time. Since then, the Community Service Requirement has been reinstated for traditional public housing developments as part of the HUD/VA Appropriations Act of 2003. HUD Notice PIH –2003-17 issued June 20, 2003 instructed PHA's to implement the first of these provisions by July 31, 2003 with full implementation by October 31, 2003. As such, the Authority has notified residents of the community service requirements, which required impacted residents to perform community service by these dates, respectively.

The Housing Authority of Baltimore City, in concert with the Resident Advisory Board, has developed a model of community service called "Neighbor to Neighbor Care". This model conforms to the requirements of the QHWRA and Notice PIH 2003-17 (HA). The Neighbor-to-Neighbor Care Program is included in the PHA Plan as Attachment L.

13. PHA Safety and Crime Prevention Measures

[24 CFR Part 903.7 9 (m)]

Exemptions from Component 13: High performing and small PHAs not participating in PHDEP and Section 8 Only PHAs may skip to component 15. High Performing and small PHAs that are participating in PHDEP and are submitting a PHDEP Plan with this PHA Plan may skip to sub-component D.

A. Need for measures to ensure the safety of public housing residents

1. Describe the need for measures to ensure the safety of public housing residents
(select all that apply)

- High incidence of violent and/or drug-related crime in some or all of the PHA's developments
- High incidence of violent and/or drug-related crime in the areas surrounding or adjacent to the PHA's developments
- Residents fearful for their safety and/or the safety of their children
- Observed lower-level crime, vandalism and/or graffiti
- People on waiting list unwilling to move into one or more developments due to perceived and/or actual levels of violent and/or drug-related crime
- Other (describe below)

2. What information or data did the PHA used to determine the need for PHA actions to improve safety of residents (select all that apply).

- Safety and security survey of residents
- Analysis of crime statistics over time for crimes committed “in and around” public housing authority
- Analysis of cost trends over time for repair of vandalism and removal of graffiti
- Resident reports
- PHA employee reports
- Police reports
- Demonstrable, quantifiable success with previous or ongoing anticrime/anti drug programs
- Other (describe below)

3. Which developments are most affected? (list below)

<i>Cherry Hill Homes</i>	<i>Perkins Homes</i>
<i>Westport Homes</i>	<i>Gilmor Homes</i>
<i>O'Donnell Heights</i>	<i>Brooklyn Homes</i>
<i>Latrobe Homes</i>	<i>McCulloh Homes</i>
<i>Somerset Homes</i>	<i>Poe Homes</i>
<i>Douglass Homes</i>	<i>Pleasant View Gardens</i>
<i>The Terraces</i>	<i>Claremont Homes</i>

B. Crime and Drug Prevention activities the PHA has undertaken or plans to undertake in the next PHA fiscal year

1. List the crime prevention activities the PHA has undertaken or plans to undertake: (select all that apply)

- Contracting with outside and/or resident organizations for the provision of crime- and/or drug-prevention activities
- Crime Prevention Through Environmental Design
- Activities targeted to at-risk youth, adults, or seniors
- Volunteer Resident Patrol/Block Watchers Program
- Other (describe below)

2. Which developments are most affected? (list below)

- | | |
|--------------------------|------------------------------|
| <i>Cherry Hill Homes</i> | <i>Perkins Homes</i> |
| <i>Westport Homes</i> | <i>Gilmor Homes</i> |
| <i>O'Donnell Heights</i> | <i>Brooklyn Homes</i> |
| <i>Latrobe Homes</i> | <i>McCulloh Homes</i> |
| <i>Somerset Homes</i> | <i>Poe Homes</i> |
| <i>Douglass Homes</i> | <i>Pleasant View Gardens</i> |
| <i>The Terraces</i> | <i>Claremont Homes</i> |

C. Coordination between PHA and the police

1. Describe the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities: (select all that apply)

- Police involvement in development, implementation, and/or ongoing evaluation of drug-elimination plan
- Police provide crime data to housing authority staff for analysis and action
- Police have established a physical presence on housing authority property (e.g., community policing office, officer in residence)
- Police regularly testify in and otherwise support eviction cases
- Police regularly meet with the PHA management and residents
- Agreement between PHA and local law enforcement agency for provision of above-baseline law enforcement services
- Other activities (list below)
 - a. *HIDTA(High Intensity Drug Trafficking Areas) Task Force (FBI, DEA)*
 - b. *Warrant Apprehension Task Force (Baltimore City Police Department)*
 - c. *NET(Neighborhood Enforcement Team) Squad (Baltimore City Police Department)*
 - d. *HABC presence at City Comstat sessions*

2. Which developments are most affected? (list below)

ALL public housing developments

D. Additional information as required by PHDEP/PHDEP Plan

PHAs eligible for FY 2000 PHDEP funds must provide a PHDEP Plan meeting specified requirements prior to receipt of PHDEP funds.

- Yes No: Is the PHA eligible to participate in the PHDEP in the fiscal year covered by this PHA Plan?
- Yes No: Has the PHA included the PHDEP Plan for FY 2000 in this PHA Plan?
- Yes No: This PHDEP Plan is an Attachment. (Attachment Filename: ____)

A budget revision was requested because the entitlement was based on data from 1998 and 1999. In the 2000 Plan we requested the following positions in PHDEP:

12	<i>Police Officers</i>
16	<i>Building Monitors</i>
3	<i>Police Dispatchers</i>
<u>1</u>	<u><i>Police Dispatchers Supervisor</i></u>
32	<i>Total PHDEP Positions</i>

14. RESERVED FOR PET POLICY

[24 CFR Part 903.7 9 (n)]

HABC has two (2) Pet Policies which are QHWRA compliant. These policies permit pets in Public Housing units under specified conditions, which include payment of a security deposit, inoculations, and the pet must meet certain size and weight requirements. One policy is for the general resident population, and a separate policy addresses the specific needs of the elderly and disabled. The pet policies are also an attachment to the lease.

Our pet policies are presented in this Plan as an Attachment J.

15. Civil Rights Certifications

[24 CFR Part 903.7 9 (o)]

Civil rights certifications are included in the PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations

.

16. Fiscal Audit

[24 CFR Part 903.7 9 (p)]

1. Yes No: Is the PHA required to have an audit conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h))?
(If no, skip to component 17.)

2. Yes No: Was the most recent fiscal audit submitted to HUD? **FY 2002**

3. Yes No: Were there any findings as the result of that audit?

4. Yes No: If there were any findings, do any remain unresolved?
If yes, how many unresolved findings remain? 3

5. Yes No: Have responses to any unresolved findings been submitted to HUD?
If not, when are they due (state below)?

17. PHA Asset Management

[24 CFR Part 903.7 9 (q)]

Exemptions from component 17: Section 8 Only PHAs are not required to complete this component. High performing and small PHAs are not required to complete this component.

1. Yes No: Is the PHA engaging in any activities that will contribute to the long-term asset management of its public housing stock , including how the Agency will plan for long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs that have **not** been addressed elsewhere in this PHA Plan?

2. What types of asset management activities will the PHA undertake? (select all that apply)
 - Not applicable
 - Private management
 - Development-based accounting
 - Comprehensive stock assessment
 - Other: (list below)
 - Regular PHAS inspections and reports*
 - HousingStat – a new internal monthly review process*

3. Yes No: Has the PHA included descriptions of asset management activities in the **optional** Public Housing Asset Management Table?

18. Other Information

[24 CFR Part 903.7 9 (r)]

A. Resident Advisory Board Recommendations

1. Yes No: Did the PHA receive any comments on the PHA Plan from the Resident Advisory Board/s?

Comments were received from resident members of Annual Plan committee regarding various components. The Resident Advisory Board did submit comments during the comment period.

2. If yes, the comments are: (if comments were received, the PHA **MUST** select one)

- Attached at Attachment *E*
 Provided below:

3. In what manner did the PHA address those comments? (select all that apply)

- Considered comments, but determined that no changes to the PHA Plan were necessary.

- The PHA changed portions of the PHA Plan in response to comments
List changes below:

- Other: (list below)

This plan has been developed in concert with resident members of the HABC Annual Plan committee. Some of these members also serve on the Annual Plan Sub-Committee on Capital Improvements, and all members of the Committee were given open invitations to attend all Sub-Committee meetings.

During the course of the meetings, HABC addressed questions and concerns raised as delineated in Attachment E. During the public comment period, HABC considered all comments received and made changes where appropriate.

B. Description of Election process for Residents on the PHA Board

1. Yes No: Does the PHA meet the exemption criteria provided section 2(b)(2) of the U.S. Housing Act of 1937? (If no, continue to question 2; if yes, skip to sub-component C.)

2. Yes No: Was the resident who serves on the PHA Board elected by the residents? (If yes, continue to question 3; if no, skip to sub-component C.)

3. Description of Resident Election Process

a. Nomination of candidates for place on the ballot: (select all that apply)

- Candidates were nominated by resident and assisted family organizations
- Candidates could be nominated by any adult recipient of PHA assistance
- Self-nomination: Candidates registered with the PHA and requested a place on ballot
- Other: (describe)

b. Eligible candidates: (select one)

- Any recipient of PHA assistance
- Any head of household receiving PHA assistance
- Any adult recipient of PHA assistance
- Any adult member of a resident or assisted family organization
- Other (list)

c. Eligible voters: (select all that apply)

- All adult recipients of PHA assistance (public housing and section 8 tenant-based assistance)
- Representatives of all PHA resident and assisted family organizations
- Other (list)

C. Statement of Consistency with the Consolidated Plan

For each applicable Consolidated Plan, make the following statement (copy questions as many times as necessary).

1. Consolidated Plan jurisdiction: (provide name here)

Baltimore City

2. The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the jurisdiction: (select all that apply)

- The PHA has based its statement of needs of families in the jurisdiction on the needs expressed in the Consolidated Plan/s.
- The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
- The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
- Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)

Section V. D. Public Housing Strategy, Specific Objectives and Allocation of Investment (pp. 86 – 92) of the current Baltimore City Consolidated Plan specifically addresses public housing initiatives. Initiatives consistent with the Consolidated Plan that will be undertaken in the coming year include:

- *Improving the quality of assisted housing;*
- *Increasing assisted housing choices;*
- *Improvements to the living environment;*
- *Promotion of self-sufficiency for public housing residents.*

Other: (list below)

3. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)

The Baltimore City Consolidated Plan was developed in concert with the Housing Authority of Baltimore City. The introduction to section II. B. Institutional Structure and Intergovernmental Cooperation (p 25) of the Plan notes:

The Baltimore City Department of Housing and Community Development and the Housing Authority of Baltimore City are lead agencies involved in community development efforts and the production of affordable housing. As direct participants in production and management -- particularly through public housing -- and as conduits for federal, state and local underwriting of community support efforts, DHCD/HABC occupies a central position in the institutional structure. The two agencies are unique among the larger cities in this country in that the head of both – Commissioner of Housing and Community Development and Executive Director of the Housing Authority – is the same person. Additionally, the Board of Commissioners that oversees the Authority is appointed by the Mayor of Baltimore City. There are five trustees appointed to two-year terms. Terms are staggered based on time of appointment. One trustee is a public housing resident.

The interrelationship between the City and the HABC is also seen in City efforts to help address public housing needs. This support has been most manifest in City capital fund contributions for the HOPE VI program, which redevelops high rise public housing sites. The City has supported, and will continue to support, HOPE VI activities by committing local, HOME and CDBG/108 funds. The City has also been instrumental in securing State of Maryland moneys for HOPE VI projects.

Other areas where the Consolidated Plan supports the PHA Plan include homeownership initiatives, anti-poverty and self-sufficiency programs, community based planning efforts and fair housing initiatives.

D. Other Information Required by HUD

Use this section to provide any additional information requested by HUD.

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

Housing Authority Of Baltimore City

PHA Plans

5 Year Plan for Fiscal Years 2004 - 2008

Annual Plan for Fiscal Year 2004

VOLUME I GENERAL DOCUMENTATION

**Re-Submitted For Approval to the
US Depart. of Housing & Urban Dev.
June 29, 2004**

**Approved by HABC Board of Commissioners March 23, 2004
First Submission to HUD April 2, 2004
HUD Revised June 15, 2004**

**NOTE: THIS PHA PLANS TEMPLATE (HUD 50075) IS TO BE COMPLETED IN
ACCORDANCE WITH INSTRUCTIONS LOCATED IN APPLICABLE PIH NOTICES**

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D	(1) FFY 2004 Capital Fund Program 5 Year Plan (2004 through 2008)
	(2) FFY 2003 Capital Program Performance & Evaluation Report (Revised)
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	(4) FFY 2003 Replacement Housing Factor Performance & Evaluation Report
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ATTACHMENT A

HABC Statement of Policy on Deconcentration

STATEMENT OF POLICY ON DECONCENTRATION

As a part of HABC's Admissions and Continued Occupancy Policy for Public Housing, HABC shall implement and enforce a policy designed to promote the deconcentration of poverty and income-mixing in accordance with HUD regulations. This deconcentration policy shall be carried out in compliance with HABC's deconcentration policy as it applies in the event that the income profile for any HABC development falls outside of the Established Income Range ("**EIR**"), defined by HUD regulations under 24 CFR Sec. 903.2 (c). Further, such deconcentration policy shall be undertaken in conjunction with HABC's efforts to increase self-sufficiency of current residents.

HABC shall implement the following strategies to provide for deconcentration of poverty and income-mixing:

- Provide incentives, including rent incentives, to encourage eligible applicants to accept units in developments with incomes above the EIR, where their income is below the EIR;
- Target capital improvements toward developments with an average income below the EIR;
- Establish a preference for admitting working families in developments below the EIR, where their average income exceeds the EIR;
- Skip a family on the waiting list to reach another family in an effort to further the goals for deconcentration; provided that such action does not violate any requirements under the Partial Consent Decree under Thompson, et al. v. HABC, et al.;
- Implement increased security measures at developments with an average income below the EIR in order to reduce incidences of crime in efforts to encourage eligible applicants to accept units in developments where such applicant's average income exceeds the development EIR.

Consistent with the HUD regulations, this deconcentration policy shall be implemented in accordance with the requirements under the Fair Housing Act. Further, this deconcentration policy shall ensure that a family has the sole discretion whether to accept an offer of a unit made hereunder. Should a family decline a unit, they will be placed back on the waiting list for future placement. Their rejection of an offered unit for purposes of meeting deconcentration, will not impact on their opportunity for further housing assistance by HABC.

ATTACHMENT B (1)

**FFY 2004 Capital Fund Program Annual
Statement**

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary

PHA Name: Housing Authority of Baltimore City	Grant Type and Number Capital Fund Program Grant No: MD06P002501-03 Replacement Housing Factor Grant:	Federal FY of Grant: 2004
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X Original Annual Statement Reserve for Disasters/Emergencies Revised Annual Statement (revision no:)
Performance and Evaluation Report for Period Ending: Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised #1	Obligated	Expended
1	Total non CFP Funds				
2	1406 Operations	\$1,250,000			
3	1408 Management Improvements Soft Costs	\$2,477,284			
4	1410 Administration	\$2,153,970			
5	1411 Audit	\$25,000			
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$5,342,151			
8	1440 Site Acquisition				
9	1450 Site Improvement	\$100,000			
10	1460 Dwelling Structures	\$5,343,207			
11	1465.1 Dwelling Equipment -- Non-expendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	\$199,026			
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	\$534,362			
18	1499 Development Activities	\$4,575,000			
20	1501 Collateralization Expenses or Debt Service				
21	1502 Contingency				
22	Amount of Annual Grant (Sum of lines 2-19)	\$22,000,000			
23	Amount of line 20 Related to LBP Activities	\$200,000			
24	Amount of line 20 Related to Section 504 Compliance	\$794,000			
25	Amount of line 20 Related to Security - Soft Costs				
26	Amount of line 20 Related to Security - Hard Costs	\$305,000			
27	Amount of line 20 Related to Energy Conservation Measures	\$100,000			

**Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages**

PHA Name:		Grant Type and Number				Federal FY of Grant:		
Housing Authority of Baltimore City		Capital Fund Program Grant No: Replacement Housing Factor Grant No:				2004		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
PHYSICAL IMPROVEMENTS								
	Transfer to Operations	1406	N/A	\$1,250,000				
MD 2-06 Gilmor Homes								
	Security Cameras	1460	571 DU's	\$145,000				
MD 2-09 O'Donnell Heights								
	Blocking of Vacant Units	1460	100 DU's	\$100,000				
MD 2-33 Lakeview Tower								
	Security Monitoring System	1460	161 DU's	\$75,000				
	Replace Fan Coil Units	1460	161 DU's	\$650,000				
	Replace Roof	1460	161 DU's	\$220,000				
MD 2-41 West Twenty								
	Replace Electrical Switchgear	1460	161 DU's	\$250,000				
	Boiler Room Repairs	1460	1	\$85,000				
MD 2-43 Monument East								
	Balcony Concrete Repairs	1460	TBD	\$250,000				
MD 2-52 Lakeview Tower Ext.								
	Upgrade Security and Monitoring System	1460	144 DU's	\$60,000				
MD 2-59 Scattered Sites								
	Relocation	1495	25 DU's	\$50,000				
	Neighborhood Revitalization	1499	45 DU's	\$3,825,000				
	Neighborhood Revitalization (504 - 16 Units)	1499	16 DU's	\$750,000				
MD 2-71 Primrose Place								
	Replace Roof	1460	125 DU's	\$100,000				
MD 2-72 Carey House								
	Fire Management System	1460	31 DU's	\$350,000				
MD 2-69-L Laurens House								
	Fire Management System	1460	47 DU's	\$450,000				
AUTH-WIDE								
	Cathodic Protection Inspection Of Gas Mains	1450	TBD	\$100,000				
	Auth-Wide Physical Accessibility Cost 504	1460	TBD	\$292,099				
	Physical Accessibility Modifications - IN	1460	TBD	\$226,108				

**Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages**

PHA Name: Housing Authority of Baltimore City		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No:			Federal FY of Grant: 2004			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
	Auth-Wide Vacancy Renovation	1460	TBD	\$2,000,000				
	Authority Wide -Mildew and Mold Elimination	1460	T B D	\$90,000				
MANAGEMENT IMPROVEMENTS								
	Utility Consultant	1408	1	\$100,000				
	Develop Environmental Data Base	1408	1	\$175,000				
Agency Plan								
	Improve PHAS Scores	1408	4 Positions and Sundry	\$210,060				
	504 Units	1408	4 Positions	\$150,000				
	Community Agency Liaisons	1408	2 Positions	\$115,920				
	Agency Plan - Program Management Costs	1408	1 Position	\$43,063				
Employment and Empowerment								
	Establish and Operate Small Businesses	1408	1	\$25,000				
	RM Leadership Training/Develop.of CDC/Retail Train.	1408	1	\$25,000				
	Learning Centers Program Expense & Salaries	1408	1 Position	\$50,000				
	Step-Up Program (Apprentice Program)	1408	TBD	\$50,000				
	PACE Program Structure/Operating Costs/Tra	ining1408	8 Positions and Sundry (Partial Funding)	\$200,000				
	Anti-Drug Program	1408	TBD	\$5,000				
Information Technology								
	In-House Internet Services, Media & Graphics	1408	1	\$120,000				
	UPS w/Battery Cabinet/Main Bypass Panel	1408	1	\$118,562				
	Help Desk Software	1408	1	\$17,756				
	Upgrade Routers for Remotes	1408	1	\$400,923				
	Update Desktop OS/ Servers and CALS to W.i.d. 2000	1408	1	\$156,000				

**Annual Statement / Performance and Evaluation Report
 Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
 Part II: Supporting Pages**

PHA Name: Housing Authority of Baltimore City		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No:				Federal FY of Grant: 2004		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
Training	Acquisition of New System (Phase I)	1408	1	\$75,000				
	Centralized Storage and Tape Library	1408	1	\$25,000				
	HABnet Upgrade Network Support	1408	1	\$240,000				
	Job Skills	1408	1	\$75,000				
	Technical Training	1408	1	\$25,000				
Administration Engineering Services	Agency Wide Computer Training	1408	1	\$75,000				
	Engineering Services Non-Technical Positions	1410	17 positions	\$1,094,938				
	Allocated Rent	1410	N/A	\$47,955				
	Miscellaneous Admin. Expenditures	1410	N/A	\$275,000				
Development Services	Capital Program Audit	1411	N/A	\$25,000				
	Planning and Development	1410	3 Positions	\$320,934				
	Salaries (MIS Project Manager)	1410		\$52,659				
Finance and Accounting	Finance and Accounting Positions	1410	3 Positions	\$166,307				
Office of Legal Affairs	Office of Legal Affairs Positions	1410	2 Positions	\$196,177				
Authority Wide-Consultant Fees	Lead Based Paint Testing	1430	500 DU's	\$200,000				
	Authority Wide-Mildew and Mold Elimination	1430	TBD	\$50,000				
	Asbestos Testing and Monitoring	1430	100 DU's	\$50,000				

**Annual Statement / Performance and Evaluation Report
 Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
 Part II: Supporting Pages**

PHA Name: Housing Authority of Baltimore City		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No:				Federal FY of Grant: 2004			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work	
				Original	Revised	Funds Obligated	Funds Expended		
Fees & Costs - Authority Wide	Other Environmental Areas - Consultants	1430	1	\$25,000					
	Financial Modeling and Market Analysis	1430	1	\$89,175					
	Needs Assessment of HABC Inventory	1430	1	\$89,175					
	Legal Fees (Consent Decree)	1430	N/A	\$715,000					
	Legal Fees (HABC Specialty Items)	1430	N/A	\$100,000					
	Erosion and Sediment Consultant	1430	1	\$50,000					
	A/E Consultant for 504 Compliance	1430	1	\$794,000					
	A/E Certifying Architect	1430	1	\$233,500					
	Elevator Consultant	1430	1	\$50,000					
	Planning & Development	1430	2 positions (partial)	\$87,232					
Equipment	In-House Technical Staff	1430	40 positions	\$2,679,069					
	JOC Consultant	1430	1	\$130,000					
	Replace Laptops (20*2466)	1475	20	\$49,320					
	LCD Projectors	1475	1	\$17,756					
	Replace Desktop PC (150*1850)	1475	150	\$27,500					
	Equipment	1475		\$4,450					
	Replacement of Maintenance Vehicles (22)	1475	4	\$100,000					
	Relocation	Relocation	1495	20	\$200,000				
		Relocation Staff	1495	5 Positions	\$284,362				

Annual Statement / Performance and Evaluation Report							
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)							
Part III: Implementation Schedule							
PHA Name: Housing Authority of Baltimore City			Grant Type and Number: Capital Fund Program No: Replacement Housing Factor No:			Federal FY of Grant: 2004	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised #1	Actual	Original	Revised #1	Actual	
MD 2-06 Gilmor Homes							
Security Cameras	Jun-06			Jun-08			
MD 2-09 O'Donnell Heights							
Blocking of Vacant Units	Jun-06			Jun-08			
MD 2-33 Lakeview Tower							
Security Monitoring System	Jun-06			Jun-08			
Replace Fan Coil Units	Jun-06			Jun-08			
Replace Roof	Jun-06			Jun-08			
Replace Electrical Switchgear	Jun-06			Jun-08			
MD 2-41 West Twenty							
Boiler Room Repairs	Jun-06			Jun-08			
MD 2-43 Monument East							
Balcony Concrete Repairs	Jun-06			Jun-08			
MD 2-52 Lakeview Tower Ext.							
Upgrade Security and Monitoring System	Jun-06			Jun-08			
MD 2-59 Scattered Sites							
Relocation							
Neighborhood Revitalization	Jun-06			Jun-08			
Neighborhood Revitalization (504-16 Units)	Jun-06			Jun-08			
MD 2-72 Primrose Place							
Replace Roofs	Jun-06			Jun-08			
MD 2-72 Carey House							
Fire Management System	Jun-06			Jun-08			

Annual Statement / Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part III: Implementation Schedule							
PHA Name: Housing Authority of Baltimore City			Grant Type and Number: Capital Fund Program No: Replacement Housing Factor No:			Federal FY of Grant: 2004	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised #1	Actual	Original	Revised #1	Actual	
MD 2-69 Laurens House							
Replace Elevators	Jun-06			Jun-08			
AUTH-WIDE							
Cathodic Protection Inspection of Gas Mains	Jun-06			Jun-08			
Auth-Wide Physical Accessibility Cost 504	Jun-06			Jun-08			
Physical Accessibility Modifications - IN	Jun-06			Jun-08			
Auth-Wide Vacancy Renovation	Jun-06			Jun-08			
Authority Wide-Mildew and Mold Elimination	Jun-06			Jun-08			
MANAGEMENT IMPROVEMENTS							
Utility Consultant	Jun-06			Jun-08			
Develop Environmental Data Base	Jun-06			Jun-08			
Agency Plan							
Improve PHAS Scores	Jun-06			Jun-08			
504 Units	Jun-06			Jun-08			
Community Agency Liaisons	Jun-06			Jun-08			
Agency Plan - Program Management Costs	Jun-06			Jun-08			
Employment and Empowerment							
Establish and Operate Small Businesses	Jun-06			Jun-08			
RM Leadership Training/Develop.of CDC/Retail Train.	Jun-06			Jun-08			
Learning Centers Program Expense & Salaries	Jun-06			Jun-08			

Annual Statement / Performance and Evaluation Report							
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)							
Part III: Implementation Schedule							
PHA Name: Housing Authority of Baltimore City			Grant Type and Number: Capital Fund Program No: Replacement Housing Factor No:			Federal FY of Grant: 2004	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised #1	Actual	Original	Revised #1	Actual	
Step-Up Program (Apprentice Program)	Jun-06			Jun-08			
PACE Program Structure/Operating Costs/Training	Jun-06			Jun-08			
Anti-Drug Program	Jun-06			Jun-08			
Information Technology							
In-House Internet Services, Media & Graphics	Jun-06			Jun-08			
UPS w/Battery Cabinet/Main Bypass Panel	Jun-06			Jun-08			
Help Desk Software	Jun-06			Jun-08			
Upgrade Routers for Remotes	Jun-06			Jun-08			
Update Desktop OS/ Servers and CALS to Windows 2000	Jun-06			Jun-08			
Acquisition of New System (Phase I)	Jun-06			Jun-08			
Centralized Storage and Tape Library	Jun-06			Jun-08			
HABnet Upgrade Network Support	Jun-06			Jun-08			
Training							
Job Skills	Jun-06			Jun-08			
Technical Training	Jun-06			Jun-08			
Agency Wide Computer Training	Jun-06			Jun-08			
Administration Engineering Services	Jun-06			Jun-08			
Engineering Services Non-Technical Positions	Jun-06			Jun-08			
Allocated Rent	Jun-06			Jun-08			
Miscellaneous Admin. Expenditures	Jun-06			Jun-08			
Capital Program Audit							

Annual Statement / Performance and Evaluation Report							
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)							
Part III: Implementation Schedule							
PHA Name: Housing Authority of Baltimore City			Grant Type and Number: Capital Fund Program No: Replacement Housing Factor No:			Federal FY of Grant: 2004	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised #1	Actual	Original	Revised #1	Actual	
Development Services							
Planning and Development	Jun-06			Jun-08			
Salaries (MIS Project Manager)	Jun-06			Jun-08			
Finance and Accounting							
Finance and Accounting Positions	Jun-06			Jun-08			
Office of Legal Affairs							
Office of Legal Affairs Positions	Jun-06			Jun-08			
Authority Wide-Consultant Fees							
Lead Based Paint Testing	Jun-06			Jun-08			
Authority Wide-Mildew and Mold Elimination	Jun-06			Jun-08			
Asbestos Testing and Monitoring	Jun-06			Jun-08			
Other Environmental Areas - Consultants	Jun-06			Jun-08			
Financial Modeling and Market Analysis	Jun-06			Jun-08			
Needs Assessment of HABC Inventory	Jun-06			Jun-08			
Legal Fees (Consent Decree)	Jun-06			Jun-08			
Legal Fees (HABC Specialty Items)	Jun-06			Jun-08			

Annual Statement / Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part III: Implementation Schedule							
PHA Name: Housing Authority of Baltimore City			Grant Type and Number: Capital Fund Program No: Replacement Housing Factor No:			Federal FY of Grant: 2004	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised #1	Actual	Original	Revised #1	Actual	
Fees & Costs - Authority Wide							
Erosion and Sediment Consultant	Jun-06			Jun-08			
A/E Consultant for 504 Compliance	Jun-06			Jun-08			
A/E Certofuomg Architect	Jun-06			Jun-08			
Elevator Consultant	Jun-06			Jun-08			
Planning & Development	Jun-06			Jun-08			
In-House Technical Staff	Jun-06			Jun-08			
JOC Consultant							
Equipment							
Replace Laptops	Jun-06			Jun-08			
LCD Projectors	Jun-06			Jun-08			
Replace Desktop PC	Jun-06			Jun-08			
Equipment	Jun-06			Jun-08			
Replacement of Maintenance Vehicles	Jun-06			Jun-08			
Relocation							
Relocation	Jun-06			Jun-08			
Relocation Staff	Jun-06			Jun-08			

ATTACHMENT B (2)

FFY 2004 Replacement Housing Factor Statement

Annual Statement / Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary

PHA Name: Housing Authority of Baltimore City	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant: MD06R00250103	Federal FY of Grant: FY 2004
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X **Original Annual Statement** **Reserve for Disasters/Emergencies** **Revised Annual Statement (revision no:)**

Performance and Evaluation Report for Period Ending:		Final Performance and Evaluation Report			
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non CFP Funds				
2	1406 Operations				
3	1408 Management Improvements Soft Costs				
4	1410 Administration	\$320,152			
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$65,000			
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures	\$4,204,437			
11	1465.1 Dwelling Equipment -- Non-expendable	\$73,000			
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Replacement Housing				
19	1501 Collateralization Expenses or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant (Sum of lines 2-19)	\$4,662,589			
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 Compliance				
24	Amount of line 21 Related to Security - Soft Costs				
25	Amount of line 21 Related to Security - Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name:		Grant Type and Number				Federal FY of Grant:		
Housing Authority of Baltimore City		Capital Fund Program Grant No:		MD06R00250103		FY 2004		
Replacement Housing Factor Grant No:								
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised #1	Funds Obligated	Funds Expended	
AUTHORITY WIDE Development Activities	Development of 610 O'Donnell Units. (O'Donnell Heights) (Partial Funding)	1410.0	610 Units	\$320,152				Funds also to be provided in 2003, 2005, 2006 and 2007
		1430.0	610 Units	\$65,000				
		1460.0	610 Units	\$4,204,437				
		1465.0	TBD	\$73,000				

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part III: Implementation Schedule

PHA Name: Housing Authority of Baltimore City		Grant Type and Number: Capital Fund Program No: Replacement Housing Factor Grant No: MD06R00250103					Federal FY of Grant: FY 2004
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised # 1	Actual	Original	Revised # 1	Actual	
AUTHORITY- WIDE Development Activities	TBD	TBD		TBD	TBD		Dates to be determined based on approved Development Plan

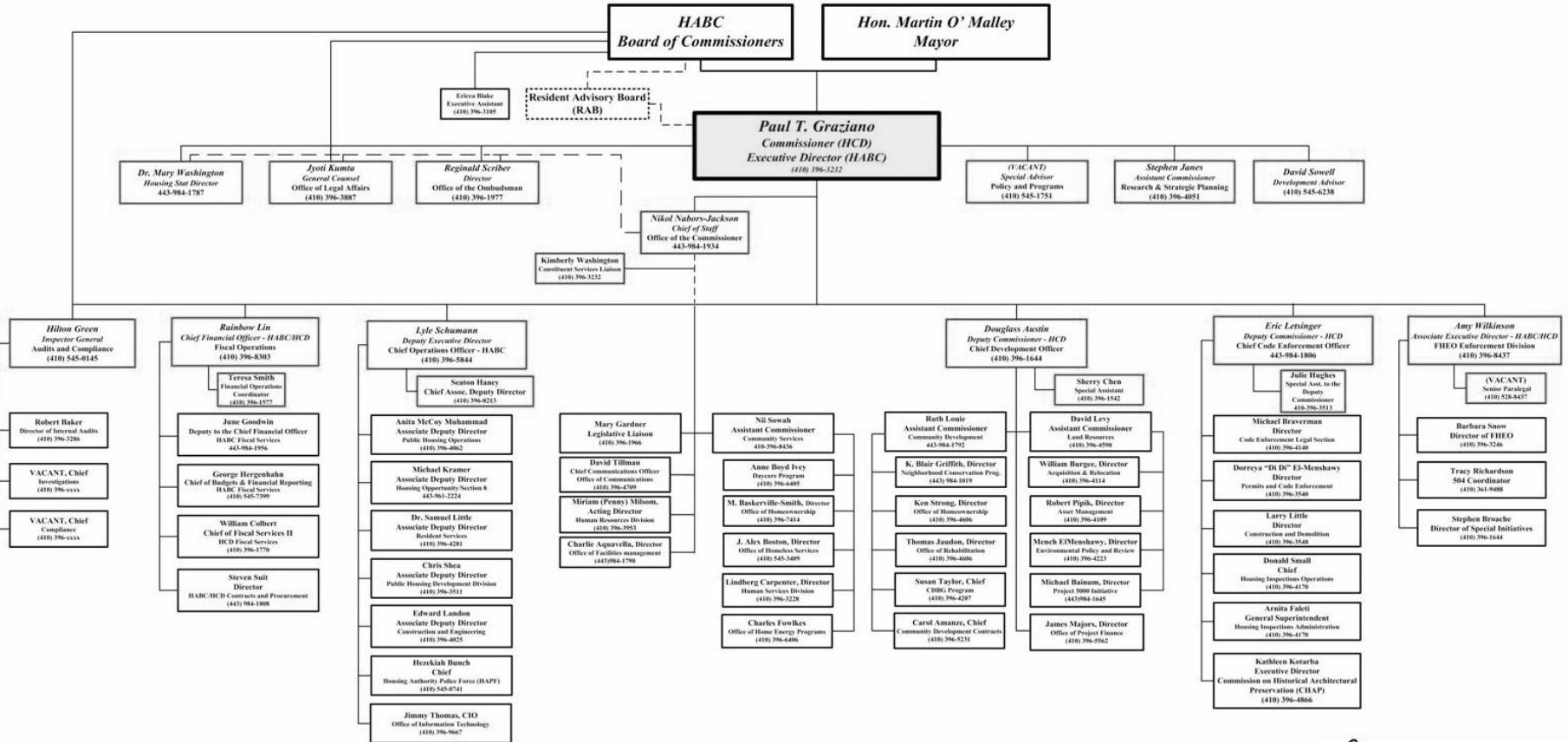
ATTACHMENT C

HABC Management Organization Chart



Housing Authority of Baltimore City Department of Housing and Community Development

HCD/HABC SENIOR MANAGEMENT ORGANIZATIONAL CHART



Paul T. Graziano

ATTACHMENT D (1)

**Capital Fund Program 5 Year Plan
(2004 through 2008)**

Capital Fund Program Five-Year Action Plan

Part I: Summary

PHA Name: Housing Authority of Baltimore City

Original 5-Year Plan
 Revision No:

Development Number/Name/HA-Wide	Year 1	Work Statement for Year 2 FFY Grant: 2005 PHA FY: 2006	Work Statement for Year 3 FFY Grant: 2006 PHA FY: 2007	Work Statement for Year 4 FFY Grant: 2007 PHA FY: 2008	Work Statement for Year 5 FFY Grant: 2008 PHA FY: 2009
Operating		\$1,250,000	\$1,250,000		
Management Improvements		\$925,066	\$1,496,904	\$1,112,124	\$696,820
Agency-Wide Capital Improvements		\$3,344,582	\$3,085,483	\$5,307,625	\$2,228,882
Administrative		\$1,939,474	\$1,939,474	\$1,939,474	\$1,940,791
Other		\$3,339,561	\$3,539,184	\$3,448,277	\$2,725,917
Collateralization and/or Debt Service		\$6,400,000	\$6,400,000	\$6,400,000	\$6,400,000
Demolition			\$100,000	\$100,000	\$100,000
Development					
MD2-01, Latrobe Homes					\$235,000
MD2-02, McCulloh Homes					\$320,000
MD2-03, Perkins Homes					\$160,000
MD2-04, Poe Homes				\$45,000	\$120,000
MD2-05, Douglass Homes					\$535,000
MD2-06, Gilmore Homes				\$50,000	\$485,000
MD2-09, O'Donnell Heights					\$300,000
MD2-10, Somerset Homes					\$555,000
MD2-11, Cherry Hill					\$300,000
MD2-12, Cherry Hill Ext I					\$270,000
MD2-13, Westport Homes				\$30,000	\$160,000
MD2-14, Claremont					
MD2-16, Flag House					
MD2-17, Cherry Hill					\$20,000
MD2-21, Brooklyn Homes					\$350,000
MD2-22, Westport Homes					
MD2-23, McCulloh LR					\$44,000
MD2-23, McCulloh HR				\$435,000	\$525,000
MD2-25, The Broadway					
MD2-27, Emerson Julian-Spencer			\$15,000	\$55,000	\$101,000
MD2-31, Rosemont/Dukeland					\$125,000
MD2-34, Oswego Mall				\$28,500	\$125,000
MD2-33, Lakeview Towers			\$30,000	\$118,000	\$110,000
MD2-39 Claremont Ext.					\$335,000
MD2-41, West Twenty				\$518,000	\$95,000
MD2-42, Somerset Court					\$120,000
MD2-43, Monument East					\$340,000
MD2-44, Wyman House			\$12,000	\$230,000	\$70,000
MD2-45 Hollander Ridge					
MD2-46, Chase House					\$45,000
MD2-47, Govans Manor			\$323,955	\$128,000	\$250,000
MD2-51, Mason					\$140,000
MD2-52 Lakeview Tower			\$300,000	\$300,000	\$35,000
MD2-53, Ellerslie				\$100,000	\$210,000
MD2-54, Bel Park Tower					\$266,000
MD2-56, The Brentwood				\$350,000	\$139,000
MD2-59, Scattered Site		\$4,801,317	\$3,400,000	\$675,000	\$160,000
MD2-69, Laurens House					\$20,590
MD2-70, Rosement Homes				\$470,000	\$346,000
MD2-71, Primrose				\$160,000	\$90,000
MD2-72, Carey House					\$10,000
MD2-74, Hollins House			\$63,000		\$254,000
MD2-75, Allendale			\$45,000		\$142,000
TOTAL		\$22,000,000	\$22,000,000	\$22,000,000	\$22,000,000
CFP Funds Listed for 5-year planning		\$22,000,000	\$22,000,000	\$22,000,000	\$22,000,000
Non CFP Funds List in 5-year planning					
Replacement Housing Factor Funds		\$4,662,589	\$4,662,589	\$4,662,589	\$4,662,589

Capital Fund Program Five-Year Action Plan						
Part II: Supporting Pages-Work Activities						
Activities for Year 1	Activities for Year : 2 FFY Grant: 2005 PHA FY: 2006			Activities for Year : 3 FFY Grant: 2006 PHA FY: 2007		
	Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
See Annual Statement	Agency-Wide	Management Improvements Employee Development and Training - Training activities will focus on the following areas: -Increase PHAS scores and reduce audit findings, -EEO complaints and grievances; -Focus on Agency's primary mission; -Increase the quality and efficiency of services to our customers; -Reduce Agency Liability	\$115,000	Agency-Wide	Management Improvements Employee Development and Training - Training activities will focus on the following areas: -Increase PHAS scores and reduce audit findings, -EEO complaints and grievances; -Focus on Agency's primary mission; -Increase the quality and efficiency of services to our customers; -Reduce Agency Liability	\$115,000
	Agency-Wide	Resident Initiatives - Pace Program Structure/Operating costs/Training, Skills Training, RM Leadership Trng, Step-up Program & Business Development	\$150,000	Agency-Wide	Utility Management - Funding for a consultant to assist in developing utility management plans. Consultants	\$100,000
	Agency-Wide	Computer Hardware and Software - Computer hardware and software must be upgraded and systems redesigned to respond to the changing needs of HABC.	\$610,066	Agency-Wide	Resident Initiatives - Pace program Structure/Operating costs/Training, Skills Training, RM Leadership Trng, & Business Development	\$100,000
	Agency-Wide	Salaries	\$2,126,045	Agency-Wide	Computer Hardware and Software - Computer hardware and software must be upgraded and systems redesigned to respond to the changing needs of HABC.	\$1,211,904
	Agency-Wide	In-House Internet Service	\$50,000	Agency-Wide	Salaries	\$2,126,045
	Agency-Wide	Relocation Staff	\$291,471	Agency-Wide	In-House Internet Service	\$70,000
	Agency-Wide	Agency-Wide Physical Accessibility Cost 504	\$2,218,333	Agency-Wide	Relocation Staff	\$298,758
	Agency-Wide	Facilities Management -	\$144,100	Agency-Wide	Agency-Wide Physical Accessibility Cost 504	\$1,815,225
	Agency-Wide	Waste Water Discharge Equipment - The State of Maryland environmental codes require all boiler wastewater to be filtered and treated before it is released into the sewer system. The HABC intends to install waster water treatment equipment and repiping heating and cooling systems to comply with state requirements. (partially funded)	\$50,000	Agency-Wide	Facilities Management -	\$46,305
	Agency-Wide	Cathodic Protection Inspection of Gas Mains - Federal Regulations require all gas mains be inspected periodically and that the cathodic protection on these mains be repaired if damaged or deteriorated for prevention of gas leaks, explosions and fires. Contract with certified cathodic protection firm for two-year	\$100,000	Agency-Wide	Waste Water Discharge Equipment - The State of Maryland environmental codes require all boiler wastewater to be filtered and treated before it is released into the sewer system. The HABC intends to install waster water treatment equipment and repiping heating and cooling systems to comply with state requirements. (partially funded)	\$50,000
	Agency-Wide	Relocation	\$55,000	Agency-Wide	Cathodic Protection Inspection of Gas Mains - Federal Regulations require all gas mains be inspected periodically and that the cathodic protection on these mains be repaired if damaged or deteriorated for prevention of gas leaks, explosions and fires. Contract with certified cathodic protection firm for two-year	\$200,000
	Agency-Wide	Vacancy Renovation	\$164,778	Agency-Wide	Relocation	\$6,500
					Agency-Wide	Vacancy Renovation

Activities for Year 1	Activities for Year : 2 FFY Grant: 2005 PHA FY: 2006			Activities for Year : 3 FFY Grant: 2006 PHA FY: 2007		
	Development	Major Work	Estimated	Development	Major Work	Estimated
	Name/Number	Categories	Cost	Name/Number	Categories	Cost
See Annual Statement				MD2-09, O'Donnell Heights	Relocation	\$350,000
				MD2-13, Westport Homes Ext.	Relocation	\$46,000
				MD2-27, Spencer Gardens	Replace Roofs	\$15,000
				MD2-33, Lakeview Tower	Replace Stairwell railings	\$30,000
				MD2-44, Wyman House Total	Oil Tank Removal	\$12,000
				MD2-47, Govans Manor Total	Increase Lighting in Parking Area Replace Fan Coil Units Replace Drain Pans in all Units & Common Area	\$12,000 \$301,955 \$10,000
				MD2-52, Lakeview Tower Ext. T	Replace Fan Coil Units	\$300,000
	MD2-59, Scattered Sites	Relocation Neighborhood Revitalization Neighborhood Revitalization (504 - 16 units) Homeownership	\$25,000 \$4,000,000 \$500,000 \$276,317	MD2-59, Scattered Site	Vacancy Renovation (Rehab) Replace Roofs Demolition Neighborhood Revitalization Neighborhood Revitalization (504 - 16 units)	\$500,000 \$150,000 \$100,000 \$2,000,000 \$750,000
			4662589			4662589
				MD2-74, Hollins House Total	Replace Small Boilers	\$63,000
				MD2-75, Allendale Total	Replace Hot Water System	\$45,000
		Administrative			Administrative	
	Agency-Wide	Engineering Services Non-Technical Positions	\$1,010,312	Agency-Wide	Engineering Services Non-Technical Positions	\$1,010,312
	Agency-Wide	Finance & Accounting Positions	\$153,464	Agency-Wide	Finance & Accounting Positions	\$153,464
	Agency-Wide	Office of Legal Affairs Positions	\$181,081	Agency-Wide	Office of Legal Affairs Positions	\$181,081
Agency-Wide	Planning and Development	\$296,958	Agency-Wide	Planning and Development	\$296,958	

Capital Fund Program Five-Year Action Plan Part II: Supporting Pages-Work Activities					
Activities for Year : 4 FFY Grant: 2007 PHA FY: 2008			Activities for Year : 5 FFY Grant: 2008 PHA FY: 2009		
Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
Agency-Wide	Management Improvements Employee Development and Training - Training activities will focus on the following areas: -Increase PHAS scores and reduce audit findings, -EEO complaints and grievances; -Focus on Agency's primary mission; -Increase the quality and efficiency of services to our customers; -Reduce Agency Liability	\$115,000	Agency-Wide	Management Improvements Employee Development and Training - Training activities will focus on the following areas: -Increase PHAS scores and reduce audit findings, -EEO complaints and grievances; -Focus on Agency's primary mission; -Increase the quality and efficiency of services to our customers; -Reduce Agency Liability	\$130,000
Agency-Wide	Utility Management - Funding for a consultant to assist in developing utility management plans. Consultants	\$100,000	Agency-Wide	Utility Management - Funding for a consultant to assist in developing utility management plans. Consultants	\$60,000
Agency-Wide	Computer Hardware and Software - Computer hardware and software must be upgraded and systems redesigned to respond to the changing needs of HABC.	\$947,124	Agency-Wide	Computer Hardware and Software - Computer hardware and software must be upgraded and systems redesigned to respond to the changing needs of HABC.	\$566,820
Agency-Wide	Salaries	\$2,126,045	Agency-Wide	Salaries	\$2,126,045
Agency-Wide	In-House Internet Service	\$50,000			
Agency-Wide	Relocation Staff	\$306,227	Agency-Wide	Relocation Staff	\$313,882
Agency-Wide	Agency-Wide Physical Accessibility Cost 504	\$1,611,867			
Agency-Wide	Facilities Management -	\$48,620	Agency-Wide	Facilities Management -	\$51,051
Agency-Wide	Waste Water Discharge Equipment - The State of Maryland environmental codes require all boiler wastewater to be filtered and treated before it is released into the sewer system. The HABC intends to install waster water treatment equipment and repiping heating and cooling systems to comply with state requirements. (partially funded)	\$50,000			
Agency-Wide	Cathodic Protection Inspection of Gas Mains - Federal Regulations require all gas mains be inspected periodically and that the cathodic protection on these mains be repaired if damaged or deteriorated for prevention of gas leaks, explosions and fires. Contract with certified cathodic protection firm for two-year	\$200,000	Agency-Wide	Cathodic Protection Inspection of Gas Mains - Federal Regulations require all gas mains be inspected periodically and that the cathodic protection on these mains be repaired if damaged or deteriorated for prevention of gas leaks, explosions and fires. Contract with certified cathodic protection firm for two-year	\$200,000
Agency-Wide	Waterproofing and Tuckpointing	\$150,000	Agency-Wide	Waterproofing and Tuckpointing	\$150,000
Agency-Wide	Relocation	\$12,566	Agency-Wide	Relocation	\$100,000
Agency-Wide	Vacancy Renovation	\$2,461,965	Agency-Wide	Vacancy Renovation	\$1,250,000

Activities for Year : 4 FFY Grant: 2007 PHA FY: 2008			Activities for Year : 5 FFY Grant: 2008 PHA FY: 2009				
Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost		
MD2-04, Poe Homes	Security Lighting	\$45,000	MD-01, Latrobe Homes Total	Replace Heating Distribution Systems	\$50,000		
				Replace Pressure Reducing Valves	\$25,000		
				Replace Windows	\$50,000		
				Replace Elec Distribution	\$10,000		
				Asbestos Removal Crawlspace	\$50,000		
				Replace Roofs	\$50,000		
				MD-02, McCulloh Homes Total		Upgrade Landscaping to include repaving	\$10,000
						Replace Screen and Security Doors	\$10,000
						Replace Condensate Tanks	\$10,000
						Domestic Heating Water Tanks (4)	\$280,000
			Repair Porches and Railings	\$10,000			
			MD-03, Perkins Homes Total				
				Asbestos Removal Crawlspace	\$50,000		
				Domestic Heating Water Tanks (10)	\$50,000		
				Replace all Entrance Doors inc Screen Doors	\$60,000		
			MD2-04, Poe Homes	Security Lighting	\$10,000		
				Replace Roofs	\$100,000		
				Secure Rails in Hallway with Blocking	\$10,000		
			MD2-05, Douglass Homes	Walkway Lighting	\$10,000		
				Site Repairs and Fencing to Playground Area	\$10,000		
				Waterproofing and Tuckpointing	\$80,000		
				Electrical Distribution System	\$100,000		
				Domestic Heating Water Tanks (4)	\$280,000		
				Repair/Replace Storm Drain	\$55,000		
MD2-06, Gilmor Homes	Replace Underground Heat and Steam Lines inc	\$50,000	MD2-06, Gilmor Homes	Site Work	\$10,000		
				Replace Underground Heat and Steam Lines inc	\$50,000		
				Replace Condensate Tanks	\$25,000		
				Domestic Heating Water Tanks (4)	\$280,000		
				Security Lighting	\$100,000		
				Remove and Replace Fence	\$10,000		
				Develop a new Community Facility	\$10,000		
MD2-09, O'Donnell Heights	Relocation	\$225,000	MD2-09, O'Donnell Heights	Replace Roofs	\$100,000		
				Revitalization	\$100,000		
				Relocation	\$100,000		
			MD2-10, Somerset Homes	Replace Underground Heating Distribution Systems	\$100,000		
				Replace Roofs	\$10,000		
				Domestic Heating Water Tanks (3)	\$210,000		
				Asbestos Removal Crawlspace	\$100,000		
				Vacancy Renovation	\$10,000		
				Replace Windows	\$25,000		
				Revitalization	\$100,000		

Activities for Year : 4 FFY Grant: 2007 PHA FY: 2008			Activities for Year : 5 FFY Grant: 2008 PHA FY: 2008			
Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost	
MD2-13, Westport Homes	Replace Roof on Community Building Relocation	\$30,000 \$46,000	MD2-11, Cherry Hill Homes	Replace 30 Brick Porch Walls	\$10,000	
				Install Community Mailboxes	\$60,000	
				Replace Radiators	\$55,000	
				Replace Roofs	\$100,000	
				Install Intercom System	\$65,000	
				Install Security System	\$10,000	
				MD2-12, Cherry Hill Homes	Replace Apartment Stainless Steel Doors	\$50,000
					Replace Radiators	\$55,000
					Inninstall Intercom System	\$65,000
					Replace Roofs	\$100,000
MD2-23 HR, McCulloh	Upgrade Exterior Lighting Replace Intercom System	\$35,000 \$400,000	MD2-13, Westport Homes	Repair Porches, Stoops & Parking Area and Drives	\$10,000	
				Replace Roofs	\$100,000	
				Replace Siding	\$50,000	
				MD2-17, Cherry Hill Homes	Cherry Hill Homes Erosion Plan	\$20,000
				MD2-21, Brooklyn Homes	Upgrade Bathrooms	\$100,000
					Replace Chain Link Fence	\$100,000
					Replace Roofs	\$50,000
					Electrical Distribution System	\$100,000
				MD2-23 LR, McCulloh	Replace Windows	\$44,000
				MD2-23 HR, McCulloh	Carpeting	\$50,000
MD2-27, Spencer Gardens	New Floor Tile Replace Roofs	\$25,000 \$30,000		Replace Kitchen Cabinets (Senior)	\$50,000	
				Upgrade Exterior Lighting	\$35,000	
				Domestic Heating Water Tanks (2)	\$140,000	
				Chiller Overhaul	\$25,000	
				Install Showers	\$225,000	
				MD2-27, Spencer Gardens	Replace Kitchen Cabinets, Countertops	\$20,000
					Replace Windows and Screen Doors	\$56,000
					New Floor Tile	\$25,000
				MD2-31	Repair Erosion and Landscape Damage	\$50,000
					Upgrade Lighting	\$25,000
		Replace Damaged Fencing	\$50,000			
MD2-33, Lakeview Tower	Remove Oil Tank Replace flooring in common hallways	\$18,000 \$100,000	MD2-33, Lakeview Tower	Beautification	\$10,000	
				Replace Kitchen Cabinets	\$50,000	
				Install Showers	\$50,000	

Activities for Year : 4 FFY Grant: 2007 PHA FY: 2008			Activities for Year : 5 FFY Grant: 2008 PHA FY: 2009		
Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
MD2-34, Oswego Mall	Install interior Light Fixtures in Bedroom Repair Chipping Brick on Buildings	\$3,500 \$25,000	MD2-34, Oswego Mall	Replace Playground Areas and resurface Replace cracks in Walkways Upgrade Exterior Lighting	\$50,000 \$25,000 \$50,000
			MD2-39, Claremont Ext.	Replace Elevators Replace Chiller Replace Roof Deck on High Rise Replace Fan Coil Units Replace Roof on Maintenance Building Revitalization	\$50,000 \$50,000 \$50,000 \$50,000 \$85,000 \$50,000
MD2-41, West Twenty	Replace Chiller Upgrade Call Station Remove Oil Tank	\$300,000 \$200,000 \$18,000	MD2-41, West Twenty	Replace Chiller Card Access Reader Upgrade Call Station Remove Oil Tank Repl. Worn Carpeting and Repl. Tile with Carpeting Upgrade and Install Security Cameras Beautification Upgrade Lighting in lobby and residential	\$5,000 \$40,000 \$40,000 \$10,000
			MD2-42, Somerset Ext.	Exterior Security Lights Replace Windows Replace Exterior Doors	\$40,000 \$50,000 \$30,000
			MD2-43, Monument East Apt	Beautification Emergency Lighting in Hallways Replace Roofs Upgrade Call Station Card Access Reader Replace Domestic Hot Water Riser	\$5,000 \$30,000 \$225,000 \$50,000 \$20,000 \$10,000
MD2-44, Wyman House Total	Replace Condensate Tanks Upgrade HVAC System Waterproofing and Tuckpointing	\$80,000 \$70,000 \$80,000	MD2-44, Wyman House Total	Oil Tank Removal Replace Condensate Tanks Replace Kitchen Cabinets, Countertops & Floor Tiles Upgrade HVAC System Beautification Waterproofing and Tuckpointing	\$50,000 \$20,000
MD2-46, Chase House Total	Replace Window and Patio Doors Replace closet doors and kitchen cabinet		MD2-46, Chase House Total	Replace Window and Patio Doors Replace closet doors and kitchen cabinet	\$10,000 \$35,000
MD2-47, Govans Manor Total	Install Security Cameras on Each Floor Increase Lighting in Parking Area Replace Drain Pans in all Units & Common Area	\$55,000 \$38,000 \$35,000	MD2-47, Govans Manor Total	Beautification - Replace Carpet and Flooring in common Chiller Overhaul Replace Windows in Common Areas Replace Kitchen Cabinets and Countertops	\$10,000 \$25,000 \$65,000 \$100,000

Activities for Year : 4 FFY Grant: 2007 PHA FY: 2008			Activities for Year : 5 FFY Grant: 2008 PHA FY: 2008		
Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
				Install Security Cameras on Each Floor Increase Lighting in Parking Area Replace Fan Coil Units Replace Hot Water/Tank and System Replace Drain Pans in all Units & Common Area	\$50,000
			MD2-51, B. E. Mason Total	Repave Concrete Off Walkways Oil Tank Removal Replace Small Boilers Beautification Replace Roofs Upgrade Security and Monitoring System Waterproofing and Tuckpointing Patio Door Replacement 5th Floor	\$10,000 \$15,000 \$30,000 \$5,000 \$50,000 \$10,000 \$10,000 \$10,000
MD2-52, Lakeview Tower Ex	Replace Fan Coil Units	\$300,000	MD2-52, Lakeview Tower Ex	Chiller Overhaul Replace Flooring in Common Hallways Replace Fan Coil Units	\$25,000 \$10,000
MD2-53, Ellerslie Apts.Total	Tuckpointing and Waterproofing	\$100,000	MD2-53, Ellerslie Apts.Total	Repl carpet and flooring in hallways and com. areas Replace Windows Tuckpointing and Waterproofing Replace Boilers Replace Existing Heating and Cooling System	\$100,000 \$10,000 \$50,000 \$50,000
			MD2-54, Bel-Park Tower Tot	Oil Tank Removal Replace Potable Water Lines Chiller Overhaul Replace Entrance Door and Card Reader System Repl carpet and flooring in hallways and com. areas Upgrade Hallway Lighting Beautification	\$16,000 \$50,000 \$25,000 \$25,000 \$100,000 \$25,000 \$25,000
MD2-56, The Brentwood Tot	Waterproofing and Tuckpointing Upgrade Existing Call Station	\$150,000 \$200,000	MD2-56, The Brentwood Tot	Oil Tank Removal Upgrade the Laundry Room Facility Replace hallway carpet with tile 85 Frost Free Refrigerators	\$24,000 \$5,000 \$50,000 \$60,000
MD2-59, Scattered Site	Vacancy Renovation (Rehab) Replace Roofs Demolition Relocation	\$500,000 \$150,000 \$100,000 \$25,000	MD2-59, Scattered Site	Replace Roofs Community Center Demolition	\$150,000 \$10,000 \$100,000

Activities for Year : 4 FFY Grant: 2007 PHA FY: 2008			Activities for Year : 5 FFY Grant: 2008 PHA FY: 2008		
Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
MD2-70, Rosemont Tower T	Replace Call Station Upgrade Heating and A/C Units	\$300,000 \$170,000	MD2-70, Rosemont Tower T	Upgrade Security Alarm Waterproofing and Tuckpointing Replace Flooring Through-out Common Areas Replace Intercom System Replace Refrigerator in all Units	\$21,000 \$10,000 \$50,000 \$200,000 \$65,000
MD2-71, Primrose PlaceTot	Exterior Water Leaks	\$160,000	MD2-71, Primrose PlaceTot	Increase Parking Spaces Upgrade Site Lighting Repair Call Station Exterior Water Leaks Beautification	\$30,000 \$45,000 \$10,000 \$5,000 \$5,000
			MD2-72, Carey House Total	Landscaping Beautification	\$5,000 \$5,000
			MD2-74, Hollins House Total	Beautification -- Replace carpet throughout with tile Replace Windows Repair Call Station Domestic Heating Water Tanks (1) Waterproofing and Tuckpointing	\$60,000 \$64,000 \$50,000 \$70,000 \$10,000
			MD2-75, Allendale Total	Resurface Park. Lot, Walkways, Storm Drain, Remove Upgrade Security System Replace Electronic Entrance Doors Replace Security Booth Replace Heaters Replace Kitchen Cabinets Beautification	\$10,000 \$60,000 \$15,000 \$10,000 \$32,000 \$10,000 \$5,000
			MD2-69, Laurens House Tot	Beautification	\$20,590
	Administrative			Administrative	
Agency-Wide	Engineering Services Non-Technical Positions	\$1,010,312	Agency-Wide	Engineering Services Non-Technical Positions	\$1,010,312
Agency-Wide	Finance & Accounting Positions	\$153,464	Agency-Wide	Finance & Accounting Positions	\$153,464
Agency-Wide	Office of Legal Affairs Positions	\$181,081	Agency-Wide	Office of Legal Affairs Positions	\$181,081
Agency-Wide	Planning and Development	\$296,958	Agency-Wide	Planning and Development	\$296,958
Agency-Wide	Salaries (MIS project manager)	\$52,659	Agency-Wide	Salaries (MIS project manager)	\$53,976
Agency-Wide	Miscellaneous Administrative Expenditures	\$180,000	Agency-Wide	Miscellaneous Administrative Expenditures	\$180,000

Activities for Year : 4 FFY Grant: 2007 PHAFY: 2008			Activities for Year : 5 FFY Grant: 2008 PHAFY: 2009		
Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
Agency-Wide	Allocated Rent	\$65,000	Agency-Wide	Allocated Rent	\$65,000
Agency-Wide	Lead Based Paint Testing- LBP testing must be performed on all vacancy reduction, re-occupancy and modernization work in buildings identified to have lead paint. Based on an annual projection of 950 turnovers.	\$200,000	Agency-Wide	Lead Based Paint Testing- LBP testing must be performed on all vacancy reduction, re-occupancy and modernization work in buildings identified to have lead paint. Based on an annual projection of 950 turnovers.	\$200,000
Agency-Wide	Mildew and Mold Elimination Testing	\$150,000			
Agency-Wide	Develop Environmental Data Base	\$15,000	Agency-Wide	Develop Environmental Data Base	\$15,000
Agency-Wide	Asbestos Testing & Monitoring - Asbestos materials must be removed from developments slated for revitalization and modernization. Asbestos materials are not hazardous until disturbed during construction or demolition and must be disposed of properly. Annual funding has been established to remove these materials when encountered.	\$150,000			
	Planning and Development			Planning and Development	
Agency-Wide	Planning and Development	\$93,939	Agency-Wide	Planning and Development	\$96,288
Agency-Wide	JOC Consultant	\$160,000	Agency-Wide	JOC Consultant	\$170,000
Agency-Wide	Exterior Building Renovation/Restoration Consult	\$100,000	Agency-Wide	Erosion and Sediment Consultant	\$50,000
Agency-Wide	Other Environmental Areas - Consultant	\$50,000	Agency-Wide	Legal Fees (HABC Specialty Items)	\$50,000
Agency-Wide	Legal Fees (HABC Specialty Items)	\$50,000	Agency-Wide	Capital Program Audit	\$25,000
Agency-Wide	Capital Program Audit	\$25,000	Agency-Wide	Agency Plan - Program Management Costs	\$47,533
Agency-Wide	Improve PHAS Scores	\$243,107	Agency-Wide	Elevator Consultant	\$50,000
Agency-Wide	Scattered Site Agency Liasons	\$134,192			
Agency-Wide	Agency Plan - Program Management Costs	\$46,374			
Agency-Wide	Collateralization and/or Debt Service	\$6,400,000	Agency-Wide	Collateralization and/or Debt Service	\$6,400,000

ATTACHMENT D (2)

**FFY 2003 Capital Program Performance &
Evaluation Report**

Annual Statement / Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary

PHA Name: Housing Authority of Baltimore City	Grant Type and Number Capital Fund Program Grant No: MD06P002501-03 Replacement Housing Factor Grant	Federal FY of Grant: 2003
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Original Annual Statement
 Reserve for Disasters/Emergencies
 Revised Annual Statement (revision no: 2)
 Final Performance and Evaluation Report

Performance and Evaluation Report for Period Ending: 12/31/03

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised #2	Obligated	Expended
1	Total non CFP Funds	\$65,900,000	\$65,171,935	\$13,247,438	\$265,528
2	1406 Operations	\$3,000,000	\$3,000,000		
3	1408 Management Improvements Soft Costs	\$3,378,890	\$3,583,946	\$1,260,046	\$54,539
4	1410 Administration	\$1,816,491	\$1,532,226	\$1,452,036	\$104,462
5	1411 Audit	\$6,500	\$6,500		
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$3,736,603	\$3,565,742	\$2,404,040	\$327,287
8	1440 Site Acquisition				
9	1450 Site Improvement	\$250,000	\$438,000		
10	1460 Dwelling Structures	\$867,428	\$945,278	\$945,278	\$116,989
11	1465.1 Dwelling Equipment -- Non-expendable				
12	1470 Nondwelling Structures	\$587,208	\$532,208	\$128,657	\$62,783
13	1475 Nondwelling Equipment	\$1,114,247	\$1,069,247		
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	\$1,618,773	\$1,596,235	\$308,474	\$55,159
18	1499 Development Activities	\$2,400,000	\$2,400,000	\$2,400,000	
19	1501 Collateralization Expenses or Debt Service				
20	1502 Contingency	\$74,841	\$181,599		
21	Amount of Annual Grant (Sum of lines 2-19)	\$18,850,981	\$18,850,981	\$8,898,531	\$721,219
22	Amount Related to LBP Activities	\$225,000	\$75,000	\$44,792	\$44,792
23	Amount Related to Section 504 Compliance	\$36,566,102	\$35,317,438	\$1,977,240	\$41,989
24	Amount Related to Security - Soft Costs				
25	Amount Related to Security - Hard Costs	\$100,000			
26	Amount Related to Energy Conservation Measures	\$8,524,428	\$8,625,899	\$4,906,042	\$340,528

Signature of Director and Date	Signature of Public Housing Director/Office of Native American Programs Administrator and Date
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(1) To be completed for the Performance and Evaluation Report or Revised Statement Form HUD--52837 (10/96)

Annual Statement / Performance and Evaluation Report								
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)								
Part II: Supporting Pages								
PHA Name: Housing Authority of Baltimore City			Grant Type and Number Capital Fund Program Grant No: MD06P002501-03 Replacement Housing Factor Gra			Federal FY of Grant: 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
PHYSICAL IMPROVEMENTS								
MD 2-01 Latrobe Homes	Transfer to Operations	1406.0		\$3,000,000	\$3,000,000			
	Physical Accessibility Modifications - Immediate Needs	1460.0		\$0	\$1,000	\$1,000		HAE-1541 - Funds Reallocated from 504 Immediate Needs Line Item
MD 2-02 McCulloh Homes	Physical Accessibility Modifications - Immediate	1460.0		\$0	\$1,000	\$1,000		HAE-1541 - Funds Reallocated from 504 Immediate Needs
	504 Consultant	1430.0		\$0	\$168,192	\$168,192		HAE-1313-Task Order 16-McCulloh Homes and Extension
MD 2-03 Perkins Homes	Landscaping	1450.0	11.5 Acres	\$150,000	\$150,000			
	Lighting	1450.0	11.5 Acres	\$100,000	\$100,000			
	Physical Accessibility Modifications - Immediate	1460.0		\$0	\$1,000	\$1,000		HAE-1541 - Funds Reallocated from 504 Immediate Needs
	Replace Roofs	NCFP	48 Buildings	\$2,618,095	\$2,618,095			
	Electrical Distribution System	NCFP	688 DU's	\$3,200,000	\$3,200,000			
MD 2-06 Gilmor Homes	Physical Accessibility Modifications	NCFP	70 DU's	5,000,000	5,000,000			
	Vacancy Renovations	NCFP	2 DU's	67,434	67,434	67,434		HAC-1434, HABCo, Funds reallocated from Auth-Wide Vacancy Renovation. MOU executed 1/04
	Planning and Consulting Fees	1430.0	1	\$0	\$30,000			HAD-1551
	Vacancy Renovations	NCFP	15 DU's	200,000	200,000			
	Relocation	1495.0	100 DU's	\$200,000	\$200,000			
MD 2-09 O'Donnell Heights	Demolition	NCFP	98DU's	\$1,440,713	\$1,440,713			
	Planning and Consulting Fees	1430.0	1	\$34,995	\$34,995			
	Relocation	1495.0	1	\$2,000	\$2,000			
	Planning and Consulting Fees	1430.0	1	\$34,995	\$34,995			
	Relocation	1495.0	1	\$2,000	\$2,000			
MD 2-10 Somerset Homes	Planning and Consulting Fees	1430.0	1	\$34,995	\$34,995			
	Relocation	1495.0	1	\$2,000	\$2,000			

Annual Statement / Performance and Evaluation Report								
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)								
Part II: Supporting Pages								
PHA Name: Housing Authority of Baltimore City			Grant Type and Number Capital Fund Program Grant No: MD06P002501-03 Replacement Housing Factor Gra			Federal FY of Grant: 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
MD 2-11 Cherry Hill Homes	Replace Underground Heating Distribution System	NCFP	1237 DU's	\$1,679,481	\$1,679,481	\$1,679,481	\$132,764	HAE-1232, 12% complete
MD 2-12 Cherry Hill Homes Ext. 1	Replace Underground Heating Distribution System	NCFP	1237 DU's	\$3,048,569	\$3,048,569	\$3,048,569	\$132,764	HAE-1232, 12% complete
MD 2-14 Claremont	Relocation	1495.0	176	\$352,209	\$352,209			
	Planning and Consulting Fees	1430.0	1	\$0	\$24,000			HAD-1552
MD 2-16 Flag House Courts	Revitalization	1499.0	37 DU's (Partial Funding)	\$1,100,000	\$1,100,000	\$1,100,000		
MD 2-17 Cherry Hill Homes Ext.II	Mod. To Secondary Distribution System	NCFP	1394 DU's	\$116,969	\$116,969			HAE-1180. Awaiting HUD Approval
MD 2-21 Brooklyn Homes	Repair Walks, Streets and Drives	NCFP	13 Acre	\$158,684	\$158,684			
MD 2-23 McCulloh Homes Ext. (HR)	Elevator Modification per New Code	NCFP	2	\$0	\$160,000			HAE-1194, Change Order, Also Funded in 2000
	Relocation	1495.0	5	\$10,000	\$10,000			
MD 2-25 The Broadway	Relocation	1495.0	50	\$99,000	\$99,000			
	Revitalization	1499.0	34 DU's (Partial Funding)	\$1,300,000	\$1,300,000	\$1,300,000		
MD 2-27 Spencer Gardens	Repair Walks & Pave Parking Area	NCFP	1 Acre	\$10,800	\$10,800			HAE-1434, Contract Awarded 1/04
	Vacancy Renovation	1460.0	1 DU	\$41,826	\$41,826	\$41,826		HAE-1437, Funds Reallocated from Auth-Wide 504 Line Item, Contract Awarded 1/04
	Modifications for UFAS Compliance	NCFP		\$0	\$226,868	\$226,868		
MD 2-31 Rosemont/ Dukeland	Repair Parking Area , Walks and Drives	NCFP	2 Acres	\$17,640	\$17,640			
	Underpinning Dwelling Units	NCFP	13 DU's	\$339,139	\$339,139	\$339,139		HAC-1464, HABCo, MOU executed 1/04
	Vacancy Renovations	NCFP	22 DU's	\$1,066,343	\$1,066,343	\$1,066,343		HAC-1373, HAC1471, HABCo, MOU executed 1/04

Annual Statement / Performance and Evaluation Report									
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)									
Part II: Supporting Pages									
PHA Name: Housing Authority of Baltimore City			Grant Type and Number Capital Fund Program Grant No: MD06P002501-03 Replacement Housing Factor Gra			Federal FY of Grant: 2003			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work	
				Original	Revised	Funds Obligated	Funds Expended		
MD 2-33 Lakeview Tower	Elevator Modification per New Code	NCFP	1	\$0	\$80,000			HAE-1283, Change Order, Also funded in 2001	
MD 2-41 West Twenty	Elevator Modification per New Code	NCFP	1	\$0	\$120,000			HAE-1286, Change Order, Also funded in 2001	
	Install Fire Management System	NCFP	357 DU's	\$2,281,399	\$2,281,399	\$2,281,399		HAE-1444, Contract Awarded 12/03	
MD 2-43 Monument East	Elevator Modification per New Code	NCFP	1	\$0	\$80,000			HAE-1274, Change Order, Also funded in 2001	
	Balcony Repairs	1460.0	1	\$0	\$2,850	\$2,850		HAE- 1549, Emergency Repair Work	
MD 2-44 Wyman House	Replace Elevators	NCFP	2	\$650,000	\$702,000				
MD 2-46 Chase House	Replace Elevators	NCFP	2	\$650,000	\$667,754	\$667,754		HAE-1416, Contract Awarded 12/03	
MD 2-47 Govans Manor	Install Fire Management System	NCFP	199 DU's	\$1,403,392	\$1,403,392	\$1,403,392		HAE-1383, Contract Awarded 12/03	
	Replace Fan Coil Units	NCFP	199 DU's	\$450,000	\$648,045	\$0			
	Replace Fan Coil Units	1460.0	44 DU's	\$51,710	\$51,710	\$51,710		HAE-1406, 100% Complete, Final Payment being Processed	
MD 2-51 B.E. Mason	Replace Elevators	NCFP	2	\$650,000	\$767,889	\$767,889		HAE-1416, Contract Awarded 12/03	
MD 2-52 Lakeview Tower Ext	Elevator Modification per New Code	NCFP	1	\$0	\$80,000			HAE-1354, Change Order, Also funded in 2002	
MD 2-53 Ellerslie	Vacancy Renovation	NCFP	1 DU	\$34,804	\$34,804	\$34,804		HAE-1415, Contract Awarded 12/03	

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name: Housing Authority of Baltimore City		Grant Type and Number Capital Fund Program Grant No: MD06P002501-03 Replacement Housing Factor Gra				Federal FY of Grant: 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
MD 2-54 Bel-Park Tower	Replace Potable Water Lines	NCFP	274 DU's	\$100,000	\$100,000			
	Install Fire Management System	NCFP	274 DU's	\$2,000,000	\$2,000,000			
	Replace Elevators	NCFP	2	\$650,000	\$650,000			
MD 2-56 The Brentwood	Replace Chiller	NCFP	1	\$300,000	\$300,000			
	Elevator Modification per New Code	NCFP	1	\$0	\$80,000			HAE-1253, Change Order, Also funded in 2001
MD 2-59 Scattered Sites	Physical Accessibility Modifications - Immediate Needs	1460.0	2	\$0	\$1,000	\$1,000		HAE-1541 - Funds Reallocated from 504 Immediate Needs Line Item
	Vacancy Renovation	NCFP	1 DU's	\$50,000	\$50,000			
	Planning and Consulting	1430.0	1	\$23,330	\$0			Funds Moved to 2002
	Relocation	1495.0	25 DU's	\$50,000	\$50,000			
MD 2-69 Homewood House	Physical Accessibility Modifications - Immediate Needs	1460.0	2	\$0	\$1,000	\$1,000		HAE-1541 - Funds Reallocated from 504 Immediate Needs Line Item
MD 2-69 Laurens House	Replace Elevators	NCFP	1	\$150,000	\$150,000			
MD 2-70 Rosemont Tower	Install Fire Management System	NCFP	203 DU's	\$650,000	\$185,087	\$185,087		HAE-1456, Contract Awarded 12/03
	Replace Elevators	NCFP	2	\$350,000	\$567,999	\$567,999		HAE-1416, Contract Awarded 12/03
	504 UFAS Modifications	1460.0	23 DU's	\$0	\$0	\$0	\$41,989	HAC-1438. Costs posted in error, to be journaled to Bond Func
	504 UFAS Modifications	NCFP	23 DU's	\$900,000	\$900,000	\$808,288	\$0	HAC-1438. HABCo, MOU executed 11/03
MD 2-71 Primrose Place	Install Fire Management System	NCFP	125 DU's	\$500,000	\$500,000			
	Replace Elevators	NCFP	2	\$350,000	\$620,000			
MD 2-72 Carey House								

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name: Housing Authority of Baltimore City		Grant Type and Number Capital Fund Program Grant No: MD06P002501-03 Replacement Housing Factor Gra				Federal FY of Grant: 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
	Replace Furnace	NCFP	1	\$74,328	\$102,992	\$102,992		HAE-1492, Contract Awarded 1/04
MD 2-73 Charles K. Anderson Village	Demolition	NCFP	122 DU's	\$1,200,000	\$0			
MD 2-74 Hollins House	Install Fire Management System	NCFP	130 DU's	\$500,000	\$500,000			
	Replace Elevators	NCFP	1	\$0	\$620,000			Originally funded in 2003, Reinstated during 2003 Capital Planning Process
MD 2- 75 Allendale	Replace Elevators	NCFP	1	\$200,000	\$678,200			Moved from 2004
	Install Fire Management	NCFP	164 DU's	\$0	\$600,000			
MD 2-110 Pleasantview Gardens	Install Camera and Security System	1450.0	1	\$0	\$188,000			HAE-1391, Emergency - Reviewing Proposals
AUTH-WIDE	Auth-Wide Vacancy Renovation	NCFP	7 DU's	\$500,000	\$500,000			
	Physical Accessibility Modifications	1460.0	13 DU's	\$773,892	\$768,892	\$768,892		HAC-1541, HABCo, Funds obligated for Immediate Need
	Physical Accessibility Modifications	NCFP	TBD	\$29,292,210	\$27,816,678			
	HABC Central Office Renovation and Relocation	1470.0	1	\$217,208	\$217,208	\$17,208	\$11,986	
	Catholic Protection Inspection Of Gas Mains	NCFP	TBD	\$100,000	\$100,000			
	Water Distribution System	NCFP	TBD	\$150,000	\$150,000			
	Central Maintenance Facility	1470.0	1 Facility	\$370,000	\$315,000	\$111,449	\$50,797	
	Central Maintenance Relocation	1495.0		\$0	\$55,159	\$55,159	\$55,159	Funds moved from Central Maintenance Facility
	Replacing Electric Meters	1460.0		\$0	\$75,000	\$75,000	\$75,000	Complete. Settlement of Litigation

**Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)**

Part II: Supporting Pages

PHA Name: Housing Authority of Baltimore City		Grant Type and Number Capital Fund Program Grant No: MD06P002501-03 Replacement Housing Factor Grant				Federal FY of Grant: 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
MANAGEMENT IMPROVEMENTS	Utility Consultant	1408.0	1	\$5,081	\$2,888			HAE-1255
Agency Plan	Improve PHAS Scores	1408.0	4 Positions and Sundrv	\$189,450	\$189,450	\$189,450		
	Scattered Site Agency Liaisons	1408.0	2 Positions and Sundrv	\$113,580	\$113,580	\$113,580		
	Agency Plan - Program Management Costs (Partial Funding)	1408.0	1 Position	\$29,767	\$29,767	\$29,767	\$20,462	
Employment and Empowerment	Establish and Operate Small Businesses	1408.0	2	\$67,500	\$67,500			
	RM Leadership Training/Develop.of CDC/Retail Train.	1408.0	1	\$135,000	\$135,000			
	Learning Centers Program Expense & Salaries	1408.0	1 Position	\$45,000	\$45,000	\$45,000		
	Step-Up Program (Apprentice Program)	1408.0	5 Part Time Pos	\$292,500	\$292,500			
	PACE Program Structure/Operating Costs/Trainin	1408.0	7 Positions and Sundrv	\$540,000	\$753,862	\$753,862		
	Human Services Coordinators and Supervisors	1408.0	2 Positions	\$90,000	\$83,387	\$83,387		
	Anti-Drug Program	1408.0	N/A	\$169,385	\$169,385			
Information Technology	Software Licenses for Servers and Related Produ	1408.0	Auth-Wide	\$5,664	\$5,664			
	Update Operating System to Windows	1408.0	Auth-Wide	\$435,803	\$934,895			
	Update Servers and CALS to Windows 2000	1408.0	Auth-Wide	\$435,803				
	Acquisition of New System(Phase II)	1408.0	Auth-Wide	\$73,800	\$73,800			
Information Technology (Cont)	Update Operating System & CALS to Windows	1408.0	Auth-Wide	\$63,289				

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name: Housing Authority of Baltimore City		Grant Type and Number Capital Fund Program Grant No: MD06P002501-03 Replacement Housing Factor Grant				Federal FY of Grant: 2003			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work	
				Original	Revised	Funds Obligated	Funds Expended		
Training	Veritas Backup Software	1408.0	Auth-Wide	\$87,009	\$87,009				
	Acquisition of New System (Phase 1)	1408.0	Auth-Wide	\$47,604	\$47,604				
	Centralized Storage and Tape Library	1408.0	Auth-Wide	\$77,848	\$77,848				
	Centralized Storage-Terabyte (Tape Library)	1408.0	Auth-Wide	\$254,700	\$254,700				
	HABnet Upgrade Network Support Software	1408.0	Auth-Wide	\$45,000	\$45,000	\$45,000	\$34,077		
	Salaries (MIS Project Manager)	1410.0	1	\$30,542	\$30,542	\$30,542			
	Consulting/Professional Services	1430.0	1	\$82,658	\$51,988				
	Purchase additional Hardware	1475.0	Auth-Wide	\$953,897	\$853,897				
	Job Skills	1408.0	Auth-Wide	\$21,460	\$21,460				
	Technical Training	1408.0	Auth-Wide	\$16,417	\$16,417				
	Agency Wide Computer Training	1408.0	Auth-Wide	\$8,000	\$8,000				
	Miscellaneous Division Level Training	1408.0	Auth-Wide	\$101,292	\$101,292				
	Administration Engineering Services	Engineering Services Non-Technical Positions	1410.0	19 Positions (Partial Funding)	\$1,133,109	\$917,998	\$917,998	\$88,451	
		Retirees Benefits	1410.0	N/A	\$10,876	\$10,876			
Sundry		1410.0	N/A	\$72,323	\$69,314				
	Capital Program Audit	1411.0	1	\$6,500	\$6,500				

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part II: Supporting Pages

PHA Name: Housing Authority of Baltimore City		Grant Type and Number Capital Fund Program Grant No: MD06P002501-03 Replacement Housing Factor Gra				Federal FY of Grant: 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
Development Services	Planning and Development	1410.0	3 positions (Partial Funding)	\$379,012	\$314,463	\$314,463	\$16,011	
Finance and Accounting	Finance and Accounting Positions	1410.0	2 Positions (Partial Funding)	\$64,429	\$62,833	\$62,833		
Office of Legal Affairs	Office of Legal Affairs Positions	1410.0	2 Positions (Partial Funding)	\$126,200	\$126,200	\$126,200		
Fees & Costs - Authority Wide	Lead Based Paint Testing	1430.0	Auth-Wide	\$225,000	\$75,000	\$44,792	\$44,792	
	Asbestos Testing and Monitoring	1430.0	Auth-Wide	\$46,660	\$71,660	\$46,858	\$46,858	
	Cathodic Protection	1430.0	Auth-Wide	\$0	\$75,000	\$39,735	\$39,735	
	Other Environmental Areas - Consultants	1430.0	Auth-Wide	\$21,004	\$61,004	\$45,151	\$45,151	
	Other Environmental - Consultants - Training	1430.0	Auth-Wide	\$0	\$10,000	\$4,451	\$4,451	
	Other Environmental - Consultants	1430.0	Auth-Wide	\$0				\$56,674 in Revised Budget 1
Fees & Costs - Authority Wide	Erosion and Sediment Consultant	1430.0	1	\$75,000	\$69,000			
	Exterior Building Renovation/Restoration Consultant	1430.0	1	\$100,000	\$100,000			
	Land Survey	1430.0	1	\$0	\$6,000			
	A/E Consultant for 504 Compliance	1430.0	1	\$600,000	\$431,808			
	Elevator Consultant	1430.0	1	\$13,998	\$13,998			
	Auth-Wide Planning and Other Environmental Consult	1430.0	TBD	\$15,260	\$15,260			
	In-House Technical Staff	1430.0	37 Positions (Partial	\$1,937,362	\$2,008,982	\$2,008,982		
	JOC Consultant	1430.0	1 (Partial Funding)	\$51,326	\$51,326			
Fees & Costs - Authority Wide (Continued)	Needs Assessment of HABC Inventory	1430.0	1 (Partial Funding)	\$110,825	\$110,825			

Annual Statement / Performance and Evaluation Report								
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)								
Part II: Supporting Pages								
PHA Name: Housing Authority of Baltimore City			Grant Type and Number Capital Fund Program Grant No: MD06P002501-03 Replacement Housing Factor Gra			Federal FY of Grant: 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
Equipment	Financial Modeling and Market Analysis	1430.0	1 (Partial Funding)	\$110,825	\$110,825			Journalizing Costs to 2002
	Legal Fees (Consent Decree), HABC Specialty Items	1430.0	3 (Partial Funding)	\$288,360	\$45,879	\$45,879	\$146,300	
	Equipment	1475.0	N/A	\$10,000	\$10,000			
	Replacement of Maintenance Vehicles	1475.0	7	\$139,980	\$139,980			
	Replacement of Relocation Vehicles	1475.0	1 (Partial Funding)	\$10,370	\$10,370			
Relocation	Central Maintenance Facility (Shelving)	1475.0		0	\$55,000			HAE-1540
	Relocation	1495.0	315	\$629,711	\$574,552			
	Relocation Staff	1495.0	5 Positions	\$275,853	\$253,315	\$253,315		
Contingency	Construction Contingency	1502.0		\$74,841	\$181,599			
	Development Contingency. (Upon completion of planning activities and preparation of sources and uses budgets, these funds will be more clearly defined. May include demolition activities)	NCFP	N/A	\$2,800,000	\$1,784,961			

Annual Statement / Performance and Evaluation Report							
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)							
Part III: Implementation Schedule							
PHA Name: Housing Authority of Baltimore City			Grant Type and Number: Capital Fund Program No: Replacement Housing Factor No:			Federal FY of Grant: 2003	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised #1	Actual	Original	Revised #1	Actual	
MD 2-01 Latrobe Physical Accessibility Modifications - Immediate Needs	N/A	Mar-04	Mar-04	N/A	Jun-07		HAE-1541 - Funds Reallocated from 504 Immediate Needs Line Item
MD 2-02 McCulloh Physical Accessibility Modifications - Immediate Needs	N/A	Mar-04	Mar-04	N/A	Jun-07		HAE-1541 - Funds Reallocated from 504 Immediate Needs Line Item
MD 2-03 Perkins Homes Landscaping	Sep-05	Jun-05		Sep-07	Jan-00		
Lighting	Sep-05	Jun-05		Sep-07	Jun-07		
Physical Accessibility Modifications - Immediate Needs	N/A	Dec-03	Dec-03	N/A	Jun-07		HAE-1541 - Funds Reallocated from 504 Immediate Needs Line Item
Replace Roofs	Sep-05	Jun-05		Sep-07	Jun-07		
Electrical Distribution System	Sep-05	Jun-05		Sep-07	Jun-07		
UFAS Modifications	Sep-05	Jun-05		Sep-07	Jun-07		
MD 2-06 Gilmor Homes Vacancy Renovation	Sep-05	Jun-05		Sep-07	Jun-07		
MD 2-09 O'Donnell Heights Vacancy Renovation	Sep-05	Jun-05		Sep-07	Jun-07		
Demolition	Sep-05	Jun-05		Sep-07	Jun-07		
MD 2-11 Cherry Hill Homes Replace Underground Heating Distribution Systems	Sep-05	Sep-03	Sep-03	Sep-07	Jun-07		
Investigate and Install Security System for Apt. Building	Sep-05	Jun-05		Sep-07	Jun-07		
MD 2-12 Cherry Hill Homes Ext. 1 Replace Underground Heating Distribution Systems	Sep-05	Sep-03	Sep-03	Sep-07	Jun-07		

Annual Statement / Performance and Evaluation Report							
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)							
Part III: Implementation Schedule							
PHA Name: Housing Authority of Baltimore City			Grant Type and Number: Capital Fund Program No: Replacement Housing Factor No:			Federal FY of Grant: 2003	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised #1	Actual	Original	Revised #1	Actual	
MD 2-16 Flag House Courts Revitalization	Sep-05	Dec-03	Dec-03	12/03	Sep-07		
MD 2-17 Cherry Hill Homes Ext.II Mod. To Secondary Distribution System	Sep-05	Jun-05		Sep-07	Jun-07		HAE-1180. Awaiting HUD Approval
MD 2-21 Brooklyn Homes Repair Walks, Streets and Drives	Sep-05	Jun-05		Sep-07	Jun-07		
MD 2-23 McCulloh Homes Ext. Elevator Modification per New Code	N/A	Jun-05		N/A	Jun-07		HAE-1194, Change Order, Also Funded in 20
MD 2-25 Broadway Revitalization	Sep-05	Dec-03	Dec-03	Sep-07	Jun-07		
MD 2-27 Spencer Gardens Repair Walks and Pave Parking Area Vacancy Renovation Modifications for UFAS Compliance	Sep-05 Sep-05 N/A	Jun-05 Mar-04 Mar-04	Mar-04 Mar-04	Sep-07 Sep-07 N/A	Jun-07 Jun-07 Jun-07		HAE-1437, Funds Reallocation from Auth- Wide 504 Line Item
MD 2-31 Rosemont/ Dukeland Repair Parking Area, Walks and Drives Underpinning Dwelling Units Vacancy Renovation	Sep-05 Sep-05 Sep-05	Jun-05 Mar-04 Mar-04	Mar-04 Mar-04	Sep-07 Sep-07 Sep-07	Jun-07 Jun-07 Jun-07		HAC-1464 HAC-1373, 1471
MD 2-33 Lakeview Tower Replace Fan Coil Units Elevator Modification per New Code	N/A N/A	Jun-05 Jun-05		N/A N/A	Jun-07 Jun-07		HAE-1283, Change Order, Also funded in 2001
Replace Roof Electrical Switch Gear	N/A N/A	Jun-05 Jun-05		N/A N/A	Jun-07 Jun-07		

Annual Statement / Performance and Evaluation Report							
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)							
Part III: Implementation Schedule							
PHA Name: Housing Authority of Baltimore City			Grant Type and Number: Capital Fund Program No: Replacement Housing Factor No:			Federal FY of Grant: 2003	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised #1	Actual	Original	Revised #1	Actual	
MD 2-39 Claremont Extension Revitalization	Sep-05	Jun-05		Sep-07			
MD 2-41 West Twenty Elevator Modification per New Code	N/A	Jun-05		N/A	Jun-07		HAE-1286, Change Order, Also funded in 2001 HAE-1444
Install Fire Management System	Sep-05	Dec-03	Dec-03	Sep-07			
MD 2-43 Monument East Elevator Modification per New Code	N/A	Jun-05		N/A	Jun-07		HAE-1274. Change Order, Also funded in 2001 HAE-1549, Emergency
Balcony Repairs	N/A	Dec-03	Dec-03	N/A	Jun-07		
MD 2-44 Wyman House Replace Elevators	Sep-05	Jun-05		Sep-07	Jun-07		
MD 2-46 Chase House Replace Elevators	Sep-05	Dec-03	Dec-03	Sep-07	Jun-07		HAE-1416
MD 2-47 Govans Manor Install Fire Management System Replace Fan Coil Units	Sep-05	Dec-03	Dec-03	Sep-07	Jun-07		HAE-1383 HAE-1406
	Sep-05	Dec-03	Dec-03	Sep-07	Jun-07		
MD 2-51 B.E. Mason Replace Elevators	Sep-05	Dec-03	Dec-03	Sep-07	Jun-07		HAE-1416
MD 2-52 Lakeview Tower Ext. Elevator Modification per New Code	N/A	Jun-05		N/A	Jun-07		HAE-1354, Change Order, Also funded in 2002

Annual Statement / Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part III: Implementation Schedule							
PHA Name: Housing Authority of Baltimore City			Grant Type and Number: Capital Fund Program No: Replacement Housing Factor No:			Federal FY of Grant: 2003	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised #1	Actual	Original	Revised #1	Actual	
MD 2-53 Ellerslie Vacancy Renovation	Sep-05	Dec-03	Dec-03	Sep-07	Jun-07		HAE-1415
MD 2-54 Bel-Park Tower Replace Potable Water Lines Install Fire Management System Replace Elevators	Sep-05 Sep-05 Sep-05	Jun-05 Jun-05 Jun-05		Sep-07 Sep-07 Sep-07	Jun-07 Jun-07 Jun-07		
MD 2-56 The Brentwood Elevator Modification per New Code Replace Chiller	N/A Sep-05	Jun-05 Jun-05		N/A Sep-07	Jun-07 Jun-07		HAE-1253, Change Order, Also funded in 2001
MD 2-59 Scattered Sites Physical Accessibility Modifications - Immediate Needs Vacancy Renovation	N/A Sep-05	Mar-04 Jun-05	Mar-04	N/A Sep-07	Jun-07 Jun-07		HAE-1541 - Funds Reallocated from 504 Immediate Needs Line Item
MD-69 Homewood House Physical Accessibility Modifications - Immediate Needs	Jun-05	Mar-04	Mar-04	N/A	Jun-07		HAE-1541 - Funds Reallocated from 504 Immediate Needs Line Item
MD 2-69 Laurens House Replace Elevators	Sep-05	Jun-05		Sep-07	Jun-07		
MD 2-70 Rosemont Tower Install Fire Management System Replace Elevators 504 UFAS Modifications	Sep-05 Sep-05 Sep-05	Dec-03 Dec-03 Dec-03	Dec-03 Dec-03 Dec-03	Sep-07 Sep-07 Sep-07	Jun-07 Jun-07 Jun-07		HAE-1546 HAE-1416 HAC-1438. Costs posted in error, to be journaled to Bond Funds.

Annual Statement / Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part III: Implementation Schedule							
PHA Name: Housing Authority of Baltimore City			Grant Type and Number: Capital Fund Program No: Replacement Housing Factor No:			Federal FY of Grant: 2003	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised #1	Actual	Original	Revised #1	Actual	
MD 2-71 Primrose Place Install Fire Management System Replace Elevators	Sep-05 Sep-05	Jun-05 Jun-05		Sep-07 Sep-07	Jun-07 Jun-07		
MD 2-72 Carey House Replace Furnace	Sep-05	Mar-04	Mar-04	Sep-07			HAE-1492
MD 2-73 Charles K. Anderson Village Demolition	Sep-05	Jun-05		Sep-07	Jun-07		
MD 2-74 Hollins House Install Fire Management System	Sep-05	Jun-05		Sep-07	Jun-07		
MD 2- 75 Allendale Replace Elevators	Sep-05	Jun-05		Sep-07	Jun-07		
MD 2- 110 Pleasantview Gardens Install Camera and Security System	N/A	Jun-05		N/A	Jun-07		HAE-1391, Emergency
AUTH-WIDE Auth-Wide PHAS Improvements (Site)	Sep-05	Jun-05		Sep-07	Jun-07		
Auth-Wide Waterproofing and Tuckpointing	Sep-05	Jun-05		Sep-07	Jun-07		
Auth-Wide Vacancy Renovation	Sep-05	Jun-05		Sep-07	Jun-07		
Water Distribution System	Sep-05	Jun-05		Sep-07	Jun-07		
Central Maintenance Facility	Sep-05	Jun-05		Sep-07	Jun-07		
HABC Central Office Renovation and Relocation	Sep-05	Jun-05		Sep-07	Jun-07		

Annual Statement / Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part III: Implementation Schedule							
PHA Name: Housing Authority of Baltimore City			Grant Type and Number: Capital Fund Program No: Replacement Housing Factor No:			Federal FY of Grant: 2003	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised #1	Actual	Original	Revised #1	Actual	
AUTH-WIDE- Cont.							
HABCO Relocation	Sep-05	Jun-05		Sep-07	Jun-07		
Cathodic Inspection of Gas Mains	Sep-05	Jun-05		Sep-07	Jun-07		
Physical Accessibility Modifications	Sep-05	Jun-05		Sep-07	Jun-07		
Planning and Other Environmental Consultant Fees	Sep-05	Jun-05		Sep-07	Jun-07		
Receptionist Counter	Sep-05	Jun-05		Sep-07	Jun-07		
Resident Advisory Board	Sep-05	Jun-05		Sep-07	Jun-07		
MANAGEMENT IMPROVEMENTS							
Utility Consultant	Sep-05	Jun-05		Sep-07	Jun-07		HAE-1255
Agency Plan							
Improve PHAS Scores	Sep-05	Jun-05		Sep-07	Jun-07		
Scattered Site Agency Liasons	Sep-05	Jun-05		Sep-07	Jun-07		
Agency Plan - Program Management Costs	Sep-05	Jun-05		Sep-07	Jun-07		
Employment and Empowerment							
Establish and Operate Small Businesses	Sep-05	Jun-05		Sep-07	Jun-07		
RM Leadership Training/Develop.of CDC/Retail Training	Sep-05	Jun-05		Sep-07	Jun-07		
Learning Centers Program Expense & Salaries	Sep-05	Jun-05		Sep-07	Jun-07		
Step-Up Program (Apprentice Program)	Sep-05	Jun-05		Sep-07	Jun-07		
PACE Program Structure/Operating Costs/Training	Sep-05	Jun-05		Sep-07	Jun-07		
Human Services Coordinators and Supervisors	Sep-05	Jun-05		Sep-07	Jun-07		
Anti-Drug Program	Sep-05	Jun-05		Sep-07	Jun-07		

Annual Statement / Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part III: Implementation Schedule							
PHA Name: Housing Authority of Baltimore City			Grant Type and Number: Capital Fund Program No: Replacement Housing Factor No:			Federal FY of Grant: 2003	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised #1	Actual	Original	Revised #1	Actual	
Information Technology							
Software Licenses for Servers and Related Products	Sep-05	Jun-05		Sep-07	Jun-07		
Update Operating System to Windows	Sep-05	Jun-05		Sep-07	Jun-07		
Update Servers and CALS to Windows 2000	Oct-05	Jun-05		Sep-07	Jun-07		
Acquisition of New System(PhaseI)	Sep-05	Jun-05		Sep-07	Jun-07		
Acquisition of New System(PhaseII)	Sep-05	Jun-05		Sep-07	Jun-07		
Centralized Storage-Terabyte (Tape Library)	Sep-05	Jun-05		Sep-07	Jun-07		
Veritas Backup Software	Sep-05	Jun-05		Sep-07	Jun-07		
Purchase Additional Hardware	Sep-05	Jun-05		Sep-07	Jun-07		
HABnet Upgrade Network Support	Sep-05	Jun-05		Sep-07	Jun-07		
Software	Sep-05	Jun-05		Sep-07	Jun-07		
Training							
Job Skills	Sep-05	Jun-05		Sep-07	Jun-07		
Technical Training	Sep-05	Jun-05		Sep-07	Jun-07		
Agency Wide Computer Training	Sep-05	Jun-05		Sep-07	Jun-07		
Miscellaneous Division Level Training	Sep-05	Jun-05		Sep-07	Jun-07		

ATTACHMENT D (3)

**FFY 2003 Annual Plan Statement
Balance Of**

Annual Statement / Performance and Evaluation Report					
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary					
PHA Name: Housing Authority of Baltimore City		Grant Type and Number Capital Fund Program Grant No: MD06P002502-03 Replacement Housing Factor Grant:		Federal FY of Grant: 2003	
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Revised Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised #1	Obligated	Expended
1	Total non CFP Funds				
2	1406 Operations				
3	1408 Management Improvements Soft Costs	\$843,604	\$843,604		
4	1410 Administration	\$421,841	\$421,841		
5	1411 Audit	\$8,000	\$8,000		
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$1,837,072	\$1,837,072		
8	1440 Site Acquisition				
9	1450 Site Improvement	\$609,977	\$609,977		
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment -- Non-expendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	\$636,554	\$636,554		
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	\$283,006	\$283,006		
18	1499 Development Activities				
19	1501 Collateralization Expenses or Debt Service				
20	1502 Contingency	\$266,555	\$266,555		
21	Amount of Annual Grant (Sum of lines 2-19)	\$4,906,609	\$4,906,609		
22	Amount Related to LBP Activities				
23	Amount Related to Section 504 Compliance				
24	Amount Related to Security - Soft Costs				
25	Amount Related to Security - Hard Costs	\$309,977	\$309,977		
26	Amount Related to Energy Conservation Measures				
Signature of Director and Date		Signature of Public Housing Director/Office of Native American Programs Administrator and Date			
(1) To be completed for the Performance and Evaluation Report or Revised Statement				Form HUD--52837 (10/96)	
(2) To be completed for the Performance and Evaluation Report				ref Handbook 7485.3	

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name:		Grant Type and Number				Federal FY of Grant:		
Housing Authority of Baltimore City		MD06P002502-03				2003		
		Capital Fund Program Grant No: MD06P002502-03						
		Replacement Housing Factor Grant No:						
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
PHYSICAL IMPROVEMENTS								Partial Funding. Also funded in 2003
MD 2-03 Perkins Homes	Landscaping	1450.0	11.5 Acres	\$300,000	\$300,000			
	Lighting	1450.0	11.5 Acres	\$309,977	\$309,977			
MD 2-10 Somerset Homes	Planning and Consulting Fees	1430.0		\$53,505	\$53,505			
MD 2-14 Claremont	Relocation	1495.0		\$83,006	\$83,006			
MANAGEMENT IMPROVEMENTS								
	Improve PHAS Scores	1408.0	4 Positions and Sundry (Partial Funding)	\$20,950	\$20,950			
	Scattered Site Agency Liaisons	1408.0	2 Positions and Sundry (Partial Funding)	\$12,620	\$12,620			
	Agency Plan - Program Management Costs (Partial Funding)	1408.0	1 Position	\$3,308	\$3,308			
Employment and Empowerment	Establish and Operate Small Businesses	1408.0	2	\$7,500	\$7,500			
	RM Leadership Training/Develop.of CDC/Retail Train	1408.0	1	\$15,000	\$15,000			
	Learning Centers Program Expense & Salaries	1408.0	1 Position	\$5,000	\$5,000			
	Step-Up Program (Apprentice Program)	1408.0	15 Part Time Pos. (Partial Funding)	\$32,500	\$32,500			
	PACE Program Structure/Operating Costs/Training	1408.0	7 Positions (Partial Funding)	\$60,000	\$60,000			

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name:		Grant Type and Number MD06P002502-03				Federal FY of Grant:		
Housing Authority of Baltimore City		Capital Fund Program Grant No: MD06P002502-03				2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
Employment and Empowerment Cont.	Human Services Coordinators and Supervisors	1408.0	2 Positions (Partial Funding)	\$10,000	\$10,000			Partial Funding. Also funded in 2003
	Anti-Drug Program	1408.0	N/A	\$18,165	\$18,165			
Information Technology	Update Operating System to Windows	1408.0	Auth-Wide	\$86,197	\$86,197			
	Update Servers and CALS to Windows 2000	1408.0	Auth-Wide	\$86,197	\$86,197			
	Acquisition of New System(Phase II)	1408.0	Auth-Wide	\$82,000	\$82,000			
	Update Operating System & CALS to Windows	1408.0	Auth-Wide	\$38,263	\$38,263			
	Veritas Backup Software	1408.0	Auth-Wide	\$60,464	\$60,464			
	Acquisition of New System (Phase 1)	1408.0	Auth-Wide	\$34,396	\$34,396			
	Centralized Storage and Tape Library	1408.0	Auth-Wide	\$28,300	\$28,300			
	Centralized Storage-Terabyte (Tape Library)	1408.0	Auth-Wide	\$8,650	\$8,650			
	HABnet Upgrade Network Support	1408.0	Auth-Wide	\$9,873	\$9,873			
	Software	1408.0	Auth-Wide	\$34,224	\$34,224			
	Consulting/Professional Services	1430.0	1	\$162,049	\$162,049			
	Purchase additional Hardware	1475.0	Auth-Wide	\$380,569	\$380,569			
Training	Job Skills	1408.0	Auth-Wide	\$36,540	\$36,540			
	Technical Training	1408.0	Auth-Wide	\$27,953	\$27,953			

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name:		Grant Type and Number MD06P002502-03				Federal FY of Grant:		
Housing Authority of Baltimore City		Capital Fund Program Grant No: MD06P002502-03				2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
Training Continued	Agency Wide Computer Training	1408.0	Auth-Wide	\$21,000	\$21,000			Partial Funding. Also funded in 2003
	Miscellaneous Division Level Training	1408.0	Auth-Wide	\$104,504	\$104,504			
Administration Engineering Services	Engineering Services Non-Technical Positions	1410.0	19 Positions (Partial Funding)	\$74,600	\$74,600			
	Allocated Rent	1410.0	N/A	\$34,800	\$34,800			
	Retirees Benefits	1410.0	N/A	\$21,924	\$21,924			
	Sundry	1410.0	N/A	\$110,577	\$110,577			
	Capital Program Audit	1411.0	1	\$8,000	\$8,000			
Development Services	Planning and Development	1410.0	5 Positions (Partial Funding)	\$74,238	\$74,238			
Finance and Accounting	Finance and Accounting Positions	1410.0	2 Positions (Partial Funding)	\$35,725	\$35,725			
Office of Legal Affairs	Office of Legal Affairs Positions	1410.0	2 Positions (Partial Funding)	\$69,977	\$69,977			
Authority Wide-Consultant Fees	Asbestos Testing and Monitoring	1430.0	Auth-Wide	\$71,340	\$71,340			
	Other Environmental Areas - Consultants	1430.0	Auth-Wide	\$35,670	\$35,670			
Fees & Costs - Authority Wide	Elevator Consultant	1430.0	1	\$21,402	\$21,402			
	Auth-Wide Planning and Other Environmental Consul	1430.0	TBD	\$23,331	\$23,331			
	In-House Technical Staff	1430.0	37 Positions (Partial Funding)	\$791,301	\$791,301			

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name: Housing Authority of Baltimore City		Grant Type and Number MD06P002502-03 Capital Fund Program Grant No: MD06P002502-03 Replacement Housing Factor Grant No:				Federal FY of Grant: 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
Fees & Costs - Authority Wide Cont.								Partial Funding. Also funded in 2003
	JOC Consultant	1430.0	1 (Partial Funding)	\$78,474	\$78,474			
	Needs Assessment of HABC Inventory	1430.0	1 (Partial Funding)	\$300,000	\$300,000			
	Financial Modeling and Market Analysis	1430.0	1 (Partial Funding)	\$300,000	\$300,000			
Equipment	Equipment	1475.0	N/A	\$23,695	\$23,695			
	Replacement of Maintenance Vehicles	1475.0	8	\$214,020	\$214,020			
	Replacement of Relocation Vehicles	1475.0	1 (Partial Funding)	\$18,270	\$18,270			
Relocation	Relocation	1495.0	100	\$200,000	\$200,000			
Contingency		1502.0		\$266,555	\$266,555			

Annual Statement / Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part III: Implementation Schedule							
PHA Name: Housing Authority of Baltimore City			Grant Type and Number: Capital Fund Program No: Replacement Housing Factor No:			MD06P002502-03	Federal FY of Grant: 2003
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised #1	Actual	Original	Revised #1	Actual	
MD 2-03 Perkins Homes							
Install Lighting	Feb-06	Feb-06		Feb-08	Feb-08		
Install Landscaping	Feb-06	Feb-06		Feb-08	Feb-08		
MD 2-10 Somerset Homes							
Planning and Consultant Fees	Feb-06	Feb-06		Feb-08	Feb-08		
MANAGEMENT IMPROVEMENTS							
Agency Plan							
Improve PHAS Scores	Feb-06	Feb-06		Feb-08	Feb-08		
Scattered Site Agency Liasons	Feb-06	Feb-06		Feb-08	Feb-08		
Agency Plan - Program Management Costs	Feb-06	Feb-06		Feb-08	Feb-08		
Employment and Empowerment							
Establish and Operate Small Businesses	Feb-06	Feb-06		Feb-08	Feb-08		
RM Leadership Training/Develop.of CDC/Retail Training	Feb-06	Feb-06		Feb-08	Feb-08		
Learning Centers Program Expense & Salaries	Feb-06	Feb-06		Feb-08	Feb-08		
Step-Up Program (Apprentice Program)	Feb-06	Feb-06		Feb-08	Feb-08		
PACE Program Structure/Operating Costs/Training	Feb-06	Feb-06		Feb-08	Feb-08		
Anti-Drug Program	Feb-06	Feb-06		Feb-08	Feb-08		
Human Services Coordinators and Supervisors	Feb-06	Feb-06		Feb-08	Feb-08		

Annual Statement / Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part III: Implementation Schedule							
PHA Name: Housing Authority of Baltimore City			Grant Type and Number: Capital Fund Program No: Replacement Housing Factor No:			MD06P002502-03	Federal FY of Grant: 2003
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised #1	Actual	Original	Revised #1	Actual	
Information Technology							
Update Operating System to Windows	Feb-06	Feb-06		Feb-08	Feb-08		
Update Servers and CALS to Windows 2000	Feb-06	Feb-06		Feb-08	Feb-08		
Acquisition of New System(Phasel)	Feb-06	Feb-06		Feb-08	Feb-08		
Acquisition of New System(PhaselI)	Feb-06	Feb-06		Feb-08	Feb-08		
Centralized Storage-Terabyte (Tape Library)	Feb-06	Feb-06		Feb-08	Feb-08		
Veritas Backup Software	Feb-06	Feb-06		Feb-08	Feb-08		
Purchase Additional Hardware	Feb-06	Feb-06		Feb-08	Feb-08		
HABnet Upgrade Network Support	Feb-06	Feb-06		Feb-08	Feb-08		
Software	Feb-06	Feb-06		Feb-08	Feb-08		
Training							
Job Skills	Feb-06	Feb-06		Feb-08	Feb-08		
Technical Training	Feb-06	Feb-06		Feb-08	Feb-08		
Agency Wide Computer Training	Feb-06	Feb-06		Feb-08	Feb-08		
Miscellaneous Division Level Training	Feb-06	Feb-06		Feb-08	Feb-08		

ATTACHMENT D (4)

**FFY 2003 Replacement Housing Factor
Performance & Evaluation Report**

Annual Statement / Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary

PHA Name: Housing Authority of Baltimore City	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant: MD06R00250103	Federal FY of Grant: FY 2003
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Original Annual Statement
 Reserve for Disasters/Emergencies
 Revised Annual Statement (revision no: 1)
 Final Performance and Evaluation Report
 Performance and Evaluation Report for Period Ending: 12/31/01

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised #1	Obligated	Expended
1	Total non CFP Funds				
2	1406 Operations				
3	1408 Management Improvements Soft Costs				
4	1410 Administration	\$50,000	\$272,038	\$272,038	
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$511,075	\$1,261,075	\$1,261,075	
8	1440 Site Acquisition	\$412,094	\$1,080,032	\$1,080,032	
9	1450 Site Improvement				
10	1460 Dwelling Structures	\$123,493	\$1,992,443	\$1,992,443	
11	1465.1 Dwelling Equipment -- Non-expendable	\$11,942	\$57,001	\$57,001	
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Replacement Housing				
19	1501 Collateralization Expenses or Debt Service				
20	1502 Contingency	\$3,553,985			
21	Amount of Annual Grant (Sum of lines 2-19)	\$4,662,589	\$4,662,589	\$4,662,589	
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 Compliance				
24	Amount of line 21 Related to Security - Soft Costs				
25	Amount of line 21 Related to Security - Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

Annual Statement / Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part II: Supporting Pages

PHA Name:		Grant Type and Number				Federal FY of Grant:		
Housing Authority of Baltimore City		Capital Fund Program Grant No:		MD06R00250103		FY 2003		
Replacement Housing Factor Grant No:								
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised #1	Funds Obligated	Funds Expended	
AUTHORITY WIDE Development Activities	Development of 21 Broadway Units. (Broadway Homes)	1410.0	21 Units	\$50,000	\$116,000	\$116,000		Pre-Development Budget submitted to HUD for Approval. Also funded in 1999, 2000, 2001, 2002 Funding also to be provided in 2004 through 2007 RHFF
		1430.0	21 Units	\$511,075	\$1,196,075	\$1,196,075		
		1440.0	21 Units	\$412,094	\$1,080,032	\$1,080,032		
		1460.0	21 Units	\$123,493	\$1,315,314	\$1,315,314		
		1465.1	21 Units	\$11,942	\$57,001	\$57,001		
	Development of 610 O'Donnell Units. (O'Donnell Heights) (Partial Funding)	1410.0	610 Units		\$156,038	\$156,038		
		1430.0	610 Units		\$65,000	\$65,000		
		1460.0	610 Units		\$677,129	\$677,129		
		1502.0	TBD	\$3,553,985	\$0	\$0		

Annual Statement / Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part III: Implementation Schedule

PHA Name: Housing Authority of Baltimore City		Grant Type and Number: Capital Fund Program No: Replacement Housing Factor Grant No: MD06R00250103					Federal FY of Grant: FY 2003	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates	
	Original	Revised #1	Actual	Original	Revised #1	Actual		
AUTHORITY- WIDE Development Activities	TBD	TBD		TBD	TBD	TBD	Target Dates to be determined based on Approved Development Plans	

ATTACHMENT D (5)

**FFY 2002 Capital Program Performance &
Evaluation Report**

Annual Statement / Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary

PHA Name: Housing Authority of Baltimore City		Grant Type and Number Capital Fund Program Grant No: MD06P00250102 Replacement Housing Factor Grant		Federal FY of Grant: 2002	
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/Emergencies <input checked="" type="checkbox"/> Revised Annual Statement (revision no: 2)					
<input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 12/31/03 <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Rev #1	Rev #2	Obligated	Expended
1	Total non CFP Funds				
2	1406 Operations	\$2,500,000	\$2,862,673	\$2,862,673	
3	1408 Management Improvements	\$1,860,646	\$3,093,346	\$1,835,407	\$1,285,081
4	1410 Administration	\$1,565,565	\$1,786,508	\$1,783,059	\$1,501,157
5	1411 Audit	\$25,000	\$23,121	\$3,646	
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$5,268,390	\$5,230,404	\$4,747,034	\$2,570,289
8	1440 Site Acquisition				
9	1450 Site Improvement	\$1,144,291	\$641,500	\$641,500	\$85,223
10	1460 Dwelling Structures	\$11,549,254	\$9,434,034	\$9,059,691	\$3,595,412
11	1465.1 Dwelling Equipment -- Non-expendable				
12	1470 Nondwelling Structures	\$506,238	\$983,077	\$983,077	\$407,562
13	1475 Nondwelling Equipment	\$469,926	\$786,933	\$489,999	\$415,967
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	\$253,657	\$286,195	\$204,555	\$204,555
18	1499 Development Activities				
19	1501 Collateralization Expenses or Debt Service				
20	1502 Contingency		\$15,176		
21	Amount of Annual Grant (Sum of lines 2-20)	\$25,142,967	\$25,142,967	\$22,610,640	\$10,065,246
22	Amount of line 21 Related to LBP Activities	\$264,571	\$190,090	\$190,090	\$190,090
23	Amount of line 21 Related to Section 504 Compliance	\$2,923,294	\$1,918,514	\$1,868,514	\$476,625
24	Amount of line 21 Related to Security - Soft Costs				
26	Amount of line 21 Related to Energy Conservation Measures	\$2,028,883	\$1,382,098	\$1,220,810	\$76,427

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name:		Grant Type and Number				Federal FY of Grant:		
Housing Authority of Baltimore City		Capital Fund Program Grant No: MD06000250102 Replacement Housing Factor Annual Statement (revision no: 2)				2002		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Rev #1	Rev #2	Funds Obligated	Funds Expended	
Operating Transfer								
	Vacancy Reduction	1406.0	N/A	\$2,500,000	\$2,862,673	\$2,862,673	\$0	
MD 2-01 Latrobe								
	A and E for Roof Design	1430.0	1	\$0	\$30,000	\$1,700	\$1,700	HAE-1443, Funds Reallocated from other A & E Planning and Design Services
	Design Services for UFAS Modifications	1430.0		\$0	\$93,990	\$93,990	\$0	HAE-1313, Funds reallocated from Auth -Wide 504 A & E Services
	Energy Management Systems	1460.0	701 DU's	\$0	\$7,017	\$7,017	\$5,871	HAE-1203, 95 % Complete. Moved from and Also funded in 2000.
	Vacancy Renovation	1460.0	5 DU's	\$0	\$184,924	\$184,924	\$146,530	HAC -1451, 40% complete. Reallocated from Authority Wide Vacancy Renovation
	Relocation	1495.0		\$0	\$5,000	\$0	\$0	Funds reallocated from Auth-Wide Relocation Costs
MD 2-02 McCulloh								
	Vacancy Renovation	1460.0	6 D.U.'s	\$180,000	\$149,858	\$149,858	\$174,697	HAC-1346,100% complete. Reallocated from Authority Wide Vacancy Renovation. Investigating Costs
MD 2-03 Perkins Homes								
	Planning Fees (Master Plan)	1430.0	1	\$0	\$414,123	\$414,123	\$0	HAE-1065F, Funds reallocated from Planning Fees and Constr.
	Replace Fence	1450.0	TBD	\$30,000	\$0	\$0	\$0	Funds reallocated to Design-Buil Project
	Replace Switch Gear	1460.0	688 DU's	\$0	\$15,717	\$15,717	\$15,717	Emergency. Complete
	Steam Leak Repairs	1460.0	2 DU's	\$0	\$25,720	\$25,720	\$23,126	Emergency. 100% Complete, Pending Final Payment
	504 UFAS Modifications	1460.0	1 D.U.	\$20,000	\$0	\$0	\$0	Work item to be completed under design build contract
MD 2-05 Douglass Homes								
	Replace Fence	1450.0	1000 l.f.	\$200,000	\$120,500	\$120,500	\$85,223	HAC - 1364, 90% Complete
MD 2-06 Gilmor Homes								
	Vacancy Renovation	1460.0	1 D.U.	\$45,000	\$0	\$0	\$0	Work item Cancelled
MD 2-09 O'Donnell Homes								
	Repair Streets and Drives	1450.0	4 Acres	\$80,160	\$0	\$0	\$0	HAE - 1351- Contract Cancelled
	Vacancy Renovation	1460.0	30 DU's	\$0	\$322,011	\$133,957	\$133,075	HAE1398 and HAE1498, Funds reallocated from Auth-Wide Vacancy Renovation. HAE-1398 70 % Complete
	Relocation	1495.0	4	\$0	\$9,000	\$0	\$0	Funds reallocated from Auth-Wide Relocation Costs
MD 2-10 Somerset Homes								
	Electrical Distr. System	1450.0	257 D.U.'s	\$200,000	\$109,774	\$109,774	\$0	HAE-1005, 50% Complete
	Clean Storm Drain Lines	1450.0	3 Locations	\$0	\$38,525	\$38,525	\$0	HAC-1489 100% complete Emergency, Final Payment Pending
	Energy Management Sysytems	1460.0	701 DU's	\$0	\$2,651	\$2,651	\$2,218	HAE-1203, 88% Complete. Funds moved from 2000. Also funded in 2000
	Vacancy Renovation	1460.0	19 DU's	\$270,000	\$256,409	\$256,409	\$230,161	HAC-1346 & HAE-1213, Reallocated from Authority Wide Vacancy Renovation

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name:		Grant Type and Number				Federal FY of Grant:		
Housing Authority of Baltimore City		Capital Fund Program Grant No: MD06000250102 Replacement Housing Revised Annual Statement (revision no: 2)				2002		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Rev #1	Rev #2	Funds Obligated	Funds Expended	
MD 2-11 Cherry Hill Homes								
	Replace Underground Htg Distribution Syst	1460.0	1237 D.U.'s	\$500,000	\$276,855	\$276,855	\$0	HAE-1232 5 % complete & HAE-1234, 64% Complete
	Replace Community Building Roof	1470.0	1 BLDG.	\$300,000	\$299,509	\$299,509	\$299,509	HAE-1379, Complete
	Waterproof Exterior of the Storage Bldg.	1470.0	1 BLDG.	\$0	\$94,775	\$94,775	\$0	Emergency- HAE - 1493
MD 2-12 Cherry Hill Homes								
	Replace Underground Htg Distribution Syst	1460.0	1237 D.U.'s	\$0	\$276,855	\$276,855	\$0	HAE-1232 5% HAE-1234 64% Complete Funds reallocated to Cherry Hill Homes 2002
MD 2-13 Westport Homes Ext.								
	Planning Fees (Master Plan)	1430.0	1	\$0	\$76,030	\$76,030	\$0	HAE-1065D- Work moved from 2001
	Repair Street, Drives & Pave Parking Area	1450.0	1.0 Acre	\$44,928	\$0	\$0	\$0	HAE - 1351- Contract Cancelled
MD 2-14 Claremont								
	Rep. Street, Drives, Walks & Pave Parking	1450.0	1.0 Acre	\$137,000	\$0	\$0	\$0	HAE - 1351- Contract Cancelled
	Boarding -Up Vacant Units	1460.0		\$0	\$18,891	\$18,891	\$514	HAC-1189 73% Complete. Also funded in 2000
	Relocation	1495.0	2	\$0	\$3,500	\$3,165	\$3,165	Funds reallocated from Auth-Wide Relocation Costs
MD 2-16 Flag House Courts								
	Emergency Blockup - DPW Building	1460.0	1 BLDG.	\$22,493	\$19,418	\$19,418	\$19,418	HAC-1352, Complete
	Technical Salaries	1430.0	2 Pos-Pro-rata	\$50,000	\$47,000	\$47,000	\$0	On-Going
MD 2-17 Cherry Hill Homes Ext II								
	Relocation	1495.0	2	\$0	\$5,000	\$0	\$0	Funds reallocated from Auth-Wide Relocation Costs
MD 2-21 Brooklyn Homes								
	Design Services for UFAS Modifications	1430.0	1	\$0	\$102,669	\$102,669	\$0	HAE-1313, Funds reallocated from Auth -Wide 504 A & E Services
	Repair Walks, Streets and Drives	1450.0	500 D.U.'s	\$0	\$1,010	\$1,010	\$0	HAE-1214, Funds moved to 2003. Also funded in 2000
	Upgrade Substation	1450.0	500 D.U.'s	\$165,895	\$242,948	\$242,948	\$0	HAE-1129 and HAE-1323
	Reroofing and Waterproofing Community B	1470.0	1	\$0	\$118,054	\$118,054	\$0	Work item moved from 2003
	Relocation	1495.0	2	\$0	\$5,000	\$993	\$993	Funds reallocated from Auth-Wide Relocation Costs
MD 2-22 Westport Homes								
	Repair Streets, Porches and Stoops	1450.0	200 D.U.'s	\$101,000	\$0	\$0	\$0	HAE - 1351- Contract Cancelled
	Upgrade Substation	1450.0	200 D.U.'s	\$162,988	\$128,743	\$128,743	\$0	HAE - 1129 and HAE-1323
MD 2-23 McCulloh Homes Ext.								
	Planning Fees (Master Plan)	1430.0	394 D.U.'s	\$150,000	\$150,000	\$0	\$0	HAE-1065E, Contract being awarded.
	Replace Elevator Lift - 504	1460.0	1	\$0	\$20,000	\$20,000	\$20,000	HAE-1378, Complete. Emergency-504
	Call Station	1460.0	394 D.U.'s	\$400,000	\$288,662	\$288,662	\$262,836	HAE- 1347, 75 % complete
	Replace Underground Htg Distribution Syst	1460.0	394 D.U.'s	\$1,000,000	\$185,635	\$185,635	\$76,427	HAE-1370, 89 % complete
	Installation of Secondary Electric Service-BGE	1460.0		\$0	\$161,288	\$0	\$0	Emergency- HAE-1358, 70 % complete. Funds reallocated from Construction Contingency
	Vacancy Renovation	1460.0	1	\$21,390	\$21,390	\$21,390	\$21,390	HAE-1350 Complete
	Repairing Vandalism Damage	1460.0	1	\$9,338	\$9,273	\$9,273	\$9,273	HAE-1363 Complete
	Vestibule Tile- 504 Work	1460.0	1	\$0	\$12,400	\$12,400	\$12,400	HAE-1384 Complete Funds reallocated from Auth-Wide Physical Accessibility-504

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name:		Grant Type and Number				Federal FY of Grant:		
Housing Authority of Baltimore City		Capital Fund Program Grant No: MD06000250102 Replacement Housing Factor Annual Statement (revision no: 2)				2002		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Rev #1	Rev #2	Funds Obligated	Funds Expended	
MD 2-25 The Broadway								
	Relocation	1495.0	16	\$33,000	\$33,000	\$0	\$0	Funds reallocated from Auth-Wide Relocation Costs
	Technical Salaries	1430.0	2 Pos - Pro-rata	\$50,000	\$69,442	\$69,442	\$0	On-Going
MD 2-27 Emerson Julian								
	Relocation	1495.0	2	\$0	\$5,000	\$814	\$814	Funds reallocated from Auth-Wide Relocation Costs
MD 2-29 Mount Winans								
	Repair Drives, Walks and Parking Area	1450.0	.50 Acre	\$22,320	\$0	\$0	\$0	HAE - 1351- Contract Cancelled
MD 2-31 Rosemont/ Dukeland								
	Structural Consultant	1430.0	1	\$0	\$6,500	\$6,500	\$5,928	HAE-1400. Funds reallocated from Auth-Wide Plng and Consulting
	Vacancy Renovation	1460.0	10 D.U.'s	\$517,972	\$0	\$0	\$0	HAC-1348, Funds moved to 2001
	Install Playground Equipment	1470.0	1	\$111,335	\$111,335	\$111,335	\$0	HAE-1223, 12% complete
	Relocation	1495.0	2	\$0	\$5,000	\$195	\$195	Funds reallocated from Auth-Wide Relocation Costs
MD 2-33 Lakeview Tower								
	Design Services for UFAS Modifications	1430.0	1	\$0	\$95,328	\$95,328	\$81,142	HAE-1313. Funds reallocated from Auth-Wide 504 A & E Services
	Install Fire Management System	1460.0	161 D.U.'s	\$1,200,000	\$692,681	\$692,681	\$291,440	HAE-1369, 65 % complete. Also funded in 2001
	Asbestos Abate. for Fire Suppression System	1460.0	161 D.U.'s	\$50,000	\$44,400	\$44,400	\$44,400	HAE-1366 Complete
	Install Smoke Detectors and Pull Stations in Common Areas	1460.0	161 D.U.'s	\$75,000	\$68,390	\$68,390	\$68,390	HAE-1367 Complete
	Repair fire Sprinkler Standpipe	1460.0	161 D.U.'s	\$1,400	\$1,400	\$1,400	\$1,400	HAE-1368 Complete
	Modification to UFAS Compliance	1460.0	9 DU's	\$0	\$510,947	\$510,947	\$162,391	HAE-1371, 24 % complete. Reallocated from Auth-Wide Physical Accessibility -504
	Vancancy Renovation	1460.0	9 DU's	\$0	\$78,172	\$78,172	\$13,678	HAE-1393, 17% complete. Emergency- Fire Damage
	Emergency Boiler Room Repairs	1470.0	1	\$0	\$132,250	\$132,250	\$8,150	Emergency- HAE-1418, 6 % complete
	Security System	1460.0	161 DU's	\$0	\$8,765	\$8,765	\$0	HAE-1427, Work item moved from 2003
	Relocation	1495.0	2	\$0	\$5,000	\$516	\$516	Funds reallocated from Auth-Wide Relocation Costs
MD 2-34 Oswego								
	Design Services for UFAS Modifications	1430.0	1	\$0	\$49,553	\$49,553	\$0	HAE-1313. Funds reallocated from Auth-Wide 504 A & E Services
	Relocation	1495.0	1	\$0	\$2,500	\$0	\$0	Funds reallocated from Auth-Wide Relocation Costs
MD 2-39 Claremont Extension								
	Vacancy Renovation	1460.0	1	\$4,653	\$4,653	\$4,653	\$4,653	HAE-1350 Complete
MD 2-41 West Twenty								
	Repair Vent to Oil Tank	1460.0	1	\$0	\$3,000	\$3,000	\$0	Emergency - Funds moved from 2005
	Repair Spalling Concrete in Parking Garage	1470.0	1 BLDG.	\$94,903	\$94,903	\$94,903	\$94,903	HAE-1326 Complete
MD 2-43 Monument East								
	Design Services for UFAS Modifications	1430.0	1	\$0	\$57,012	\$57,012	\$0	HAE-1313. Funds reallocated from Auth-Wide 504 A & E Services

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name:		Grant Type and Number				Federal FY of Grant:		
Housing Authority of Baltimore City		Capital Fund Program Grant No: MD06000250102 Replacement Housing Revised Annual Statement (revision no: 2)				2002		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Rev #1	Rev #2	Funds Obligated	Funds Expended	
MD 2-44 Wyman House	Replace Elevators	1460.0	2	\$650,000	\$0	\$0	\$0	HAE-1361, Work Item moved to 2003
MD 2-45 Hollander Ridge	Erosion and Sediment Control, Consulting S	1430.0	1	\$0	\$36,498	\$36,498	\$0	HAE-1179, 100 % complete. Also funded in 2000
	Relocation	1495.0	1	\$0	\$1,000	\$785	\$785	Funds reallocated from Auth-Wide Relocation Costs
MD 2-46 Chase House	Design Services for UFAS Modifications	1430.0	1	\$0	\$50,663	\$50,663	\$11,673	HAE-1313. Funds reallocated from Auth-Wide 504 A & E Services
MD 2-47 Govans Manor	Replace Elevators	1460.0	2	\$650,000	\$477,582	\$477,582	\$0	HAE-1362, 6% complete
MD 2-51 B.E. Mason	Install Fire Management System	1460.0	223 D.U.'s	\$669,400	\$669,400	\$669,400	\$649,745	HAE - 1284, 99 % complete
MD 2-52 Lakeview Towers Ext.	Design Services for UFAS Modifications	1430.0	1	\$0	\$61,390	\$61,390	\$48,217	HAE-1313. Funds reallocated from Auth-Wide 504 A & E Services
	Modification to UFAS Compliance	1460.0	12 DU's	\$0	\$624,744	\$624,744	\$140,802	HAE-1382, Funds reallocated from Physical Accessibility Fund
	Replace Elevators	1460.0	2	\$662,796	\$662,796	\$662,796	\$58,782	HAE-1354, 15 % complete.
	Emergency Boiler Room Repairs	1470.0	1	\$0	\$132,251	\$132,251	\$5,000	Emergency-HAE-1418, 6 % complete.
	Relocation	1495.0	2	\$0	\$5,000	\$4,419	\$4,419	Funds reallocated from Auth-Wide Relocation Costs
MD 2-53 Ellerslie	Replace Elevators	1460.0	2	\$0	\$337,674	\$337,674	\$12,546	HAE-1362, 6 % complete. Work Item moved from 2003
MD 2-54 Bel Park Tower	Design Services for UFAS Modifications	1430.0	1	\$0	\$61,967	\$61,967	\$0	HAE-1313. Funds reallocated from Auth-Wide 504 A & E Services
	Remove Oil Tank	1460.0	1	\$0	\$25,000	\$25,000	\$0	Emergency-HAE-1494 Funds moved from 2005
	Relocation	1495.0	2	\$0	\$5,000	\$0	\$0	Funds reallocated from Auth-Wide Relocation Costs
MD 2-56 The Brentwood	Install Fire Management System	1460.0	1	\$0	\$10,594	\$10,594	\$0	HAE-1220, 99 % complete. Also funded in 2000.
	Remove Oil Tank	1460.0	1	\$0	\$25,000	\$25,000	\$0	Emergency-HAE-1494, Funds moved from 2005
MD 2-59 Scattered Sites	Planning and Consulting	1430.0	1	\$0	\$100,000	\$100,000	\$0	HAE-1477, Funds reallocated from Auth-Wide Planning and
	Vacancy Renovation	1460.0	31	\$2,396,518	\$2,777,613	\$2,777,613	\$880,649	HAE-1261 100% Complete HAE-1327 90% Complete HAE-1332 48% Complete HAE-1336 5% Complete HAE-1344 95% Complete HAE-1356 15% Complete HAE-1357 28% Complete HAE-1360 45% Complete HAE-1385 20% Complete
	Asbestos Abatement	1460.0	8 DU's	\$0	\$43,632	\$43,632	\$42,632	HAE-1376 Complete. Funds reallocated from Scattered Sites
	Relocation	1495.0	25	\$50,000	\$0	\$0	\$0	HAE-1380 Complete. Funds reallocated from Scattered Sites Funds reallocated.

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Housing Authority of Baltimore City		Capital Fund Program Grant No: MD06000250102 Replacement Housing Factor Annual Statement (revision no: 2)				2002		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Rev #1	Rev #2	Funds Obligated	Funds Expended	
MD 2-69 Laurens House	Install Boiler and Chiller	1460.0	1	\$0	\$76,617	\$76,617	\$70,255	HAE-1216, 95% complete. Also funded in 2000.
MD 2-70 Rosemont Tower	Design Services for UFAS Modifications	1430.0	1	\$0	\$60,054	\$60,054	\$0	HAE-1313. Funds reallocated from Auth-Wide 504 A & E Services
	Excavate and Repair Oil Tank	1460.0	1	\$0	\$11,000	\$11,000	\$0	Emergency-HAE-1268.
	Relocation	1495.0	2	\$0	\$5,000	\$1,474	\$1,474	Funds reallocated from Auth-Wide Relocation Costs
MD 2-75 Allendale	Remove Oil Tank	1460.0	1	\$0	\$25,000	\$0	\$0	Emergency-HAE-1494. Funds moved from 2005
Auth-Wide	Physical Accessibility Modifications	1460.0	49 D.U.'s	\$2,203,294	\$0	\$0	\$0	Funds Reallocated to Specific Projects
Auth-Wide	Contingency	1502		\$0	\$15,176	\$0	\$0	
MANAGEMENT IMPROVEMENTS								
Utility Management								
	Consultants	1408.0	1	\$80,000	\$150,000	\$0	\$0	HAE-1255
	Utility Mgmt. Testing Lab	1408.0	3 Positions	\$0	\$20,470	\$20,470	\$20,470	Complete. Funds reallocated from Utility Consultant line item
	Energy Audit and Steam Service Consultant	1408.0		\$0	\$173,745	\$173,745	\$149,037	HAE-1281 Funds reallocated from Utility Consultant line item
Agency Plan	Program Management Costs	1408.0	1 Pos.	\$31,500	\$15,963	\$15,963	\$9,548	
Reengineering	Financial Systems							
	Consultant	1408.0	1	\$250,000	\$250,000	\$250,000	\$250,000	Complete
Employment and Empowerment								
Resident Business Development								
	Establish and Operate Small Businesses	1408.0	1	\$100,000	\$231,751	\$4,088	\$4,088	Funds moved from 2000 & 2001
	Temporary Personnel	1408.0		\$0	\$8,439	\$8,439	\$8,439	Funds reallocated from Establish Small Business. Portion of Funds moved from 2001.
Resident Management Initiative								
	Learning Lab- Salaries	1408.0	1 Pos.	\$0	\$5,739	\$5,739	\$5,739	Complete. Funds reallocated from Learning Lab
	Learning Lab	1408.0	1	\$75,000	\$64,224	\$0	\$0	
	Resident Management Leadership Training	1408.0	N/A	\$0	\$42,334	\$42,334	\$40,666	Funds moved from 2000 & 2001. Portion of Funds moved to 2001
	Digital Divide	1408.0	1	\$160,000	\$160,000	\$160,000	\$28,704	
	Learning Lab Renovations	1408.0		\$0	\$1,500	\$1,500	\$1,365	HAC-1431, 100% complete. Funds reallocated from the Learning La
Economic Development								
	PACE Program Structure & Training (Lawn Care and Pesticide)	1408.0	N/A	\$0	\$156,182	\$154,233	\$4,927	Funds moved to 2003.
	Apprenticeship and Customized Training & Landscape	1408.0	0 Part Time Pos	\$253,191	\$253,191	\$27,511	\$27,511	
	Skills Training	1408.0	1	\$104,415	\$148,389	\$64,114	\$64,114	
	General Admin. Costs	1408.0	N/A	\$43,715	\$79,182	\$4,868	\$4,868	
	Youth Build Program	1408.0	1	\$0	\$50,000	\$50,000	\$0	HAE-1441. Funds reallocated from Contingency
Family Support Services								

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Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Acutal Cost		Status of Work
				Rev #1	Rev #2	Funds Obligated	Funds Expended	
	Human Services Coordinators	1408.0	12 Pos. (part)	\$86,498	\$59,613	\$59,613	\$59,613	Positions being moved to Operating Budget Funds moved from 2001 & 2003
	Anti- Drug Program	1408.0	N/A	\$0	\$152,610	\$123,086	\$116,159	
Management Information Services								
	HABnet Upgrade Network Support	1408.0	Auth-Wide	\$50,481	\$129,481	\$127,821	\$123,048	
	Purchase additional Hardware, Systems and Media Services & Graphics	1408.0	Auth-Wide	\$398,278	\$570,474	\$439,058	\$265,212	
	Salaries (MIS Project Mgr.)	1410.0	Auth-Wide	\$52,659	\$49,132	\$49,132	\$16,431	
	Consulting	1430.0	1	\$6,000	\$6,000	\$6,000	\$3,874	
	Purchase additional Hardware and Storage	1475.0	Auth-Wide	\$281,057	\$602,608	\$434,409	\$366,061	
Training								
	Training activities will focus on the following areas: -Increase PHAS scores and reduce audit finds, EEO complaints and grievances -Focus on Agency 's primary mission -Increase the quality and efficiency of services to our customers -Reduce Agency Liability	1408.0	Auth-Wide	\$225,168	\$362,659	\$99,694	\$98,439	
Administrative Engineering Services								
	Non-Technical Salaries and Benefits	1410.0	13 Pos. (Part)	\$900,287	\$1,048,156	\$1,048,156	\$1,048,156	Complete
	Temporary Personnel	1410.0		\$0	\$3,694	\$3,694	\$3,694	Complete. Funds reallocated from Sundry
	A & E Technical Salaries and Benefits	1430.0	31 Pos. (Part)	\$2,661,031	\$1,711,084	\$1,711,084	\$1,711,084	On-Going
	Equipment	1475.0	N/A	\$188,869	\$184,325	\$55,590	\$49,906	On-Going
	Equipment	1408.0	N/A	\$2,400	\$7,400	\$3,132	\$3,132	On-Going
Finance and Accounting								
	Non-Technical Salaries and Benefits	1410.0	2 Pos.	\$66,861	\$68,457	\$68,457	\$68,457	Complete
Office of Legal Affairs								
	Non-Technical Salaries and Benefits	1410.0	2 Pos.	\$162,208	\$162,208	\$162,208	\$150,988	On-Going
Development Services								
	Planning and Deveopment	1410.0	3 Pos. (Part)	\$0	\$131,606	\$131,606	\$131,606	Complete. Funds moved from 2003
	Sundry	1410.0		\$0	\$6,412	\$2,962	\$1,541	Funds moved from 2003
Other Admin. Expenses								
	Retirees Benefits	1410.0	N/A	\$30,000	\$10,000	\$10,000	\$0	
	Sundry, Telephone, Travel and Advertising	1410.0	N/A	\$303,550	\$262,791	\$262,791	\$80,284	On-Going
	Allocated Rent	1410.0	N/A	\$50,000	\$44,053	\$44,053	\$0	On-Going
	CGP Audit	1411.0	1	\$25,000	\$23,121	\$3,646	\$0	On-Going

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Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Rev #1	Rev #2	Funds Obligated	Funds Expended	
Consultant Fees								
	JOC Contract Consultant	1430.0	N/A	\$0	\$216,000	\$216,000	\$81,000	HAE-1197-Funds moved from 2001
	Utility Legal Fees	1430.0	TBD	\$0	\$50,000	\$0	\$0	Reallocated from Legal Fees
	Strategic Legal Services	1430.0	1	\$0	\$50,000	\$50,000	\$17,244	Reallocated from Legal Fees
	Legal Fees	1430.0	1	\$0	\$390,804	\$390,804	\$20,000	Also funded in 2000,2001 & 2003
	Legal Advise for HABC	1430.0	1	\$315,000	\$42,932	\$25,000	\$0	Also funded in 2001 & 2003
	504 Study HABC Wide	1430.0	1	\$0	\$144,413	\$144,413	\$0	Also funded in 2000
	Certifying Architect-504	1430.0	1	\$0	\$50,000	\$0	\$0	HAE-1421, Funds reallocated from Auth-Wide 504 A & E Services
	Other Environmental Consulting Fees	1430.0	1	\$100,000	\$25,000	\$25,000	\$25,000	
	Asbestos Testing and Monitoring	1430.0	Auth-Wide	\$70,000	\$187,126	\$187,126	\$187,126	
	Planning and Consulting Fees	1430.0	1	\$0	\$45,800	\$45,800	\$4,720	HAD-1359 -Work Item moved from 2001. Funds reallocated from Planning and Consulting Fees
Consultant Fees- Continued								
	Planning and Consulting Fees	1430.0	1	\$510,003	\$62,529	\$0	\$0	
	Consulting Fees - Training	1430.0	1	\$0	\$35,961	\$35,961	\$35,961	HAE-860A, 83% complete. Funds reallocated from Consultant Fees Other
	Lead Based Paint Testing and Abatement (approx. 1250 D. U.'s)	1430.0	Auth-Wide	\$264,571	\$190,090	\$190,090	\$190,090	
	Consultant for 504 Compliance	1430.0	1	\$700,000	\$17,374	\$17,374	\$0	
	Elevator Consultant	1430.0	1	\$340,000	\$340,000	\$215,390	\$42,460	
	Cathodic Inspection of Gas Mains	1430.0	Auth-Wide	\$51,785	\$103,072	\$103,072	\$103,072	
Relocation								
	Non-Technical Salaries and Benefits	1495.0	3 Pos.	\$170,657	\$192,195	\$192,195	\$192,195	Complete

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Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Rev #1	Rev #2	Actual	Rev #1	Rev #2	Actual	
Operating Transfer Vacancy Reduction	Jun-04	Jun-04		Jun-06	Jun-06		
MD 2-01 Latrobe Vacancy Renovation	N/A	Sep-03	Sep-03	N/A	Jun-06		Reallocated from Authority Wide Renovations Funds Moved from 2000. Also funded in 2000
Energy Management Systems	N/A	Sep-02	Sep-02	N/A	Jun-06		
MD 2-02 McCulloh Vacancy Renovation	Jun-04	Jun-03	Jun-03	Jun-06	Jun-06		HAC-1346,100% complete. Reallocated from Authority Wide Vacancy Renovation. Investigating Costs
MD 2-03 Perkins Homes Replace Fence	Jun-04	N/A	N/A	Jun-06	N/A	N/A	Funds reallocated to Design-Build Project Emergency Emergency Work to be completed under Design Build Project
Replace Switch Gear	N/A	Sep-03	Sep-03	N/A	Jun-06		
Steam Leak Repairs	N/A	Jun-03	Jun-03	N/A	Jun-06		
504 UFAS Modifications	Jun-04	N/A	N/A	Jun-06	N/A	N/A	
MD 2-05 Douglass Homes Replace Fence	Jun-04	Mar-03	Mar-03	Jun-06	Jun-06		HAE-1364
MD 2-06 Gilmor Homes Vacancy Renovation	Jun-04	N/A	N/A	Jun-06	N/A	N/A	Work Item Cancelled
MD 2-09 O'Donnell Homes Repair Streets and Drives and Parking Areas	Jun-04	N/A	N/A	Jun-06	N/A	N/A	HAE1398 and HAE1498, Funds reallocated from Auth-Wide Vacancy Renovation. HAE-1398 70 % Complete
Vacancy Renovation	N/A	Sep-03	Sep-03	N/A	Jun-06		
MD 2-10 Somerset Homes Electrical Distr. System	Jun-04	Dec-02	Dec-02	Jun-06	Jun-06		Emergency HAE-1203, 88% Complete. Funds moved from 2000. Also funded in 2000
Clean Storm Drain Lines	N/A	Dec-03	Dec-03	N/A	Jun-06		
Energy Management Systems	N/A	Sep-02	Sep-02	N/A	Jun-06		
Vacancy Renovation	Jun-04	Jun-03	Jun-03	Jun-06	Jun-06		

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Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Rev #1	Rev #2	Actual	Rev #1	Rev #2	Actual	
MD 2-11 Cherry Hill Homes Replace Under Ground Heating Distribution Replace Community Building Roof Waterproof Exterior of the Storage Bldg.	Jun-04 Jun-04 N/A	Sep-03 Jun-03 Mar-04	Sep-03 Jun-03 Mar-04	Jun-06 Jun-06 N/A	Jun-06 Jun-06 Jun-06		Emergency
MD 2-12 Cherry Hill Homes Replace Under Ground Heating Distribution System	N/A	Sep-03	Sep-03	N/A	Jun-06		HAE-1232 & HAE-1234. Funds reallocated to Cherry Hill Homes 2002
MD 2-13 Westport Homes Ext. Planning and Consulting Fees (Master Plan) Repair Street, Drives & Pave Parking Area	N/A Jun-04	Dec-03 N/A	Dec-03 N/A	N/A Jun-06	Jun-06 N/A	N/A	HAE-1065D- Work moved from 2001 HAE - 1351- Contract Cancelled
MD 2-14 Claremont Repair Street, Drives, Walks & Pave Parking Boarding -Up Vacant Units	Jun-04 N/A	N/A Sep-03	N/A 9/03	Jun-06 N/A	N/A Jun-06	N/A	HAE - 1351- Contract Cancelled
MD 2-16 Flag House Court Emergency Block-Up DPW Building	Jun-04	Mar-03	Mar-03	Jun-06	Sep-03	Sep-03	
MD 2-21 Brooklyn Homes Repair Walks, Streets and Drives Upgrade Substation Reroofing and Waterproofing Community Bldg.	N/A Jun-04 N/A	Sep-02 Jun-03 Dec-03	Sep-02 Jun-03 Dec-03	N/A Jun-06 N/A	Jun-06 Jun-06 Jun-06		HAE - 1351- Contract Cancelled HAE - 1129 and HAE-1323, Work item moved from 2003
MD 2-22 Westport Homes Repair Streets, Porches and Stoops Upgrade Substation	Jun-04 Jun-04	N/A Jun-03		Jun-06 Jun-06	N/A Jun-06		HAE - 1351- Contract Cancelled HAE - 1129 and HAE-1323,
MD 2-23 McCulloh Homes Ext. Replace Elevator Lift - 504 Call Station Replace Under Ground Heating Distribution Installation of Secondary Electric Service- BGE	N/A Jun-04 Jun-04 N/A	Jun-03 Jun-03 Jun-03 Jun-03	Jun-03 Jun-03 Jun-03 Jun-03	N/A Jun-06 Jun-06 N/A	Dec-03 Jun-06 Jun-06 Jun-06	Dec-03	HAE-1378, Complete. Emergency-504 HAE- 1347, 75 % complete HAE-1370, 89 % complete Emergency- HAE-1358, 70 % complete. Funds reallocated from Construction Contingency
MD 2-23 McCulloh Homes Ext. (cont) Vacancy Renovation Repairing Vandalism Damage Vestibule Tile- 504 Work	Jun-04 Jun-04 N/A	Mar-03 Jun-03 Jun-03	Mar-03 Jun-03 Jun-03	Jun-06 Jun-06 N/A	Sep-03 Sep-03 Dec-03	Sep-03 Sep-03 Dec-03	HAE-1384 Complete Funds reallocated from Auth-Wide Physical Accessibility-504
MD 2-29 Mount Winans Repair Drives, Walks and Parking Area	Jun-04	N/A	N/A	Jun-06	N/A	N/A	HAE - 1351- Contract Cancelled

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Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates	
	Rev #1	Rev #2	Actual	Rev #1	Rev #2	Actual		
MD 2-31 Rosemont/ Dukeland Vacancy Renovation Install Playground Equipment	Jun-04 Mar-03	N/A Mar-03	N/A Mar-03	Jun-06 Jun-06	N/A Jun-06		HAC-1348, Funds moved to 2001	
MD 2-33 Lakeview Tower Install Fire Management System Asbestos Abatement for Fire Suppression System Installation of Smoke Detectors and Pull Stations in Common Areas Repair fire Sprinkler Standpipe Modification to UFAS Compliance	Jun-04 Jun-04 Jun-04 Jun-04 Jun-04 N/A	Jun-03 Mar-03 Mar-03 Mar-03 Jun-03 Jun-03	Jun-03 Mar-03 Mar-03 Mar-03 Jun-03 Jun-03	Jun-06 Jun-06 Jun-06 Jun-06 Jun-06 N/A	Jun-06 Jun-06 Sep-03 Sep-03 Jun-03 Jun-06	Sep-03 Sep-03 Jun-03	Emergency HAE-1371, 24 % complete. Reallocated from Auth-Wide Physical Accessibility -504 HAE-1393, 17% complete. Emergency- Fire Damage Emergency- HAE-1418, 6 % complete HAE-1427, Work item moved from 2003	
MD 2-39 Claremont Extension Vacancy Renovation	Jun-04	Mar-03	Mar-03	Jun-06	Sep-03	Sep-03		
MD 2-41 West Twenty Repair Vent to Oil Tank Repair Concrete in Parking Garage	N/A Jun-04	Mar-03 Mar-03	Mar-03 Mar-03	N/A Jun-06	Jun-06 Jan-00		Emergency - Funds moved from 2005 Complete	
MD 2-44 Wyman House Replace Elevators	Jun-04	N/A		Jun-06	N/A		HAE-1361, Work Item moved to 2003	
MD 2-47 Govans Manor Replace Elevators	Jun-04	Sep-03	Sep-03	Jun-06	Jun-06			
MD 2-51 B. E. Mason Install Fire Management System Modification to UFAS Compliance Replace Elevators Emergency Boiler Room Repairs	Jun-04 N/A Jun-04 N/A	Mar-03 Jun-03 Jun-03 Sep-03	Mar-03 Jun-03 Jun-03 Sep-03	Jun-06 N/A Jun-06 N/A	Jun-06 Jun-06 Jun-06 Jun-06		HAE-1382, Funds reallocated from Physical Accessibility Fund Emergency-HAE-1418, 6 % complete.	
MD 2-53 Ellerslie Apartments Replace Elevators	N/A	Sep-03	Sep-03	N/A	Jun-06		HAE-1362, 6 % complete. Work Item moved from 2003	
MD 2-54 Bel Park Tower Repair Oil Tank	N/A	Mar-03	Mar-03	N/A	Jun-06		Emergency-HAE-1494. Funds moved from 2005	
MD 2-56 The Brentwood Install Fire Management System Remove Oil Tank	N/A N/A	Mar-03 Mar-03	Mar-03 Mar-03	N/A N/A	Jun-06 Jun-06		HAE-1220, 99% complete. Also funded in 2000. Emergency-HAE-1494. Funds moved from 2005	

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Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates	
	Rev #1	Rev #2	Actual	Rev #1	Rev #2	Actual		
MD 2-59 Scattered Sites Vacancy Renovation Asbestos Abatement	Jun-04 N/A	Jun-03 Jun-03	Jun-03 Jun-03	Jun-06 N/A	Jun-06 Jun-06		HAE-1376 Complete & HAE-1380 .Funds reallocated from Scattered Sites Revitalization	
MD 2-69 Laurens House Pave Parking Area	N/A	Sep-02	Sep-02	N/A	Jun-06	N/A	HAE-1216, 95% complete. Also funded in 2000.	
MD 2-70 Rosemont Tower Excavate and Repair Oil Tank	N/A	Sep-02	Sep-02	N/A	Jun-06		Emergency-HAE-1268.	
MD 2- 75 Allendale Remove Oil Tank	N/A	Mar-03	Mar-03	N/A	Jun-06		Emergency-HAE-1494. Funds moved from 2005	
Auth-Wide Physical Accessibility Modifications	Jun-04	N/A	N/A	Jun-06	N/A	N/A	Funds Reallocated to Specific Projects	
MANAGEMENT IMPROVEMENTS Utility Management Consultants Utility Mgmt. Testing Lab Energy Audit and Steam Service Consultant	Jun-04 N/A N/A	Jun-04 Dec-02 Mar-03	Dec-02 Mar-03	Jun-06 N/A N/A	Jun-06 Sep-03 Jun-06	Sep-03	Complete. Funds reallocated from Utility Consultant line item HAE-1281 Funds reallocated from Utility Consultant line item	
Agency Plan Program Management Costs	Jun-04	Mar-03	Mar-03	Jun-06	Jun-06			
Reengineering Financial Systems Consultant	Dec-02	Dec-02	Dec-02	Jun-06	Jun-03	Jun-03		
Employment and Empowerment Resident Business Development Establish and Operate Small Businesses Temporary Personnel	Jun-04 N/A	Dec-02 Jun-03	Dec-02 Jun-03	Jun-06 N/A 3/03	Jun-06 Sep-03	Sep-03	Funds reallocated from Establish Small Business. Portion of	
Resident Management Initiative Learning Lab Resident Management Leadership Training Digital Divide Learning Lab Renovations	Jun-04 N/A Jun-04 N/A	Dec-02 Dec-02 Mar-03 Mar-03	Dec-02 Dec-02 March-03 March-03	Jun-06 N/A Jun-06 N/A	Jun-06 Jun-06 Jun-06 Dec-03	Dec-03	Funds moved to 2003. HAC-1431, 100% comp.Funds reallocated from the Learning Lab.	
Economic Development PACE Program Structure & Training Apprenticeship and Customized Training Skills Training General Admin. Costs Youth Build Program	N/A Jun-04 Jun-04 Jun-04 N/A	Dec-02 Dec-02 Dec-02 Dec-02 Mar-03	Dec-02 Dec-02 Dec-02 Dec-02 Mar-03	N/A Jun-06 Jun-06 Jun-06 N/A	Jun-06 Jun-06 Jun-06 Jun-06 Jun-06	N/A	Funds moved to 2003. HAE-1441. Funds reallocated from Contingency	

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Housing Authority of Baltimore City		Capital Fund Program No: MD06P00250102 Replacement Housing Factor N Revised Annual Statement (revision no:				2002	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Rev #1	Rev #2	Actual	Rev #1	Rev #2	Actual	
Family Support Services							
Human Services Coordinators and Supervisors	Jun-04	Dec-02	Dec-02	Jun-06	Jun-06		Funds moved from 2001 & 2003
Anti- Drug Program	N/A	Dec-02	Dec-02	N/A	Jun-06	N/A	
Management Information Services							
HABnet Upgrade Network Support	Jun-04	Mar-03	Mar-03	Jun-06	Jun-06		
Purchase additional Hardware, Systems and Services	Jun-04	Mar-03	Mar-03	Jun-06	Jun-06		
Salaries (MIS Project Mgr.)	Jun-04	Mar-03	Mar-03	Jun-06	Jun-06		
Consulting	Jun-04	Mar-03	Mar-03	Jun-06	Jun-06		
Purchase additional Hardware and Storage	Jun-04	Mar-03	Mar-03	Jun-06	Jun-06		
Training							
Training activities will focus on the following	Jun-04	Dec-02	Dec-02	Jun-06	Jun-06		
-Increase PHAS scores and reduce audit finds, EEO complaints and grievances							
-Focus on Agency 's primary mission							
-Increase the quality and efficiency of services to our customers							
-Reduce Agency Liability							

ATTACHMENT D (6)

**FFY 2002 Replacement Housing Factor
Performance & Evaluation Report**

Annual Statement / Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary

PHA Name: Housing Authority of Baltimore City	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant: MD06R00250102	Federal FY of Grant: FY 2002
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Original Annual Statement
 Reserve for Disasters/Emergencies
 Revised Annual Statement (revision no: 2)
 Final Performance and Evaluation Report

Performance and Evaluation Report for Period Ending: 12/31/01

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original - Rev 1	Revised #2	Obligated	Expended
1	Total non CFP Funds				
2	1406 Operations				
3	1408 Management Improvements Soft Costs				
4	1410 Administration	\$66,000	\$296,515	\$296,515	
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$85,000	\$122,140	\$122,140	
8	1440 Site Acquisition	\$3,790,973	\$3,349,879	\$3,349,879	
9	1450 Site Improvement				
10	1460 Dwelling Structures	\$610,421	\$679,672	\$679,672	
11	1465.1 Dwelling Equipment -- Non-expendable	\$45,059	\$7,250	\$7,250	
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition		\$23,200	\$23,200	
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Replacement Housing				
19	1501 Collateralization Expenses or Debt Service		\$183,933	\$183,933	
20	1502 Contingency	\$65,137			
21	Amount of Annual Grant (Sum of lines 2-19)	\$4,662,590	\$4,662,589	\$4,662,589	
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 Compliance				
24	Amount of line 21 Related to Security - Soft Costs				
25	Amount of line 21 Related to Security - Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

Annual Statement / Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part II: Supporting Pages

PHA Name:		Grant Type and Number				Federal FY of Grant:		
Housing Authority of Baltimore City		Capital Fund Program Grant No:		MD06R00250102		FY 2002		
Replacement Housing Factor Grant No:								
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original - Rev 1	Revised #2	Funds Obligated	Funds Expended	
AUTHORITY WIDE Development Activities	Development of 36 Broadway Units. (Broadway Homes)	1440.0	36 Units	\$66,000	\$2,799,104	\$2,799,104		Pre-Development Budget submitted to HUD for Approval. Also funded in 1999. 2000. 2001. 2003
		1430.0	36 Units	\$85,000				
		1440.0	36 Units	\$3,790,973				
		1460.0	36 Units	\$610,421	\$203,100	\$203,100		
		1465.0	36 Units	\$45,059				
		1502.0	36 Units	\$65,137				
	Development of 29 Replacement Housing Units.	1410.0	29 Units		\$296,515	\$296,515		
		1430.0	29 Units		\$122,140	\$122,140		
		1440.0	29 Units		\$550,775	\$550,775		
		1460.0	29 Units		\$476,572	\$476,572		
		1465.0	29 Units		\$7,250	\$7,250		
		1485.0	29 Units		\$23,200	\$23,200		
		1502.0	29 Units		\$183,933	\$183,933		

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part III: Implementation Schedule

PHA Name: Housing Authority of Baltimore City		Grant Type and Number: Capital Fund Program No: Replacement Housing Factor Grant No: MD06R00250102				Federal FY of Grant: FY 2002	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original - Rev 1	Revised #2	Actual	Original - Rev 1	Revised #2	Actual	
AUTHORITY- WIDE Development Activities	Jun-04	Jun-04		Jun-06	Jun-06		Revised to reflect statutory deadlines.

ATTACHMENT D (7)

**FFY 2001 Capital Program Performance &
Evaluation Report**

Annual Statement / Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary

PHA Name: Housing Authority of Baltimore City	Grant Type and Number Capital Fund Program Grant No: MD06P00250101 Replacement Housing Factor Grant:	Federal FY of Grant: 2001
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Original Annual Statement
 Reserve for Disasters/Emergencies
 Revised Annual Statement (revision no: 3)
 Performance and Evaluation Report for Period Ending:12/31/02
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original - Rev 2	Revised 3	Obligated	Expended
1	Total non CFP Funds				
2	1406 Operations	\$2,685,000	\$2,791,005	\$2,791,005	\$0
3	1408 Management Improvements	\$3,861,469	\$2,668,991	\$2,668,991	\$1,951,524
4	1410 Administration	\$1,220,473	\$1,359,783	\$1,359,783	\$1,343,119
5	1411 Audit	\$17,796	\$39,150	\$39,150	\$39,150
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$3,591,641	\$3,210,017	\$3,210,017	\$2,819,256
8	1440 Site Acquisition				
9	1450 Site Improvement	\$1,574,216	\$1,647,134	\$1,647,134	\$1,316,238
10	1460 Dwelling Structures	\$14,263,781	\$15,547,423	\$15,547,423	\$11,783,052
11	1465.1 Dwelling Equipment -- Non-expendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	\$93,289	\$58,931	\$58,931	\$56,860
14	1485 Demolition		\$0	\$0	\$0
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	\$216,505	\$205,306	\$205,306	\$201,798
18	1499 Development Activities				
19	1501 Collateralization Expenses or Debt Service				
20	1502 Contingency	\$3,570	\$0	\$0	\$0
21	Amount of Annual Grant (Sum of lines 2-19)	\$27,527,740	\$27,527,740	\$27,527,740	\$19,510,998
22	Amount of line 21 Related to LBP Activities		\$118,719	\$118,719	\$118,719
23	Amount of line 21 Related to Section 504 Compliance	\$833,037	\$867,853	\$867,853	\$756,055
24	Amount of line 21 Related to Security - Soft Costs	\$183,440	\$0	\$0	\$0
25	Amount of line 21 Related to Security - Hard Costs	\$37,165	\$55,765	\$55,765	\$55,765
26	Amount of line 21 Related to Energy Conservation Measures	\$2,021,477	\$1,936,370	\$1,936,370	\$1,377,988

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name:		Grant Type and Number			Federal FY of Grant: 2001			
Housing Authority of Baltimore City		Capital Fund Program Grant NMD06P00250101 Replacement Housing Factor Revised Annual Statement (revision						
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost 1		Total Actual Cost 1		Status of Work
				Original - Rev 2	Revised - 3	Funds Obligated	Funds Expended	
	Operating Transfer Vacancy Reduction	1406.0		\$2,685,000	\$2,791,005	\$2,791,005	\$0	Funds increased to cover boarding up at O'Donnell Heights
MD 2-01 Latrobe Homes	Replace Fencing	1450.0	TBD	\$0	\$23,486	\$23,486		New Work Item added during 2004 Planning Session
	Reasonable Accommodations	1460.0	21 D.U.'s	\$25,420	\$25,420	\$25,420	\$22,649	HAE-1293 - 93% Complete
MD 2-02 McCulloh Homes	Vacancy Renovation	1460.0	1 D.U.	\$38,705	\$38,450	\$38,450	\$38,450	HAE-1279 - Complete
MD 2-3 Perkins Homes	Planning and Consulting Fees	1430.0	1	\$33,780	\$33,780	\$33,780	\$53,015	HAE-1065F, Complete. Journalizing Cost
	Reasonable Accommodations	1460.0	71 D.U.'s	\$40,953	\$40,953	\$40,953	\$32,762	HAE-1293 - 93% Complete
	Relocations	1495.0		\$0	\$579	\$579	\$579	Complete, Funds moved from 2000
MD 2-5 Douglass Homes	Replace Fencing	1450.0	TBD	\$75,000	\$63,000	\$63,000	\$86,486	HAC-1280, 100% Complete, Journal necessary
	Reasonable Accommodations	1460.0	9 D.U.'s	\$15,830	\$15,830	\$15,830	\$14,105	HAE-1293 - 93% Complete
	Relocations	1495.0		\$0	\$36	\$36	\$36	Complete, Funds moved from 2000
MD 2-06 Gilmor Homes	Repair Parking Area Streets and Drives	1450.0	688 D.U.'s	\$0	\$19,965	\$19,965	\$0	HAE-1117, 99% Complete. Funds Reallocated from 2000.
	Reasonable Accommodations	1460.0	10 D.U.'s	\$12,966	\$10,053	\$10,053	\$10,053	HAE-1290, Complete
	Relocations	1495.0		\$0	\$494	\$494	\$494	Complete, Funds moved from 2000
MD 2-09 O'Donnell Heights	Planning and Consulting Fees-Erosion & Sediment	1430.0		\$0	\$30,152	\$30,152	\$20,004	HAC-1476, Funds reallocated from Planning and Consulting
	Relocations	1495.0		\$0	\$5,899	\$5,899	\$5,899	Complete, Funds moved from 2000
MD 2-10 Somerset Homes	Meter Center Replacement and A/C	1450.0	257 D.U.'s	\$1,493,091	\$1,493,091	\$1,493,091	\$1,223,627	HAE-1128, 90% Complete
	Reasonable Accommodations	1460.0	4 D.U.'s	\$31,703	\$31,703	\$31,703	\$0	HAE-1303, 90% Complete
	Vacancy Renovation	1460.0	7 D.U.'s	\$191,326	\$226,407	\$226,407	\$226,407	HAC-1230,HAC-1279 and HAC-1320, Complete
MD 2-11 Cherry Hill Homes	Repair Parking Area Streets and Drives	1450.0	600 D.U.'s	\$0	\$28,664	\$28,664	\$0	HAE-1117, 99% Complete. Funds Reallocated from 2003.
	Repair Heating Lines	1460.0	1237 D.U.'s	\$106,050	\$125,000	\$125,000	\$35,721	HAE-1285 - 75% Complete
	Reasonable Accommodations	1460.0	23 D.U.'s	\$48,485	\$48,485	\$48,485	\$38,400	HAE-1301 - 85% Complete

Annual Statement / Performance and Evaluation Report									
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)									
Part II: Supporting Pages									
PHA Name:		Grant Type and Number				Federal FY of Grant: 2001			
Housing Authority of Baltimore City		Capital Fund Program Grant NMD06P00250101 Replacement Housing Factor Revised Annual Statement (revision							
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost 1		Total Actual Cost 1		Status of Work	
				Original - Rev 2	Revised - 3	Funds Obligated	Funds Expended		
MD 2-12 Cherry Hill Homes									
	Planning and Consulting Fees	1430.0	1	\$156,754	\$156,754	\$156,754	\$111,795	Work item moved from 2000	
	Repair Parking Area Streets and Drives	1450.0	637 D.U.'s	\$0	\$12,803	\$12,803	\$0	HAE-1117, 99% Complete. Funds Reallocated from 2003.	
	Repair Heating Lines	1460.0	1237 D.U.'s	\$106,050	\$125,000	\$125,000	\$35,721	HAE-1285, 75% Complete	
	Reasonable Accomodations	1460.0	1 D.U.	\$0	\$11,925	\$11,925	\$11,372	HAE-1341, 100% Complete. Reallocated from Auth. Wide	
MD 2-13,22,29 Westport Homes,Ext. and Mt.Winans									
	Planning and Consulting Fees	1430.0	1	\$168,000	\$0	\$0	\$0	HAE-1065 D, Work item moved to 2002	
	Reasonable Accomodations	1460.0	5 D.U.'s	\$17,621	\$17,621	\$17,621	\$40	HAE-1301, 85% Complete	
	Relocation	1495.0		\$0	\$468	\$468	\$0	Funds moved from 2000.	
MD 2-14 Claremont Homes									
	Planning and Consulting Fees	1430.0	1	\$0	\$30,000	\$30,000	\$0	HAC-1475, Funds reallocated from Planning and Consulting	
	Relocation	1495.0	9	\$19,999	\$26,381	\$26,381	\$26,381	Complete	
MD 2-16 Flag House									
	Technical Salaries	1430.0	2 Pro-Rata	\$118,529	\$118,529	\$118,529	\$1,090	Reallocated from Consultant Fees in 2000	
MD 2-17 Cherry Hill Homes Ext. 11									
	Relocation	1495.0	1	\$819	\$12,849	\$12,849	\$12,849	Investigating Costs - Costs to be journalized to Operations	
MD 2-18 Murphy Homes									
	Technical Salaries	1430.0	2 Pro-Rata	\$61,492	\$0	\$0	\$768	Work item moved to 2000. Journalizing Costs.	
MD 2-21 Brooklyn Homes									
	Reasonable Accomodations	1460.0	9 D.U.'s	\$15,163	\$15,163	\$15,163	\$0	HAE-1301, 85% Complete	
MD 2-23 McCulloh Homes Ext.									
	Consulting Fees	1430.0	1	\$800	\$800	\$800	\$800	HAE-1317, Complete	
	Learning Center Improvements	1460.0	1 D.U.	\$6,000	\$6,000	\$6,000	\$5,906	HAC-1334, 100% Complete	
	Reasonable Accomodations	1460.0	27 D.U.'s	\$142,875	\$142,875	\$142,875	\$142,875	HAE-1278, HAE-1312, Complete	
	Install Stainless Steel Elevator Doors	1460.0	2 Doors	\$170,000	\$159,702	\$159,702	\$159,702	HAE-1345, Complete. Funds Reallocated from 2005	
MD 2-25 The Broadway									
	Technical Salaries	1430.0	2 Pro-Rata	\$202,314	\$175,322	\$175,322	\$768		
	Relocation	1495.0	7	\$14,000	\$1,930	\$1,930	\$0	Work item also Funded in 2000	
Md 2-31 Rosemont / Dukeland									
	Repair Parking Area Streets and Drives	1460.0		\$0	\$10,763	\$10,763	\$15,796	HAC-1121, 95% Complete. Work moved from 2000 and funded in	
	Reasonable Accomodations	1460.0	10 D.U.'s	\$2,867	\$5,780	\$5,780	\$5,780	HAE-1290, Complete	
	Vacancy Renovation	1460.0	13 D.U.'s	\$190,010	\$707,621	\$707,621	\$821,545	HAC-1279, HAC-1320, & HAC-1348. 90% Complete Reallocated from Auth-Wide Vacancy Renovation. Work item moved from 2002.	

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name:		Grant Type and Number			Federal FY of Grant: 2001			
Housing Authority of Baltimore City		Capital Fund Program Grant NMD06P00250101 Replacement Housing Factor Revised Annual Statement (revision						
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost 1		Total Actual Cost 1		Status of Work
				Original - Rev 2	Revised - 3	Funds Obligated	Funds Expended	
Md 2-33 Lakeview Tower								
	Replace Elevators	1460.0	2	\$695,555	\$695,555	\$695,555	\$380,304	HAE-1283, 52% Complete
	Reasonable Accomodations	1460.0	16 D.U.'s	\$9,549	\$9,549	\$9,549	\$8,560	HAE-1303 & PO36137, 90% Complete
	Fire Management System	1460.0	1	\$0	\$682,789	\$682,789	\$682,789	HAE-1369, 75% Complete, Funded in 2002
	Call System	1460.0	1	\$0	\$18,600	\$18,600	\$18,600	HAE-1397, Emergency
	Relocation	1495.0		\$0	\$3,295	\$3,295	\$2,184	Funds Reallocated from Hollander Ridge
MD 2-41 West Twenty								
	Replace Elevators	1460.0	3	\$1,118,221	\$1,118,221	\$1,118,221	\$371,697	HAE-1286, 28% Complete
	Replace Automatic Entrance Doors	1460.0	1 BLDG.	\$20,000	\$11,400	\$11,400	\$11,400	HAE-1339, Complete
	Reasonable Accomodations-504	1460.0	19 D.U.'s	\$27,173	\$27,173	\$27,173	\$27,173	HAE-1290, Complete
MD 2-42 Somerset Ext.								
	Vacancy Reduction Program	1460.0	3 D.U.'s	\$104,247	\$67,642	\$67,642	\$67,642	HAC- 1279 and HAC-1320, Complete
MD 2-43 Monument East								
	Replace Underground Sanitary System- Sewers	1450.0	1 BLDG.	\$6,125	\$6,125	\$6,125	\$6,125	HAE-1168, Complete
	Replace Door Operators and Controllers (Replace E	1460.0	2	\$735,204	\$735,204	\$735,204	\$453,052	HAE-1274, 60% Complete
	Fire Management System	1460.0	187 D.U.'s	\$1,405,588	\$1,486,138	\$1,486,138	\$1,357,788	HAE-1272, 95% Complete
	Reasonable Accomodations-504	1460.0	6 D.U.'s	\$8,506	\$8,506	\$8,506	\$3,368	HAE 1303, 90% Complete
MD 2-44 Wyman House								
	Reasonable Accomodations-504	1460.0	6 D.U.'s	\$7,325	\$7,325	\$7,325	\$6,527	HAE-1303, 90% Complete
MD 2-45 Hollander Ridge								
	Relocation	1495.0	2	\$3,163	\$7,666	\$7,666	\$7,666	Complete
MD 2-46 Chase House								
	Fire Management System	1460.0	189 D.U.'s	\$1,277,546	\$1,277,546	\$1,277,546	\$1,108,522	HAE-1272, 85% Complete
	Reasonable Accomodations-504	1460.0	11 D.U.'s	\$20,454	\$20,454	\$20,454	\$20,045	HAE-1294, 99% Complete
MD 2-47 Govans Manor								
	Waterproof Exterior	1460.0	1 BLDG.	\$401,653	\$401,653	\$401,653	\$401,653	HAE-1229, Complete
	Reasonable Accomodations-504	1460.0	11 D.U.'s	\$46,927	\$48,935	\$48,935	\$42,249	HAE-1303, 90% Complete and HAE-1288, Complete
MD 2-51 B. E. Mason								
	Repair Balcony Concrete and Railings	1460.0	223 D.U.'s	\$731,075	\$731,075	\$731,075	\$517,556	HAE-1228, 75% Complete
	Reasonable Accomodations-504	1460.0	4 D.U.'s	\$11,860	\$11,860	\$11,860	\$11,098	HAE-1294, 99% Complete

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name:		Grant Type and Number				Federal FY of Grant: 2001		
Housing Authority of Baltimore City		Capital Fund Program Grant NMD06P00250101 Replacement Housing Factor Revised Annual Statement (revision						
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost 1		Total Actual Cost 1		Status of Work
				Original - Rev 2	Revised - 3	Funds Obligated	Funds Expended	
MD 2-52 Lakeview Towers Ext.	Fire Management System	1460.0	144 D.U.'s	\$512,213	\$512,213	\$512,213	\$490,001	HAE-1271, 99% Complete
MD 2-53 Ellerslie	Fire Management System	1460.0	125 D.U.'s	\$1,109,308	\$1,109,308	\$1,109,308	\$1,037,312	HAE-1271, 99% Complete
	Reasonable Accommodations-504 & Entry Doors	1460.0	5 D.U.'s	\$82,360	\$82,360	\$82,360	\$82,360	HAE-1292, 100% Complete
MD 2-54 Bel Park Tower	Reasonable Accommodations-504	1460.0	8 D.U.'s	\$21,213	\$21,213	\$21,213	\$19,985	HAE-1294, 99% Complete and PO 36153, Complete
MD 2-56 The Brentwood	Replace Elevator	1460.0	2	\$571,000	\$571,000	\$571,000	\$430,754	HAE-1253, 73% Complete
	Reasonable Accommodations-504	1460.0	7 D.U.'s	\$12,765	\$12,765	\$12,765	\$11,227	HAE-1303, 90% Complete
MD 2-59 Scattered Sites	Replace Roof	1460.0		\$0	\$50,949	\$50,949	\$0	HAE-1154, Work moved from 2000. Also funded in 2000
		1460.0	38 Sites	\$258,060	\$258,060	\$258,060	\$194,041	HAE-1270, 80% Complete.
	Vacancy Renovation Program	1460.0	62 Sites	\$3,476,160	\$3,347,737	\$3,347,737	\$2,032,328	HAC-1486 5% Complete HAE-1251 100% Complete HAE-1260 72% Complete HAE-1261 Moved to 2002 HAE-1265 27% Complete and funds reallocated to HAC-1486 HAE-1266 25% Complete HAE-1267 100% Complete HAE-1276 87% Complete HAE-1277 82% Complete HAE-1287 39% Complete HAE-1315 100% Complete HAE-1319 100% Complete HAE-1327 85% Complete HAE-1331 43% Complete
	Exterior Repairs	1460.0	18 Sites	\$0	\$83,913	\$83,913	\$21,000	HAE-1275, 75% Complete
	Asbestos Abatement	1460.0	2 D.U.'s	\$0	\$14,344	\$14,344	\$14,344	HAE-1340, Emergency. Complete
	Reasonable Accommodations-504	1460.0	18 D.U.'s	\$0	\$32,809	\$32,809	\$31,037	HAE-1343 95% Complete. Funds reallocated from Scattered Sites Revitalization.
	Relocation	1495.0	24	\$47,679	\$0	\$0	\$0	Work item moved to 2002.
MD 2-69 Laurens House	Install Boiler and Chiller	1460.0	1 D.U.	\$95,629	\$0	\$0	\$0	HAE-1216 Work item moved to 2000.

Annual Statement / Performance and Evaluation Report								
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)								
Part II: Supporting Pages								
PHA Name:		Grant Type and Number				Federal FY of Grant: 2001		
Housing Authority of Baltimore City		Capital Fund Program Grant NMD06P00250101 Replacement Housing Factor Revised Annual Statement (revision						
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost 1		Total Actual Cost 1		Status of Work
				Original - Rev 2	Revised - 3	Funds Obligated	Funds Expended	
MD 2-70 Rosemont Tower								
	Security System	1460.0	1 BLDG.	\$16,224	\$16,224	\$16,224	\$16,224	HAE-1256, Complete
	Reasonable Accommodations-504	1460.0	18 D.U.'s	\$13,213	\$13,213	\$13,213	\$13,213	HAE-1290, Complete
MD 2-71 Primrose Place								
	Reasonable Accommodations-504	1460.0	125 D.U.'s	\$205,849	\$205,849	\$205,849	\$201,176	HAE-1294, 99% Complete
MD 2-72 Carey House								
	Upgrade Security System	1460.0	1 BLDG.	\$20,941	\$20,941	\$20,941	\$20,941	HAE-1227, Complete
MD 2-75 Allendale								
	Reasonable Accommodations-504	1460.0	3 D.U.'s	\$9,133	\$9,133	\$9,133	\$8,547	HAE-1294 99% Complete
	Reasonable Accommodations-504	1460.0	1 D.U.'s	\$2,827	\$2,827	\$2,827	\$2,827	PO36169 Complete
117 Housing Stat								
	Central Office Renovation	1460.0		\$73,980	\$49,313	\$49,313	\$48,430	HAC-1342, 100% Complete, HAE-1337, Complete
	Housing Stat - Contingency and Miscellaneous	1460.0		\$0	\$8,879	\$8,879	\$0	
Auth-Wide								
	Contingency	1502.0		\$3,570	\$0	\$0	\$0	
Management Improvements								
	Utility Management- Consultant	1408.0	1	\$220,657	\$193,279	\$193,279	\$82,919	E-966, 40% Complete
Agency Plan								
	Agency Plan- Program Management Costs	1408.0	1 Pos	\$30,000	\$41,155	\$41,155	\$41,155	On-Going
	Sundry	1410.0		\$0	\$4,382	\$4,382	\$2,978	Funds reallocated from Agency Plan Mgmt.
Employment and Empowerment								
	Office Staff Salaries	1408.0	8 Pos.	\$355,687	\$0	\$0	\$0	Funds reallocated - Positions moved to Operating Budget
	Temporary Personnel	1408.0		\$0	\$5,176	\$5,176	\$4,770	Funds moved from incubator 106/712
	Digital Divide Implementation	1408.0	1	\$160,000	\$0	\$0	\$0	Funds moved to 2002
	Apprenticeship and Customized Training	1408.0	1	\$1,606	\$168,490	\$168,490	\$37,446	Funds reallocated from Security Guard Training line item
	Sundry	1408.0		\$0	\$2,000	\$2,000	\$635	
	Skills Training Program	1408.0	1	\$106,315	\$135,650	\$135,650	\$88,030	On-Going
	Learning Center - Program Expense	1408.0	1	\$85,796	\$42,047	\$42,047	\$29,119	On-Going
	Employment Opportunities- Security Guard Train	1408.0	N/A	\$183,440	\$0	\$0	\$0	Funds reallocated to Apprenticeship & Customized Training
	Conduct Internal and External Performance Eval	1408.0	1	\$12,353	\$9,473	\$9,473	\$9,473	Complete
	Establish and Operate Small Businesses	1408.0	1	\$153,682	\$31,889	\$31,889	\$26,438	Funded in 2000 & 2002

Annual Statement / Performance and Evaluation Report								
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)								
Part II: Supporting Pages								
PHA Name:		Grant Type and Number				Federal FY of Grant: 2001		
Housing Authority of Baltimore City		Capital Fund Program Grant NMD06P00250101 Replacement Housing Factor Revised Annual Statement (revision						
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost 1		Total Actual Cost 1		Status of Work
				Original - Rev 2	Revised - 3	Funds Obligated	Funds Expended	
	General Administrative Costs	1408.0	N/A	\$90,048	\$88,592	\$88,592	\$66,782	On-Going
	PACE Program Structure							
	Lawn Care and Pesticide Program	1408.0	10 Pos.	\$258,279	\$86,318	\$86,318	\$48,137	
	PACE Operating Cost	1408.0		\$0	\$12,978	\$12,978	\$3,737	Funds moved from 2000.
	PACE Salaries	1408.0	10 Pos.	\$277,763	\$233,830	\$233,830	\$119,074	On-Going
	Resident Management Leadership Training	1408.0	1	\$151,853	\$116,657	\$116,657	\$100,657	Portion of funds moved to 2002. Funds moved from 2002
	Equipment	1475.0	N/A	\$16,624	\$4,448	\$4,448	\$4,448	Reallocated Complete
Family Support Services								
	Human Services Coordinators (11 Positions)	1408.0	11 Pos.	\$93,852	\$93,852	\$93,852	\$93,852	Complete
	Resident Management Aides	1408.0	2 Pos.	\$6,333	\$6,333	\$6,333	\$6,333	Complete
	Anti- Drug Program	1408.0	2 Pos.	\$164,751	\$48,699	\$48,699	\$48,699	Complete
Management and Information Services								
	Purchase additional Hardware (Servers,	1408.0	Auth-Wide	\$4,178	\$4,178	\$4,178	\$0	
	Software	1408.0	Auth-Wide	\$4,716	\$2,331	\$2,331	\$0	
	Software Licenses for Services and related Products	1408.0	Auth-Wide	\$212,776	\$210,445	\$210,445	\$210,445	Complete
	Network upgrade Phase II Replacement of Routers	1408.0	Auth-Wide	\$471,543	\$321,437	\$321,437	\$321,437	Funds reallocated from MIS
	Consulting Services for Housing Management	1408.0	1	\$81,905	\$91,663	\$91,663	\$0	Reallocated from MIS Software. Also funded in 2000
	HABC Website Design and Development	1408.0	Auth-Wide	\$43,715	\$43,591	\$43,591	\$43,591	Complete
	Phase III and Phase IV of IT Strategic Planning	1408.0	Auth-Wide	\$28,170	\$51,686	\$51,686	\$41,027	Funds moved from 2003
	Housing Stat. Computer/Vidoe/Speaker	1408.0		\$0	\$3,313	\$3,313	\$2,300	Reallocated from HousingStat 1475
	Housing Stat. Verizon Networking	1408.0	Auth-Wide	\$3,000	\$0	\$0	\$0	Funds reallocated to Housing Stat-HAVC
	Engineering Software	1408.0	ECM	\$0	\$4,716	\$4,716	\$0	Arch Review Mapping Software-Moved from 2000
	Purchase In-House Internet Services and Add'l	1408.0	Auth-Wide	\$0	\$0	\$0	\$0	Funds moved to 2000. Also funded in 2002,2003,2004 and
	Computer - Port Adaptor & Interface Card	1408.0	Auth-Wide	\$0	\$4,477	\$4,477	\$4,477	Reallocated from 1475, Complete
	Housing Stat Computer/Vidoe/Speaker	1475.0	Auth-Wide	\$0	\$6,026	\$6,026	\$3,955	Reallocated from MIS Software.
	Hardware	1475.0	Auth-Wide	\$66,390	\$38,182	\$38,182	\$38,182	Funds reallocated to 1408 MIS and moved from 2002.
Training								
	Training Salaries and Benefits	1408.0	3 Pos.	\$246,671	\$237,183	\$237,183	\$236,338	On-Going
	Division Level Training	1408.0	Auth-Wide	\$124,997	\$113,682	\$113,682	\$104,766	On-Going
	Agency Wide Training	1408.0	Auth-Wide	\$46,212	\$58,031	\$58,031	\$58,031	Complete
	Technical Staff Training	1408.0	Auth-Wide	\$40,038	\$21,600	\$21,600	\$1,100	On Going
	Specific Job Skills Training	1408.0	Auth-Wide	\$201,134	\$184,241	\$184,241	\$120,758	On-Going
Administrative Engineering Services								
	Non-Technical Salaries and Benefits	1410.0	18 Pos.	\$794,250	\$787,297	\$787,297	\$787,297	On-Going
	Temporary Personnel	1410.0			\$41,611	\$41,611	\$40,191	
Finance and Accounting								
	Non-Technical Salaries and Benefits	1410.0	2 Pos.	\$68,929	\$74,070	\$74,070	\$74,070	Complete

Annual Statement / Performance and Evaluation Report								
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)								
Part II: Supporting Pages								
PHA Name:		Grant Type and Number				Federal FY of Grant: 2001		
Housing Authority of Baltimore City		Capital Fund Program Grant NMD06P00250101 Replacement Housing Factor Revised Annual Statement (revision						
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost 1		Total Actual Cost 1		Status of Work
				Original - Rev 2	Revised - 3	Funds Obligated	Funds Expended	
Office of Legal Affairs								
	Non-Technical Salaries and Benefits	1410.0	2 Pos.	\$150,000	\$177,765	\$177,765	\$177,765	On-Going. Complete
Resident Advisory Board								
	Non-Technical Salaries and Benefits	1410.0	2 Pos.	\$13,218	\$13,218	\$13,218	\$13,218	(Partial/ Funding) Positions moved to Operating Budget. Complete
Other Admin. Expenses								
	Retirees	1410.0	N/A	\$26,000	\$0	\$0	\$0	Funds moved to 2002.
	Sundry	1410.0	N/A	\$168,076	\$50,383	\$50,383	\$49,779	Funds moved to 2002.
	Allocated Rent	1410.0	N/A	\$0	\$113,794	\$113,794	\$100,607	Funds moved from 2002
	Advertising	1410.0	N/A	\$0	\$59,417	\$59,417	\$59,417	Funds moved from 2002. Complete
	Telephone	1410.0	N/A	\$0	\$31,019	\$31,019	\$31,019	Funds moved from 2002. Complete
	Staff Travel	1410.0	N/A	\$0	\$317	\$317	\$317	Complete
	Resident Travel	1410.0	N/A	\$0	\$6,284	\$6,284	\$6,234	Reallocated from Sundry
	Training	1410.0	N/A	\$0	\$227	\$227	\$227	Complete
	CGP Audit	1411.0	1	\$17,796	\$39,150	\$39,150	\$39,150	Complete
	Hardware	1475.0	1	\$10,275	\$10,275	\$10,275	\$10,275	Complete
Consultant Fees								
	Technical Salaries and Benefits	1430.0	34 Pos.	\$2,006,178	\$2,113,242	\$2,113,242	\$2,113,242	On-Going. Complete
	JOC Contract Consultant	1430.0	1	\$216,000	\$22,500	\$22,500	\$22,500	HAE-1197, Funds moved to 2002. HAE-1018Complete
	Legal Advice for HABC, Whiteford, Taylor & Pres	1430.0	1	\$229,117	\$86,195	\$86,195	\$50,696	Also funded in 2000. Journalizing cost 2002
	Asbestos Testing and Monitoring	1430.0	Auth-Wide	\$158,924	\$158,924	\$158,924	\$158,924	860A, Complete
	Planning and Consulting Fees	1430.0	1	\$46,524	\$49,423	\$49,423	\$49,423	860A, Complete
	Lead Based Paint Testing and Abatement	1430.0	Auth-Wide	\$118,719	\$118,719	\$118,719	\$118,719	860A, Complete
	Cathodic Protection Inspection of Gas Lines	1430.0	Auth-Wide	\$66,711	\$107,877	\$107,877	\$107,877	860A, Complete
	Lighting Consultant	1430.0	1	\$7,800	\$7,800	\$7,800	\$9,637	Investigating Cost. Journalizing Cost
Relocation								
	Non-Technical Salaries and Benefits	1495.0	3 Pos.	\$130,845	\$137,688	\$137,688	\$137,688	On-Going. Complete
	HABCo Relocation	1495.0			\$8,021	\$8,021	\$8,021	Funds moved from 2000. Complete

Annual Statement / Performance and Evaluation Report						
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)						
Part III: Implementation Schedule						
PHA Name: Housing Authority of Baltimore City		Grant Type and Number: Capital Fund Program No: MD06P00250101 Replacement Housing Factevised Annual Statement (revision			Federal FY of Grant: 2001	
Development Number Name/HA-Wide Activities		All Funds Obligated (Quarter Ending Date)		All Funds Expended (Quarter Ending Date)		Reasons for Revised Target Dates
	Original - Rev	Revised #3	Actual	Original - Rev	Revised #3	Actual
Operating Transfer Vacancy Reduction	Jun-03	Jun-03	Jun-03	Jun-05	Jun-05	
MD 2-01 Latrobe Homes Reasonable Accomodations (21 D.U.'s) Replace Fence	Dec-03 N/A	Dec-02 Mar-03	Dec-02 Mar-03	Jun-05 N/A	Jun-05 Jun-05	HAE-1293, 93% Complete New Work Item Added during 2004 Planning Process - Funds reallocated from Douglass Fence Contract
MD 2-02 McCulloh Homes Vacancy Renovation (1 D.U.)	Dec-03	Dec-02	Dec-02	Dec-03	Dec-03	Dec-03
MD 2-3 Perkins Homes Reasonable Accomodations (71 D.U.'s)	Dec-03	Dec-02	Dec-02	Jun-05	Jun-05	HAE-1293, 93% Complete
MD 2-5 Douglass Homes Replace Fencing Reasonable Accomodations (9 D.U.'s)	Jun-03 Dec-03	Mar-03 Dec-02	Mar-03 Dec-02	Jun-05 Jun-05	Jun-05 Jun-05	HAC-1280, 100% Complete HAE-1293, 93% Complete
MD 2-06 Gilmor Homes Repair Parking Area Streets and Drives Reasonable Accomodations (10 D.U.'s)	N/A Dec-03	Mar-02 Dec-02	Mar-02 Dec-02	N/A Jun-05	Jun-05 Sep-03	HAE-1117, Moved and also funded from 2000 HAE-1293 - 93% Complete
MD 2-10 Somerset Homes Meter Center Replacement and A/C Reasonable Accomodations (4 D.U.'s) Vacancy Renovation (7 D.U.)	Mar-03 Dec-03 Sep-03	Mar-03 Dec-02 Sep-02	Mar-03 Dec-02 Sep-02	Jun-05 Jun-05 Dec-02	Jun-05 Jun-05 Dec-02	Dec-02 HAE-1128, 90% Complete HAE-1303, 90% Complete HAC-1230, HAC-1279, & HAC-1320, Complete
MD 2-11 Cherry Hill Homes Repair Parking Area Streets and Drives Repair Heating Lines Reasonable Accomodations (23 D.U.'s)	N/A Jun-03 Dec-03	Mar-02 Mar-03 Dec-02	Mar-02 Mar-03 Dec-02	N/A Jun-05 Jun-05	Jun-05 Jun-05 Jun-05	HAE-1117, Funds Reallocated from 2003. HAE-1285, 75% Complete HAE-1301, 85 % Complete
MD 2-12 Cherry Hill Homes Repair Parking Area Streets and Drives Repair Heating Lines Reasonable Accomodations	N/A Jun-03 N/A	Mar-02 Mar-03 Mar-03	Mar-02 Mar-03 Mar-03	N/A Jun-05 N/A	Jun-05 Jun-05 Jun-05	HAE-1117, 99% Complete. Funds Reallocated from HAE-1285, 75% Complete HAE-1341, 100% Complete. Reallocated from Auth. Wide Physical Accessibility-504
MD 2-13 Westport Homes Ext. Reasonable Accomodations (5 D.U.'s)	Jun-03	Jun-03	Jun-03	Jun-05	Jun-05	HAE-1301, 85% Complete
MD 2-21 Brooklyn Homes Reasonable Accomodations (9 D.U.'s)	Jun-03	Mar-03	Mar-03	Jun-05	Jun-05	HAE-1301, 85% Complete

Annual Statement / Performance and Evaluation Report							
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)							
Part III: Implementation Schedule							
PHA Name:		Grant Type and Number:				Federal FY of Grant:	
Housing Authority of Baltimore City		Capital Fund Program No: MD06P00250101 Replacement Housing Factor Revised Annual Statement (revision)				2001	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original - Rev #	Revised #3	Actual	Original - Rev #	Revised #3	Actual	
MD 2-23 McCulloh Homes Ext.							
Learning Center Improvements (1 D.U.)	Dec-03	Dec-02	Dec-02	Jun-05	Jun-05		HAC-1334, 100% Complete
Reasonable Accommodations (27 D.U.'s)	Dec-03	Dec-02	Dec-02	Jun-05	Jun-03	Jun-03	HAE-1278, HAE-1312, Complete
Install Stainless Steel Elevator Doors (2 Doors)	Jun-03	Mar-03	Mar-03	Jun-05	Dec-03	Dec-03	HAC-1345. Complete. Funds Reallocated from 2005
MD 2-31 Rosemont / Dukeland							
Repair Parking Area Streets and Drives	Dec-02	Dec-02	Dec-02	Dec-04	De 2004		HAC-1121, 95% Complete. Work moved from 2000 and funded in 2000
Reasonable Accommodations (10 D.U.'s)	Dec-03	Dec-02	Dec-02	Jun-05	Sep-03	Sep-03	HAE-1290, Complete
Vacancy Renovation (13 D.U.'s)	Dec-03	Dec-02	Dec-02	Jun-05	Jun-05		HAC-1279, HAC-1320, & HAC-1348. 90% Complete Reallocated from Auth-Wide Vacancy Renovation. Work item moved from 2002. Investigating Cost
Md 2-33 Lakeview Tower							
Replace Elevators (2 Elevators)	Dec-03	Dec-02	Dec-02	Jun-05	Jun-05		HAE-1283. 52% Complete
Reasonable Accommodations (16 D.U.'s)	Dec-03	Dec-02	Dec-02	Jun-05	Jun-05		HAE-1303 & PO36137, 90% Complete
Fire Management System (1)	Jun-03	Jun-03	Jun-03	Jun-05	Jun-05		HAE-1369, 75% Complete, Funded in 2002
Call System (1)	Jun-03	Jun-03	Jun-03	Jun-05	Jun-05		HAE-1397, Emergency
MD 2-41 West Twenty							
Replace Elevators (3)	Dec-03	Dec-02	Dec-02	Jun-05	Jun-05		HAE-1286, 28% Complete
Replace Automatic Entrance Doors (1 Bldg)	Dec-03	Dec-02	Dec-02	Jun-05	Jun-03	Jun-03	HAE-1339, Complete
Reasonable Accommodations-504 (19 D.U.'s)	Dec-03	Dec-02	Dec-02	Jun-05	Sep-03	Sep-03	HAE-1290, Complete
MD 2-42 Somerset Ext.							
Vacancy Reduction Program (3 D.U.'s)	Dec-03	Dec-02	Dec-02	Jun-05	Dec-03	Dec-03	HAC-1270 & HAC-1320, Complete
MD 2-43 Monument East							
Replace Underground Sanitary System- Sewers (1 Bldg)	Sep-03	Sep-02	Sep-02	Jun-05	Jun-03	Jun-03	HAE-1168, Complete
Replace Door Operators and Controllers (Replace Elevators)	Dec-03	Dec-02	Dec-02	Jun-05	Jun-05		HAE-1274 60%, Complete
Fire Management System (187 D.U.'s)	Dec-03	Dec-02	Dec-02	Jun-05	Jun-05		HAE-1272 95%, Complete
Reasonable Accommodations-504 (6 D.U.'s)	Dec-03	Dec-02	Dec-02	Jun-05	Jun-05		HAE-1303 90%, Complete
MD 2-44 Wyman House							
Reasonable Accommodations-504 (6 D.U.'s)	Dec-03	Dec-02	Dec-02	Jun-05	Jun-05		HAE-1303, 90% Complete
MD 2-46 Chase House							
Fire Management System (189 D.U.'s)	Dec-03	Dec-02	Dec-02	Jun-05	Jun-05		HAE-1272, 85% Complete
Reasonable Accommodations (11 D.U.'s)	Jun-03	Dec-02	Dec-02	Jun-05	Jun-05		HAE-1294, 99% Complete
MD 2-47 Govans Manor							
Waterproof Exterior (1 Bldg.)	Dec-03	Dec-02	Dec-02	Jun-05	Dec-03	Dec-03	HAE-1229, Complete
Reasonable Accommodations (11 D.U.'s)	Dec-03	Dec-02	Dec-02	Jun-05	Jun-05		HAE-1303. 90% Complete and HAE-1288. Complete
MD 2-51 B. E. Mason							
Repair Balcony Concrete and Railings (223 D.U.'s)	Dec-03	Dec-02	Dec-02	Jun-05	Jun-05		HAE-1228, 75% Complete
Reasonable Accommodations-504 (4 D.U.'s)	Dec-03	Dec-03	Dec-02	Jun-05	Jun-05		HAE-1294, 99% Complete
MD 2-52 Lakeview Towers Ext.							
Fire Management System (144 D.U.'s)	Dec-03	Dec-02	Dec-02	Jun-05	Jun-05		HAE-1271, 99% Complete

Annual Statement / Performance and Evaluation Report							
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)							
Part III: Implementation Schedule							
PHA Name: Housing Authority of Baltimore City			Grant Type and Number: Capital Fund Program No: MD06P00250101 Replacement Housing Factor Revised Annual Statement (revision)			Federal FY of Grant: 2001	
Development Number Name/HA-Wide Activities		All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)		Reasons for Revised Target Dates
		Original - Rev	Revised #3	Actual	Original - Rev	Revised #3	Actual
Auth-Wide							
Contingency		Jun-03	Jun-03		Jun-05	Jun-05	
Vacancy Reduction (HABCo)		Jun-03	N/A		Jun-05	N/A	Funds increased to cover boarding up at O'Donnell
Management Improvements							
Utility Management- Consultant (1)		Jun-03	Jun-03	Jun-03	Jun-05	Jun-05	E-966, 40% Complete
Agency Plan							
Agency Plan- Program Management Costs (1 Position)		Dec-03	Dec-02	Dec-02	Jun-05	Jun-05	On-Going
Sundry		N/A	Jun-03		N/A	N/A	Funds reallocated from Agency Plan Mgmt.
Employment and Empowerment							
Office Staff Salaries (8 Positions)		Jun-03	Jun-02	Jun-02	Jun-05	Jun-05	Funds reallocated - Positions moved to Operating
Temporary Personnel		N/A			N/A	Jun-05	Funds moved from incubator 106/712
Digital Divide Implementation		Jun-03	Jun-02	Jun-02	Jun-05	Jun-05	Funds moved to 2002
Apprenticeship and Customized Training		Jun-03	Mar-03	Mar-03	Jun-05	Jun-05	Funds reallocated from Security Guard line item
Sundry		N/A	Jun-02		N/A	Jun-05	Funds reallocated from General Admin. Costs
Skills Training Program		Jun-03	Jun-02	Jun-02	Jun-05	Jun-05	Funds moved from 2002 and moved to 2000.
Learning Center - Program Expense		Dec-03	Dec-02	Dec-02	Jun-05	Jun-05	Funds moved to 2002
Employment Opportunities- Security Guard Training		Sep-03	Sep-02	Sep-02	Jun-05	Jun-05	Funds reallocated to Apprenticeship & Customized
Conduct Internal and External Performance Evaluations		Dec-03	Dec-02	Dec-02	Jun-05	Mar-03	Mar-03 Complete
Establish and Operate Small Businesses		Dec-03	Dec-02	Dec-02	Jun-05	Jun-05	Funded in 2000 & 2002
General Administrative Costs		Dec-03	Dec-02	Dec-02	Jun-05	Jun-05	
PACE Program Structure							
Lawn Care and Pesticide Program		Mar-03	Mar-02	Mar-02	Jun-05	Jun-05	Funds moved from 2000 and moved to 2002.
PACE Operating Cost		N/A			N/A	Jun-05	Funds moved from 2000.
PACE Salaries		Mar-03	Mar-02	Mar-02	Jun-05	Jun-05	Funds moved to 2000 and moved from 2002.
Resident Management Leadership Training		Dec-03	Dec-02	Dec-02	Jun-05	Jun-05	Funds moved to 2002. Funds moved from 2002
Equipment		Jun-03	Jun-03		Jun-05	Mar-03	Mar-03 Reallocated Complete
Family Support Services							
Human Services Coordinators (11 Positions)		Mar-03	Mar-02	Mar-02	Dec-02	Sep-03	Sep-03 Complete
Resident Management Aides (2 Positions)		Mar-03	Mar-02	Mar-02	Jun-02	Dec-02	Dec-02 Complete
Anti- Drug Program and (2 Positions)		Jun-03	Jun-02	Jun-02	Jun-05	Sep-02	Sep-03 Complete
Management and Information Services							
Purchase additional Hardware (Servers, Memory, Software		Dec-03	Dec-02	Dec-02	Jun-05	Jun-05	
Software Licenses for Services and related Products		Jun-03	Sep-02	Sep-02	Dec-02	Dec-02	Dec-02 Complete
Network upgrade Phase II Replacement of Routers		Sep-03	Sep-02	Sep-02	Jun-05	Jun-05	Funds reallocated from MIS
Consulting Services for Housing Management		Sep-03	Sep-02	Sep-02	Jun-05	Jun-05	Reallocated from MIS Software. Also funded in 2000
HABC Website Design and Development		Dec-03	Dec-02	Dec-02	Jun-05	Sep-02	Sep-02 Complete
Phase III and Phase IV of IT Strategic Planning		Dec-03	Dec-02	Dec-02	Jun-05	Jun-05	Funds moved from 2003
Housing Stat. Computer/Video/Speaker		N/A			N/A		
Housing Stat. Verizon Networking		Dec-03	Dec-02	Dec-02	Jun-05	Jun-05	Funds reallocated to Housing Stat-HAVC
Engineering Software		Dec-03	Dec-02	Dec-02	Jun-05	Jun-05	Arch Review Mapping Software-Moved from 2000
Purchase In-House Internet Services and Add'l upgrades		N/A			N/A	N/A	Funds moved to 2000. Also funded in 2002.2003.2004
Computer - Port Adaptor & Interface Card		N/A			N/A	Mar-03	Mar-03 Reallocated from 1475, Complete
Housing Stat Computer/Video/Speaker		Jun-03	Jun-03		Jun-05	Jun-05	Reallocated from MIS Software.
Hardware		Dec-03	Dec-02	Dec-02	Jun-05	Jun-03	Jun-03 Funds reallocated to 1408 MIS and moved from 2002.
Training							
Training Salaries and Benefits		Mar-03	Mar-02	Mar-02	Jun-05	Jun-05	Funds moved to 2002
Division Level Training		Dec-03	Dec-02	Dec-02	Jun-05	Jun-05	On-Going
Agency Wide Training		Dec-03	Dec-02	Dec-02	Jun-05	Jun-05	On-Going
Technical Staff Training		Dec-03	Dec-02	Dec-02	Jun-05	Jun-05	On Going
Specific Job Skills Training		Sep-03	Sep-02	Sep-02	Jun-05	Jun-05	Funds moved from 2000

ATTACHMENT D (8)

**FFY 2001 Replacement Housing Factor
Performance & Evaluation Report**

Annual Statement / Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary

PHA Name: Housing Authority of Baltimore City	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant: MD06R00250101	Federal FY of Grant: FY 2001
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Original Annual Statement
 Reserve for Disasters/Emergencies
 Revised Annual Statement (revision no: 3)
 Final Performance and Evaluation Report

Performance and Evaluation Report for Period Ending: 12/31/03

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original - Rev 2	Revised #3	Obligated	Expended
1	Total non CFP Funds				
2	1406 Operations				
3	1408 Management Improvements Soft Costs				
4	1410 Administration	\$120,528	\$120,528	\$120,528	\$81,304
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$34,342	\$34,342	\$34,342	
8	1440 Site Acquisition	\$2,539,733	\$2,539,733	\$2,539,733	
9	1450 Site Improvement				
10	1460 Dwelling Structures	\$1,539,694	\$1,539,694	\$1,539,694	
11	1465.1 Dwelling Equipment -- Non-expendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Replacement Housing				
19	1501 Collateralization Expenses or Debt Service				
20	1502 Contingency	\$52,925	\$52,925	\$52,925	
21	Amount of Annual Grant (Sum of lines 2-19)	\$4,287,222	\$4,287,222	\$4,287,222	\$81,304
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 Compliance				
24	Amount of line 21 Related to Security - Soft Costs				
25	Amount of line 21 Related to Security - Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name:		Grant Type and Number				Federal FY of Grant:			
Housing Authority of Baltimore City		Capital Fund Program Grant No:		MD06R00250101		FY 2001			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work	
				Original - Rev 2	Revised #3	Funds Obligated	Funds Expended		
Development Activities	Development of 36 Broadway Units. (Broadway Homes)	1410.0	36 Units	\$108,528	\$108,528	\$108,528	\$81,304	Development Budget submitted to HUD for Approval. Also funded in 1999, 2000, 2002, 2003	
		1430.0	36 Units	\$25,342	\$25,342	\$25,342			
		1440.0	36 Units	\$2,241,353	\$2,241,353	\$2,241,353			
		1460.0	36 Units	\$539,694	\$539,694	\$539,694			
	Development of 29 Replacement Housing Units.	1410.0	29 Units	\$12,000	\$12,000	\$12,000			Development Budget submitted to HUD for Approval. Also funded in 1999, 2000, 2002, 2003
		1430.0	29 Units	\$9,000	\$9,000	\$9,000			
		1440.0	29 Units	\$298,381	\$298,381	\$298,381			
		1460.0	29 Units	\$1,000,000	\$1,000,000	\$1,000,000			
		1502.0	29 Units	\$52,925	\$52,925	\$52,925			

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part III: Implementation Schedule

PHA Name: Housing Authority of Baltimore City		Grant Type and Number: Capital Fund Program No: Replacement Housing Factor Grant No: MD06R00250101				Federal FY of Grant: FY 2001	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original - Rev 2	Revised #3	Actual	Original - Rev 2	Revised #3	Actual	
AUTHORITY- WIDE Development Activities	Mar-04	Mar-04		Mar-06	Mar-06		Revised to reflect statutory deadlines.

ATTACHMENT D (9)

**FFY 2000 Capital Program Performance &
Evaluation Report**

Annual Statement / Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1:

PHA Name: Housing Authority of Baltimore City	Grant Type and Number Capital Fund Program Grant No: MD06P002501-00 Replacement Housing Factor Grant:
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Original Annual Statement
 Reserve for Disasters/Emergencies
 Revised Annual Statement (revision no:)
 Performance and Evaluation Report for Period Ending:
 Final Performance and Evaluation Report period ending 12/31/03

Line No.	Summary by Development Account	Total Estimated Cost		Total Available
		Original - Rev 3	Revised - 4	
1	Total non CFP Funds			
2	1406 Operations	\$5,199,784	\$5,199,784	\$5,199,784
3	1408 Management Improvements Soft Costs	\$3,697,248	\$3,552,260	\$3,552,261
4	1410 Administration	\$1,960,121	\$2,056,657	\$2,056,657
5	1411 Audit	\$15,266	\$15,266	\$15,266
6	1415 Liquidated Damages			
7	1430 Fees and Costs	\$4,026,558	\$3,705,631	\$3,705,631
8	1440 Site Acquisition			
9	1450 Site Improvement	\$2,878,825	\$2,835,852	\$2,835,852
10	1460 Dwelling Structures	\$11,422,048	\$11,892,723	\$11,892,723
11	1465.1 Dwelling Equipment -- Non-expendable			
12	1470 Nondwelling Structures	\$38,338	\$38,338	\$38,338
13	1475 Nondwelling Equipment	\$102,408	\$70,668	\$70,668
14	1485 Demolition			
15	1490 Replacement Reserve			
16	1492 Moving to Work Demonstration			
17	1495.1 Relocation Costs	\$309,721	\$283,138	\$283,138
18	1499 Development Activities			
19	1501 Collateralization Expenses or Debt Service			
20	1502 Contingency			
21	Amount of Annual Grant (Sum of lines 2-20)	\$29,650,319	\$29,650,319	\$29,650,319
22	Amount of line 21 Related to LBP Activities	\$210,794	\$210,794	\$210,794
23	Amount of line 21 Related to Section 504 Compliance	\$447,281	\$302,868	\$302,868
24	Amount of line 21 Related to Security - Soft Costs			
25	Amount of line 21 Related to Security - Hard Costs	\$174,564	\$174,563	\$174,563
26	Amount of line 21 Related to Energy Conservation Measures	\$1,799,135	\$2,951,864	\$2,951,865

: Summary

Federal FY of Grant:

2000

Actual Cost

Expended
\$5,199,784
\$3,552,261
\$2,056,657
\$15,266
\$3,705,631
\$2,835,852
\$11,892,723
\$38,338
\$70,668
\$283,138
\$29,650,319
\$210,794
\$302,868
\$174,563
\$2,951,865

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name: Housing Authority of Baltimore City		Capital Fund Program Grant No: MD06P002501-00		Replacement Housing Factor Grant No:		Federal FY of Grant:		2000
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original - Rev 3	Revised-4(Final)	Funds Obligated	Funds Expended	
PHYSICAL IMPROVEMENTS	Vacancy Renovation	1406.0		\$5,199,784	\$5,199,784	\$5,199,784	\$5,199,784	Complete October 2001
MD 2-1 Latrobe Homes	Repair Street, Drives and Walks	1450.0	.80 Acres	\$550,384	\$550,384	\$550,384	\$550,384	HAE - 1117. Complete November 2003
	Replace Missing Railings	1460.0	701 D.U.'s	\$598,412	\$384,081	\$384,081	\$384,081	HAE - 1119R. Complete September 2003
	Reinsulate Heating Plant Pipes	1470.0	1	\$26,780	\$26,780	\$26,780	\$26,780	HAE - 1181, Complete January 2002
	Energy Management Systems	1460.0	701 D.U.'s	\$86,779	\$79,762	\$79,762	\$79,762	HAE - 1203, Work Item originally funded as Authority Wide Automated Meter Reading System in 2000. Also funded in 2002. Complete June 2003.
MD 2-2 McCulloh Homes	Repair Parking Area, Street and Drives	1450.0	.45 Acres	\$179,793	\$179,793	\$179,793	\$179,793	HAE - 1117. Complete November 2003
MD 2-3 Perkins Homes	Pave Parking Area	1450.0	.30 Acres	\$176,372	\$176,372	\$176,372	\$176,372	HAE - 1117. Complete November 2003
	Repair Porches and Stoops	1460.0	688 D.U.'s	\$273,072	\$270,207	\$270,207	\$270,207	HAC - 1121. Complete August 2003
MD 2-4 Poe Homes	Pave Parking, Streets, Drives and Repair Porches and Stoops.	1450.0	298 D.U.'s	\$317,388	\$317,388	\$317,388	\$317,388	HAE - 1190. Work Item combined to include Streets, Paving, Walks, Porches and Stoops. Funds from 2002 moved to 2000. Complete October 2002.
	Window Replacement	1460.0	298 D.U.'s	\$902,898	\$902,898	\$902,898	\$902,898	HAE - 1208, funds moved from 2002. Complete January
MD 2-5 Douglas Homes	Pave Parking Area, Streets and Drives	1450.0	.05 Acres	\$6,201	\$6,201	\$6,201	\$6,201	HAE - 1117. Complete June 2003
MD 2-6 Gilmor Homes	Repair Porches and Stoops	1460.0	393 D.U.'s	\$264,833	\$254,944	\$254,944	\$254,944	HAC - 1121. Complete August 2003. HABCO
	Pave Streets, Drives and Walks	1450.0	1 Acre	\$301,218	\$283,352	\$283,352	\$283,352	HAE - 1117. Complete December 2003
	Repair Porches and Stoops	1460.0	571 D.U.'s	\$276,112	\$271,725	\$271,725	\$271,725	HAC - 1121. Complete October 2003. HABCO
MD 2-9 O'Donnell Heights	Planning and Consulting Fees	1430.0	1	\$74,275	\$74,275	\$74,275	\$74,275	Also funded in 1999. Complete June 2003
	504 Work	1460.0	1 D.U.	\$3,057	\$3,057	\$3,057	\$3,057	HAC - 1187, Complete May 2002. HABCO
	Renovation of Community Building	1470.0	1	\$11,558	\$11,558	\$11,558	\$11,558	E - 19, Also funded in 1994, 1996 & 1998. Complete May 2002

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name: Housing Authority of Baltimore City		Capital Fund Program Grant No: MD06P002501-00		Replacement Housing Factor Grant No:		Federal FY of Grant:		2000	Status of Work
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work	
				Original - Rev 3	Revised-4(Final)	Funds Obligated	Funds Expended		
MD 2-10 Somerset	Repair Street and Drives	1450.0	.10 Acres	\$35,638	\$35,638	\$35,638	\$35,638	HAE - 1117. Complete June 2003.	
	Repair Porches and Stoops	1460.0	257 D.U.'s	\$240,795	\$130,531	\$130,531	\$130,531	HAC - 1121. Complete October 2003. HABCO	
	Vacancy Renovation	1460.0	21 Units	\$535,132	\$501,258	\$501,258	\$501,258	HAE - 1213, reallocated from Auth-Wide Vacancy Reduction. Also funded in 2002. Complete August 2003	
	Energy Management Systems	1460.0	257 D.U.'s	\$32,783	\$30,132	\$30,132	\$30,132	HAE - 1203, work item originally funded as Auth-Wide Automated Meter Reading System in 2000. Also funded in 2002. Complete June 2003.	
MD 2-11 Cherry Hills Homes	Repair Streets and Walks	1450.0	.20 Acres	\$15,000	\$15,000	\$15,000	\$15,000	HAE - 1117. Complete June 2003.	
	Replace Underground Heating Distribution	1460.0	1237 D.U.'s	\$322,904	\$296,050	\$296,050	\$296,050	Work Item moved from 2002. (HAE - 1212, Complete December 2002) (HAE - 1234, Complete September 2003) (HAE - 1282, Complete October 2002) (HAE - 1247 Final Payment in December 2003)	
MD 2-12 Cherry Hills Homes Ext. I	Site Pavements and Walks	1450.0	1.5 Acres	\$36,000	\$36,000	\$36,000	\$36,000	HAE - 1117. Complete November 2003. Also funded in	
	Replace Underground Heating Distribution	1460.0	1237 D.U.'s	\$322,904	\$296,050	\$296,050	\$296,050	Work Item moved from 2002. (HAE - 1212, Complete December 2002) (HAE - 1234, Complete September 2003) (HAE - 1282, Complete October 2002) (HAE - 1247 Final Payment in December 2003)	
MD 2-14 Claremont Homes	Planning and Consulting Fees	1430.0	1	\$19,017	\$19,017	\$19,017	\$19,017	Also funded in 1999. Complete December 2002	
	Boarding-up of Vacant Units	1460.0	176 D.U.'s	\$333,939	\$309,812	\$309,812	\$309,812	HAC - 1189. Also funded in 2002. Complete. HABCO	
	Revitalization Fencing	1450.0	2200 L.F.	\$33,013	\$33,013	\$33,013	\$33,013	HAE - 1245, Funds moved from 2003, Complete October	
MD 2-16 Flag House Courts	Construction Management - Salaries	1430.0	1 Pos.	\$19,019	\$20,380	\$20,380	\$20,380	Reallocated from Consultant Fees. Also funded in 2001. Complete December 2003	
MD 2-17 Cherry Hill Ext.	Relocation	1495.0	1	\$666	\$666	\$666	\$666	Complete March 2002	

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part II: Supporting Pages

PHA Name: Housing Authority of Baltimore City		Capital Fund Program Grant No: MD06P002501-00		Replacement Housing Factor Grant No:		Federal FY of Grant: 2000		Status of Work
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original - Rev 3	Revised-4(Final)	Funds Obligated	Funds Expended	
MD 2-18 Murphy Homes	Construction Management - Salaries	1430.0	1 Pos.	\$77,038	\$22,665	\$22,665	\$22,665	Reallocated from Consultant Fees. Also funded in 2001. Complete December 2003
MD 2-21 Brooklyn Homes	Repair Streets and Drives	1450.0	1 Acre	\$429,531	\$428,521	\$428,521	\$428,521	HAE - 1214. Also funded in 2002. Complete October 2003
MD 2-23 McCulloh Homes	Grind Shifted Pavements	1450.0	1300 l.f.	\$9,537	\$9,537	\$9,537	\$9,537	HAE - 1143. Complete June 2003
	Install Fire Management System	1460.0	394 D.U.'s	\$121,902	\$121,902	\$121,902	\$121,902	HAE - 1041. Contract funded in 1999 and 2000. Complete October 2003
	504 Work	1460.0	2 D.U.'s	\$111,694	\$118,199	\$118,199	\$118,199	HAC - 1243, Reallocated from Auth-Wide 504. Complete March 2003. HABCO
	Vacancy Renovation	1460.0	5 D.U.'s	\$230,239	\$207,942	\$207,942	\$207,942	HAC - 1244, Reallocated from Auth-Wide Vacancy Renovation. Complete . HABCO HAE - 1195, Funds reallocated from auth-Wide Vacancy Renovation, Complete September 2003.
	Repair Walks and Pave Parking Area	1450.0	.60 Acres	\$178,299	\$178,299	\$178,299	\$178,299	HAE - 1214. Also funded in 2002. Complete October 2003.
	Replace Elevators	1460.0	4	\$1,199,238	\$1,199,238	\$1,199,238	\$1,199,238	HAE - 1194, Work Item moved from 2001. Complete December 2003
	Heating Distribution System	1460.0		\$0	\$1,204,365	\$1,204,365	\$1,204,365	HAE - 1370. Also funded in 2002. Complete November
MD 2-25 The Broadway	Relocation	1495.0	13	\$26,583	\$0	\$0	\$0	Moved to 2002
	Construction Management - Salaries	1430.0	2 Pos. Pro-Rata	\$6,203	\$12,613	\$12,613	\$12,613	Reallocated from Consultant Fees. Also funded in 2001. Complete December 2003
MD 2-27 A Spencer	Repair Walks and Pave Parking Area	1450.0	.05 Acres	\$32,417	\$32,417	\$32,417	\$32,417	HAE - 1214. Complete March 2003
	Repair Porches and Stoops	1460.0	20 D.U.'s	\$140,243	\$71,252	\$71,252	\$71,252	HAC - 1121. Complete September 2003. HABCO
MD 2-31 Rosemont/Dukeland	Repair Parking Area, Walks and Driveways	1450.0	.05 Acres	\$170,189	\$170,189	\$170,189	\$170,189	HAE - 1214. Complete October 2003
	Repair Porches and Stoops	1460.0	136 D.U.'s	\$376,923	\$376,901	\$376,901	\$376,901	HAC - 1121. Complete. HABCO
	Vacancy Renovation Program	1460.0	30 Units - (1) 504 Reasonable Accommodation	\$899,008	\$871,577	\$871,577	\$871,577	(HAC - 1249, Reallocated from Auth-Wide Vacancy Renovation. Complete August 2003. HABCO) (HAC - 1161, also funded in 1999. Complete March 2003. HABCO) (HAC - 1198 Funds moved from 2001 from Auth-Wide Vacancy Renovation. Complete August 2003. HABCO)
	Asbestos Removal in Floors-Phase II	1460.0	5 D.U.'s	\$31,209	\$31,209	\$31,209	\$31,209	HAE - 1218, Emergency. Complete October 2002

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part II: Supporting Pages

PHA Name: Housing Authority of Baltimore City		Capital Fund Program Grant No: MD06P002501-00		Replacement Housing Factor Grant No:		Federal FY of Grant: 2000		Status of Work
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original - Rev 3	Revised-4(Final)	Funds Obligated	Funds Expended	
MD 2-33 Lakeview Tower	Replace Emergency Call System (Repair Intercom System)	1460.0	161 D.U.'s	\$46,352	\$46,352	\$46,352	\$46,352	HAE - 1104, Contract also funded in 1999, Complete September 2002
	Repair Security Entry System	1460.0	161 D.U.'s	\$15,582	\$15,582	\$15,582	\$15,582	HAE - 1131, Complete December 2002
MD 2-39 Claremont Homes Ext.	Grind Shifted Pavement	1450.0	375 l.f.	\$2,749	\$2,749	\$2,749	\$2,749	HAE - 1143. Complete June 2003
	Install Security System	1460.0	152 D.U.'s	\$22,335	\$22,335	\$22,335	\$22,335	HAE - 1227. Complete March 2003
	Vacancy Renovation	1460.0	5 Units	\$29,707	\$25,054	\$25,054	\$25,054	HAE - 1195. Funds reallocated from auth-Wide Vacancy Renovation. Complete September 2003
MD 2-41 The West Twenty	Repair Security Entry System	1460.0	357 D.U.'s	\$6,947	\$6,947	\$6,947	\$6,947	HAE - 1131. PO 32729 Emergency - Complete January
	Install Hand Rails	1460.0	357 D.U.'s	\$53,797	\$53,797	\$53,797	\$53,797	HAE - 1233, Complete December 2002.
	Install 504 Doors and Intercom System	1460.0	357 D.U.'s	\$2,170	\$2,170	\$2,170	\$2,170	Emergency -504 related work - Complete April 2002.
	Concrete Repairs	1450.0	1/25 Acre	\$33,081	\$33,081	\$33,081	\$33,081	HAE - 1231, Emergency Complete December 2002
	Beautification Mixed Population Building	1460.0	1 BLDG.	\$2,752	\$2,752	\$2,752	\$2,752	PO 37543, Auth-Wide Funds for Lobby Enhancements. Complete September 2003
MD 2-42 Somerset Ext.	Repair Parking Area, Driveways and Sidewalks	1450.0	.08 Acres	\$50,761	\$50,761	\$50,761	\$50,761	HAE - 1117. Complete in December
	Repair Roof Sheds and Retaining Walls	1450.0	12 BLDGS.	\$243,325	\$192,764	\$192,764	\$192,764	HAC - 1127, also funded in 1999. Complete January 2003. HABCO
	Vacancy Renovation Program	1460.0	5 Units	\$179,998	\$178,185	\$178,185	\$178,185	HAC - 1249, Reallocated from Auth-Wide Vacancy Renovation. Complete August 2003. HABCO HAC - 1201, Funding moved from 2001 Auth-Wide. Also funded in 1999. Complete October 2002. HABCO
MD 2-43 Monument East	Grind Shifted Pavements	1450.0	360 l.f.	\$2,670	\$2,670	\$2,670	\$2,670	HAE - 1143. Complete June 2003
	Exit Doors	1460.0	1	\$4,496	\$4,496	\$4,496	\$4,496	HAE - 1233, Complete December 2002
	Replace Fire Management System	1460.0	187 D.U.'s	\$80,550	\$0	\$0	\$0	HAE - 1272, Funds to 2001
	Waste Water Discharge	1460.0	1	\$47,000	\$47,000	\$47,000	\$47,000	HAE - 1132, Funds reallocated from Auth-Wide Pool. Complete July 2003
	Grind Shifted Pavements	1450.0	651 l.f.	\$4,786	\$4,786	\$4,786	\$4,786	HAE - 1143. Complete June 2003
MD 2-44 Wyman House	Asbestos Removal-Mechanical Room	1460.0	1	\$960	\$960	\$960	\$960	HAE - 1174, Completed November 2001

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name: Housing Authority of Baltimore City		Capital Fund Program Grant No: MD06P002501-00		Replacement Housing Factor Grant No:		Federal FY of Grant:		
		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
Development Number Name/HA-Wide Activities	General Description of Major Work Categories			Original - Rev 3	Revised-4(Final)	Funds Obligated	Funds Expended	
MD 2-45 Hollander Ridge	Repair Security Entry System & Emergency Call System	1460.0	168 D.U.'s	\$2,766	\$2,766	\$2,766	\$2,766	HAE - 1131, Complete June 2002
	Replace Fire Management System	1460.0	168 D.U.'s	\$1,331,683	\$1,331,683	\$1,331,683	\$1,331,683	HAE - 1220, Funds moved from 2001 and 2002. Complete December 2003
	Erosion & Sediment Control	1430.0	59 Acres	\$69,000	\$32,502	\$32,502	\$32,502	HAE - 1179, Emergency - MDE Violations. Also funded in 2002. Complete July 2003
MD 2-46 Chase House	Erosion & Sediment Control Phase II	1450.0	59 Acres	\$34,440	\$66,403	\$66,403	\$66,403	HAE - 1193, Emergency-MDE Code Violation. Also funded in 1999. Final Payment processed
	Grind Shifted Pavements	1450.0	160 l.f.	\$1,185	\$1,185	\$1,185	\$1,185	HAE - 1143. Complete June 2003
MD 2-47 Govans Manor	504 Work	1460.0	1 Unit	\$21,104	\$21,104	\$21,104	\$21,104	HAE - 1238, Allocated from Auth-Wide 504. Complete march 2003
	504 Work Apt. 6M, 10H	1460.0	2 Units	\$37,758	\$37,758	\$37,758	\$37,758	HAC - 1156, Complete September 2002. HABCO
MD 2-51 Bernard E. Mason	Repair Wall Leaks & Remove Mold	1460.0	4 Units	\$18,438	\$18,438	\$18,438	\$18,438	HAE - 1153, Also funded in 1999. Complete December
	Grind Shifted Pavements	1450.0	340 l. f.	\$2,477	\$2,477	\$2,477	\$2,477	HAE - 1143, funds moved from 2005. Complete June 2003
MD 2-52 Lakeview Tower Ext.	Beautification Mixed Population Building	1460.0	1 BLDG.	\$9,398	\$9,398	\$9,398	\$9,398	PO 37543, Auth-Wide Funds for Lobby Enhancements. Complete August 2003
	Repair Security Entry System	1460.0	161 D.U.'s	\$11,000	\$11,000	\$11,000	\$11,000	HAE - 1131, Complete December 2002
MD 2-54 Bel Park Tower	Replace Call Station	1460.0	161 D.U.'s	\$40,437	\$40,436	\$40,436	\$40,436	HAE -1104, Contract also funded in 1999. Complete March 2003
	Grind Shifted Pavements	1450.0	440 l.f.	\$3,230	\$3,230	\$3,230	\$3,230	HAE - 1143. Complete June 2003
MD 2-56 Brentwood	Replace Existing Fire Alarm System	1460.0	150 D.U.'s	\$6,834	\$6,834	\$6,834	\$6,834	HAE - 1185, Complete March 2002
	Replace Fire Management System	1460.0	150 D.U.'s	\$1,204,292	\$1,200,156	\$1,200,156	\$1,200,156	HAE -1220, Also funded in 2002. Final Payment Processed
MD 2-59 Scattered Sites	Beautification Mixed Population Building	1460.0	1 BLDG.	\$5,450	\$5,450	\$5,450	\$5,450	PO 37543, Auth-Wide Funds for Lobby Enhancements. Complete August 2003
	Roof Replacement	1460.0	48 Buildings	\$163,912	\$112,963	\$112,963	\$112,963	HAE - 1154. Work Item also funded in 2001. Complete October 2003
	504 Work	1460.0	1 D.U.	\$9,615	\$9,615	\$9,615	\$9,615	HAC - 1187, Complete October 2002. HABCO

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name: Housing Authority of Baltimore City		Capital Fund Program Grant No: MD06P002501-00		Federal FY of Grant:		2000		
		Replacement Housing Factor Grant No:						
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original - Rev 3	Revised-4(Final)	Funds Obligated	Funds Expended	
	Vacancy Renovation	1460.0	1 D.U.	\$3,094	\$3,094	\$3,094	\$3,094	HAE - 1112, also funded in 1999. Complete December
	Vacancy Renovation	1460.0	3 D.U.'s	\$345,022	\$345,022	\$345,022	\$345,022	HAC - 1163, Complete October 2002. HABCO
	Boarding up of Vacant Units	1460.0	100 D.U.'s	\$13,114	\$13,114	\$13,114	\$13,114	HABCO, also funded in 1999. Complete October 2002. HAE - 1221, Also funded in 1999. Complete November
	Rehab	1460.0	4 D.U.'s	\$213,012	\$177,761	\$177,761	\$177,761	HAE - 1225, Funds reallocated from Scattered Site Revitalization. Contract 100% Complete. HAE - 1240, Funds reallocated from Scattered Site Revitalization. Final Invoice Processed
	Clean-Up	1460.0	39 Sites	\$35,726	\$35,726	\$35,726	\$35,726	HAE - 1262, Funds reallocated from Scattered Site Revitalization. Complete November 2002
	Relocation	1495.0	5	\$9,589	\$9,589	\$9,589	\$9,589	Complete June 2002
MD 2-69 Laurens House	Repair Chimney	1450.0	1	\$5,500	\$0	\$0	\$0	HAE - 1269 included in HAE - 1210 funded in 2001
	Grind shifted Pavements	1450.0	430 l.f.	\$3,165	\$3,165	\$3,165	\$3,165	HAE - 1143, Work Item Moved from 2002. Complete June
	Install Boiler and Chiller	1460.0	1	\$51,605	\$70,617	\$70,617	\$70,617	HAE - 1216. Also funded in 2002. Complete June 2003
	Upgrade Security System	1460.0	1	\$18,255	\$18,255	\$18,255	\$18,255	HAE - 1227, Work Item moved from 2001. Total Contract Complete March 2003
MD 2-70 Rosemont	Beautification Mixed Population Building	1460.0	1 BLDG.	\$3,772	\$3,772	\$3,772	\$3,772	PO 37543, Auth-Wide Funds for Lobby Enhancements. Complete August 2003
MD 2-69 Homewood House	Grind Shifted Pavements	1450.0	500 l.f.	\$3,692	\$3,692	\$3,692	\$3,692	HAE - 1143. Complete June 2003
	Beautification Mixed Population Building	1460.0	1	\$1,908	\$1,908	\$1,908	\$1,908	PO 37543, Auth-Wide Funds for Lobby Enhancements. Complete August 2003
MD 2-70 Rosemont	Beautification Mixed Population Building	1460.0	1 BLDG.	\$9,730	\$9,730	\$9,730	\$9,730	PO 37543. Funding from Auth-Wide Lobby Enhancements. Complete
MD 2-71 Primrose	Grind Shifted Pavements	1450.0	343 l.f.	\$2,527	\$2,527	\$2,527	\$2,527	HAE - 1143. Complete June 2003
	Replace Kitchen Cabinets & Equipment	1460.0	125 Units	\$26,796	\$26,796	\$26,796	\$26,796	HAE - 1125, Also funded in 1999. Complete November
	Beautification Mixed Population Building	1460.0	1 BLDG.	\$8,069	\$8,069	\$8,069	\$8,069	PO 37543, Auth-Wide Funds funds for Lobby Enhancements. Complete August 2003
MD 2-72 Carey House	Beautification Mixed Population Building	1460.0	1 BLDG.	\$480	\$480	\$480	\$480	PO 37543, Auth-Wide Funds funds for Lobby Enhancements. Complete August 2003
MD 2-74 Hollins House	Grind Shifted Pavements	1450.0	1500 l.f.	\$11,111	\$11,111	\$11,111	\$11,111	HAE - 1143, Work Item Funded in 2002. Complete June
	Repair Security Entry System	1460.0	130 D.U.'s	\$10,890	\$10,890	\$10,890	\$10,890	HAE - 1131, PO 32729, Emergency. Complete December

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Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name: Housing Authority of Baltimore City		Capital Fund Program Grant No: MD06P002501-00		Replacement Housing Factor Grant No:		Federal FY of Grant: 2000		Status of Work
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original - Rev 3	Revised-4(Final)	Funds Obligated	Funds Expended	
MD 2-74 Hollins House (Cont'd)	Beautification Mixed Population Building	1460.0	1 BLDG.	\$10,486	\$10,486	\$10,486	\$10,486	PO 37543, Auth-Wide Funds funds for Lobby Enhancements. Complete August 2003
MD 2-75 The Allendale	Grind Shifted Pavements	1450.0	430 l.f.	\$3,148	\$3,148	\$3,148	\$3,148	HAE - 1143. Complete June 2003
	Beautification Mixed Population Building	1460.0	1 BLDG.	\$10,680	\$10,680	\$10,680	\$10,680	PO 37543, Auth-Wide Funds funds for Lobby Enhancements. Complete August 2003
Management Improvements	Utility Management - Testing Lab (3 positions)	1408.0	3 positions	\$90,904	\$83,076	\$83,076	\$83,076	Complete
	Utility Management Consultant	1408.0	1	\$13,183	\$32,751	\$32,751	\$32,751	E-966, Also funded in 1999 and 2001. Complete September 2003
Employment and Empowerment	Resident Management Leadership Training	1408.0	1	\$90,128	\$82,858	\$82,858	\$82,858	Complete. January 2003
	Resident Business Development Training - Establish & Operate Small Businesses.	1408.0	1	\$48,088	\$29,741	\$29,741	\$29,741	Portion moved to 2002. Complete May 2003
	Resident Initiatives: Internal & External Evaluation, RM Leadership, Hospitality Program (DSS Match) and Skills Training	1408.0	N/A	\$81,077	\$0	\$0	\$0	Reallocated to Skills Training
	Learning Center: Salaries and Program Expense	1408.0	1 Pos.	\$80,706	\$90,444	\$90,444	\$90,444	Funds Reallocated from Skills Training. Complete
	General Administrative Expenditures	1408.0	N/A	\$105,678	\$57,610	\$57,610	\$57,610	Portion of funds moved to 2002. Complete May 2003
	Retail Training	1408.0	Lump Sum	\$49,776	\$49,776	\$49,776	\$49,776	Complete June 2002
	Skills Training	1408.0	Lump Sum	\$0	\$80,505	\$80,505	\$80,505	PO 35819 & 34926. Complete
	Step-Up Program (Apprentice)	1408.0	10 Part Time Pos.	\$141,650	\$194,376	\$194,376	\$194,376	Funds moved from 2001. Also funded in 1999. Complete October 2003
	Skills Bank (Job Point Case Mgmt.)	1408.0	10 Part Time Pos.	\$121,050	\$121,950	\$121,950	\$121,950	Complete September 2002
	Skills Bank (Job Point Case Mgmt.)	1408.0	10 Part Time Pos.	\$79,000	\$79,000	\$79,000	\$79,000	Complete September 2002
	Employment Opportunity (Lawn Care & Pesticides) Salaries	1408.0	10 Part Time Pos.	\$243,273	\$155,798	\$155,798	\$155,798	Portion of funds moved to 2001. Complete
	Customer Service Retail Training Program	1408.0	1	\$15,515	\$15,515	\$15,515	\$15,515	Complete November 2001

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Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name: Housing Authority of Baltimore City		Capital Fund Program Grant No: MD06P002501-00		Federal FY of Grant:		2000		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original - Rev 3	Revised-4(Final)	Funds Obligated	Funds Expended	
Employment and Empowerment Continued	P.A.C.E. Employment Center - Salaries and Operating Costs	1408.0	6 Pos.	\$382,160	\$278,720	\$278,720	\$278,720	Funds moved from 2002. Complete October 2003
	Job Access and Reverse Commute (Match)	1408.0	N/A	\$100,000	\$67,235	\$67,235	\$67,235	Funds moved to 2002. Complete
	General Administrative Expenditures	1410.0	N/A	\$305	\$174	\$174	\$174	Allocated from 1408 General Administrative Expenditures. Complete June 2003
	Non-Technical Staff Salaries (Resident Initia.)	1410.0	7 Pos.	\$409,024	\$405,229	\$405,229	\$405,229	Complete June 2002
	P.A.C.E. Employment Center - Operating Costs (Equipment)	1475.0	N/A	\$1,222	\$633	\$633	\$633	Also funded in 1999. Funds moved to 2002. Complete October 2003
	Hardware	1475.0	N/A	\$13,012	\$13,012	\$13,012	\$13,012	Funds reallocated from Resident Business Development & Learning Center Budgets. Complete May 2002
Family Support Services	Antidrug Activities (3pos.)	1408.0	3 positions	\$351,615	\$351,780	\$351,780	\$351,780	Complete July 2003
	Human Services Coordinators (Coord)	1408.0	10 positions	\$440,848	\$440,848	\$440,848	\$440,848	Complete March 2002
	Human Services Coordinators (Supv)	1408.0	2 positions	\$96,286	\$96,286	\$96,286	\$96,286	Complete September 2002
	Resident Management Aides	1408.0	2 positions	\$41,823	\$41,823	\$41,823	\$41,823	Complete April 2002
	Non-Technical Staff Salaries	1410.0	2 positions	\$93,873	\$93,873	\$93,873	\$93,873	Complete June 2002
Management Information Systems	Purchase In-House Internet Services & Add'l Upgrades, Media Services & Graphics	1408.0	N/A	\$551,137	\$660,490	\$660,490	\$660,490	Funds moved from MIS hardware 1475 and Fees for Servers & Great Plains 1430. Complete
	Purchase Add'l hardware (Servers, Memory, Switches, Fiber)	1408.0	N/A	\$846	\$341	\$341	\$341	Complete November 2002
	Consultant Fees for Hardware and Software (Salaries for Project Manager for Information Technology - \$37,500) Costs shared by Section 8.	1410.0	1 position	\$59,091	\$72,310	\$72,310	\$72,310	Complete September 2003
	Strategic Planning Facilitator	1430.0	1	\$23,000	\$22,993	\$22,993	\$22,993	Complete April 2003
	Hardware	1475.0	Auth-Wide	\$62,125	\$41,772	\$41,772	\$41,772	Complete
Training	Job Skills, Technical, Misc. Division Level and Agency Wide Training	1408.0	Auth-Wide	\$350,077	\$318,908	\$318,908	\$318,908	Complete October 2003
	Admin. Staff - Salaries	1408.0	4 positions	\$220,430	\$220,430	\$220,430	\$220,430	Complete September 2002
Administration Engineering Services	Postage	1408.0	N/A	\$1,999	\$1,999	\$1,999	\$1,999	Funds allocated from 1408 Sundry
	Non-Technical Salaries & Temporary Personnel	1410.0	17 positions and Lump Sum	\$739,136	\$739,136	\$739,136	\$739,136	Complete October 2002

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Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part II: Supporting Pages

PHA Name: Housing Authority of Baltimore City		Capital Fund Program Grant No: MD06P002501-00		Federal FY of Grant:		2000		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original - Rev 3	Revised-4(Final)	Funds Obligated	Funds Expended	
Administration Engineering Services (Cont'd)								
	Other Administrative Expenses: Publication, Staff Travel, Insurance, Resident Travel, Advertising, Telephone, Postage (Sundry) and Training	1410.0	N/A	\$180,817	\$236,989	\$236,989	\$236,989	Complete
	Allocated Rent	1410.0	N/A	\$185,382	\$216,455	\$216,455	\$216,455	Complete January 2003
	CGP Audit	1411.0	1	\$15,266	\$15,266	\$15,266	\$15,266	Complete August 2002
	Equipment	1475.0	N/A	\$26,049	\$15,251	\$15,251	\$15,251	Complete May 2003
Finance & Accounting								
	Non-Technical Salaries	1410.0	2 positions	\$77,496	\$77,496	\$77,496	\$77,496	Complete February 2002
Office of Legal Affairs								
	Non-Technical Salaries	1410.0	2 positions	\$111,487	\$111,487	\$111,487	\$111,487	Complete February 2002
Resident Advisory Board								
	Non-Technical Salaries	1410.0	2 positions	\$103,509	\$103,509	\$103,509	\$103,509	Complete May 2002
Authority Wide - Consultant Fees								
	Legal Fees	1430.0	1	\$272,732	\$236,267	\$236,267	\$236,267	Complete June 2002
	Consultant Fees - Training	1430.0	1	\$7,508	\$7,508	\$7,508	\$7,508	E- 860A, Also Funded in 1999. Complete March 2002
	Consultant Fees - Other	1430.0	1	\$89,079	\$89,079	\$89,079	\$89,079	E - 860A, Also funded in 1999. Complete November 2002
	Asbestos Testing and Monitoring	1430.0	Auth-Wide	\$169,216	\$169,216	\$169,216	\$169,216	E - 860A, Also funded in 1999. Complete April 2002
	Lead Based Paint Testing (1250 D.U.'s)	1430.0	Auth-Wide	\$210,794	\$210,794	\$210,794	\$210,794	E - 860A, Also funded in 1999. Complete April 2002
	Cathodic Protection Inspection of Gas Mains	1430.0	Auth-Wide	\$109,827	\$109,827	\$109,827	\$109,827	E-860A, Also funded in 1999. Complete April 2002
Consultant Fees								
	504 Study HABC Wide	1430.0	1	\$404,296	\$259,883	\$259,883	\$259,883	HAE - 1115. Also funded in 2002. Complete
	JOC Consultant	1430.0	1	\$37,500	\$22,500	\$22,500	\$22,500	HAE - 1018 also funded in 1999. Complete
	Technical Salaries & Benefits	1430.0	30 positions	\$2,380,533	\$2,383,549	\$2,383,549	\$2,383,549	Complete April 2003
	Travel	1430.0	N/A	\$510	\$0	\$0	\$0	Funds moved fro Aministrative Staff Travel, also funded in 1999
	Viability Financial Planning (Financial analysis and Technical Assistant)	1430.0	1	\$57,012	\$12,566	\$12,566	\$12,566	HAD - 1140. Complete January 2003
Relocation								
	Non-Technical Salaries (3 positions)	1495.0	3 positions	\$272,883	\$272,883	\$272,883	\$272,883	Complete March 2002

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Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part III: Implementation Schedule

PHA Name:		Grant Type and Number:			Federal FY of Grant:		
Housing Authority of Baltimore City		Capital Fund Program No: MD06P002501-00			2000		
Replacement Housing Factor No:							
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original - Rev 3	Revised(4)	Actual	Original - Rev 3	Revised(4)	Actual	
PHYSICAL IMPROVEMENTS							
MD 2-1 Latrobe Homes							
Repair Street, Drives and Walks	Mar-02	Mar-02	Mar-02	Jun-04	Dec-03	Dec-03	HAE-1117
Replace Missing Railings	Mar-02	Mar-02	Mar-02	Jun-04	Sep-03	Sep-03	HAE-1119R
Reinsulate Heating Plant Pipes	Dec-02	Dec-02	Dec-02	Mar-02	Mar-02	Mar-02	HAE-1181
Energy Management Systems	Sept-01	Sept-01	Sept-01	Jun-04	Jun-03	Jun-03	Work Item moved to 1999. HAE - 1203, Work Item originally funded as Authority Wide Automated Meter Reading System in 2000.
MD 2-2 McCulloh Homes							
Repair Parking Area, Street and Drives	Mar-02	Mar-02	Mar-02	Jun-04	Dec-03	Dec-03	HAE-1117
MD 2-3 Perkins Homes							
Pave Parking Area	Mar-02	Mar-02	Mar-02	Jun-04	Dec-03	Dec-03	HAE-1117
Repair Porches and Stoops	Mar-02	Mar-02	Mar-02	Jun-04	Sep-03	Sep-03	HAC-1121
MD 2-4 Poe Homes							
Pave Parking Area, Streets, Drives and Repair Porches and Stoops	Mar-02	Mar-02	Mar-02	Dec-02	Dec-02	Dec-02	HAE-1190
Window Replacement	Sep-02	Sept-02	Sept-02	Jun-04	Mar-03	Mar-03	HAE - 1208, funds moved from 2002. Also funded in 1999.
MD 2-5 Douglas Homes							
Pave Parking Area, Streets and Drives	Mar-02	Mar-02	Mar-02	Jun-04	Jun-03	Jun-03	HAE-1117
Repair Porches and Stoops	Mar-02	Mar-02	Mar-02	Jun-04	Sep-03	Sep-03	HAC-1121
MD 2-6 Gilmor Homes							
Pave Streets, Drives and Walks	Mar-02	Mar-02	Mar-02	Jun-04	Dec-03	Dec-03	HAE-1117
Repair Porches and Stoops	Mar-02	Mar-02	Mar-02	Jun-04	Dec-03	Dec-03	HAC-1121
MD 2-9 O'Donnell Heights							
Planning and Consulting Fees	Mar-02	Mar-02	Mar-02	Jun-04	Jun-03	Jun-03	HAE-1065B
504 Work	Dec-01	Dec-01	Dec-01	Jun-02	Jun-02	Jun-02	HAC-1187
Renovation of Community Building	Mar-02	Mar-02	Mar-02	Jun-02	Jun-02	Jun-02	E - 19, Also funded in 1994, 1996 & 1998.
MD 2-10 Somerset							
Repair Street and Drives	Mar-02	Mar-02	Mar-02	Jun-04	Jun-03	Jun-03	HAE-1117
Repair Porches and Stoops	Mar-02	Mar-02	Mar-02	Jun-04	Dec-03	Dec-03	HAC-1121
Vacancy Renovation	Sep-02	Sep-02	Sep-02	Jun-04	Sep-03	Sep-03	HAE - 1213, reallocated from Auth-Wide Vacancy Reduction. HAC - 1249, reallocated from Auth-Wide Vacancy Renovation.
Energy Management Systems	Jun-02	Jun-02	Jun-02	Jun-04	Jun-03	Jun-03	HAE - 1203, work item originally funded as Auth-Wide Automated Meter Reading System in 2000.
MD 2-11 Cherry Hills Homes							
Repair Streets and Walks	Mar-02	Mar-02	Mar-02	Jun-04	Jun-03	Jun-03	HAE-1117
Replace Underground Heating Distribution	Mar-02	Jun-02	Jun-02	Dec-02	Dec-02	Dec-02	Work Item moved from 2002. (HAE - 1212, Complete December 2002) (HAE - 1234, Total Contract 57% Complete) (HAE - 1282, Complete October 2002) (HAE - 1247)

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Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part III: Implementation Schedule

PHA Name:		Grant Type and Number:					Federal FY of Grant:
Housing Authority of Baltimore City		Capital Fund Program No: MD06P002501-00			Replacement Housing Factor No:		2000
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original - Rev 3	Revised(4)	Actual	Original - Rev 3	Revised(4)	Actual	
MD 2-12 Cherry Hills Homes Ext. I							
Site Pavements and Walks	Mar-02	Mar-02	Mar-02	Jun-04	Dec-03	Dec-03	HAE-1117
Replace Underground Heating Distribution	Mar-02	Mar-02	Mar-02	Dec-02	Dec-02	Dec-02	Work Item moved from 2002. (HAE - 1212, Complete December 2002) (HAE - 1234, Total Contract 57% Complete) (HAE - 1282, Complete October 2002) (HAE - 1247)
MD 2-14 Claremont Homes							
Planning and Consulting Fees	Mar-02	Mar-02	Mar-02	Dec-02	Dec-02	Dec-02	HAE-1065A
Boarding-up of Vacant Units	Dec-01	Dec-01	Dec-01	Jun-04	Dec-03	Dec-03	HAC-1189
Revitalization Fencing	Sep-02	Sep-02	Sep-02	Dec-02	Dec-02	Dec-02	HAE - 1245, Funds moved from 2003.
MD 2-16 Flag House Courts							
Construction Management - Salaries	Jun-02	Jun-02	Jun-02	Jun-04	Dec-03	Dec-03	Reallocated from Consultant Fees. Also funded in 2001.
MD 2-18 Murphy Homes							
Construction Management - Salaries	Jun-02	Jun-02	Jun-02	Jun-04	Dec-03	Dec-03	Reallocated from Consultant Fees. Also funded in 2001.
MD 2-21 Brooklyn Homes							
Repair Streets and Drives	Sep-02	Sep-02	Sep-02	Jun-04	Dec-03	Dec-03	HAE-1214
MD 2-23 McCulloh Homes							
Grind Shifted Pavements	Sep-02	Sep-02	Sep-02	Jun-04	Jun-03	Jun-03	HAE-1143
Install Fire Management System	Sep-02	Sep-02	Sep-02	Jun-04	Dec-03	Dec-03	Also funded in 1999
504 Work	Sep-02	Sep-02	Sep-02	Dec-02	Mar-03	Mar-03	HAC - 1243, Reallocated from Auth-Wide 504. HABCO
Vacancy Renovation	Jun-02	Jun-02	Jun-02	Jun-04	Sep-03	Sep-03	(HAC - 1244, Reallocated from Auth-Wide Vacancy Renovation. HABCO) (HAE - 1195, Funds reallocated from auth-Wide Vacancy Renovation)
Repair Walks and Pave Parking Area	Sep-02	Sep-02	Sep-02	Jun-04	Dec-03	Dec-03	HAE - 1214, Funds reallocated.
Replace Elevators	Sep-02	Sep-02	Sep-02	Jun-04	Dec-03	Dec-03	HAE - 1194, Work Item moved from 2001.
MD 2-25 Broadway							
Construction Management - Salaries	Jun-02	Jun-02	Jun-02	Jun-04	Dec-03	Dec-03	
MD 2-27 A. Spencer							
Repair Walks and Pave Parking	Sep-02	Sep-02	Sep-02	Jun-04	Mar-03	Mar-03	HAE-1214
Repair Porches and Stoops	Mar-02	Mar-02	Mar-02	Jun-04	Sep-03	Sep-03	HAC-1121
MD 2-31 Rosemont/Dukeland							
Repair Parking Area, Walks and Driveways	Sep-02	Sep-02	Sep-02	Jun-04	Dec-03	Dec-03	HAE-1214
Repair Porches and Stoops	Mar-02	Mar-02	Mar-02	Jun-04	Sep-03	Sep-03	HAC-1121
Vacancy Renovation Program	Dec-01	Dec-01	Dec-01	Jun-04	Sep-03	Sep-03	(HAC - 1249, Reallocated from Auth-Wide Vacancy Renovation. HABCO) (HAC - 1161, also funded in 1999. HABCO) (HAC - 1198 Funds moved from 2001 from Auth-Wide Vacancy Renovation .
Asbestos Removal in Floors - Phase II	Jun-02	Jun-02	Jun-02	Dec-02	Dec-02	Dec-02	HAE - 1218, Emergency. Complete October 2002
MD 2-33 Lakeview Tower							
Replace Emergency Call System (Repair Intercom System)	Mar-02	Mar-02	Mar-02	Sep-02	Sep-02	Sep-02	HAE-1104
Repair Security Entry System	Mar-01	Mar-01	Mar-01	Dec-02	Dec-02	Dec-02	HAE-1131

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Part III: Implementation Schedule

PHA Name:		Grant Type and Number:			Federal FY of Grant:		
Housing Authority of Baltimore City		Capital Fund Program No: MD06P002501-00			2000		
Replacement Housing Factor No:							
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original - Rev 3	Revised(4)	Actual	Original - Rev 3	Revised(4)	Actual	
MD 2-39 Claremont Homes Ext.							
Grind Shifted Pavement	Sep-02	Sep-02	Sep-02	Jun-04	Jun-03	Jun-03	HAE-1143
Install Security System	Dec-02			Jun-04	Mar-03	Mar-03	HAE-1227
Vacancy Renovation	Jun-02	Jun-02	Jun-02	Jun-04	Sep-03	Sep-03	HAE - 1195, Funds reallocated from auth-Wide Vacancy
MD 2-41 The West Twenty							
Repair Security Entry System	Mar-01	Mar-01	Mar-01	Dec-02	Mar-03	Mar-03	HAE - 1131. PO 32729 Emergency
Install Hand Rails	Sep-02	Sep-02	Sep-02	Dec-02	Dec-02	Dec-02	HAE-1233
Install 504 Doors and Install Intercom System	Jun-02	Jun-02	Jun-02	Jun-02	Jun-02	Jun-02	PO 34095
Concrete Repairs	Sep-02	Sep-02	Sep-02	Dec-02	Dec-02	Dec-02	HAE - 1231, Emergency Complete December 2002
Beautification of Mixed Population Building	Sep-02	Sep-02	Sep-02	Jun-04	Sep-03	Sep-03	PO 37543, Auth-Wide Funds for Lobby Enhancements
MD 2-42 Somerset Ext.							
Repair Parking Area, Driveways and Sidewalks	Mar-02	Mar-02	Mar-02	Jun-04	Dec-03	Dec-03	HAE-1117
Repair Roof, Sheds and Retaining Walls	Dec-01	Dec-01	Dec-01	Jun-04	Mar-03	Mar-03	HAC - 1127, also funded in 1999. HABCO
Vacancy Renovation Program	Jun-02	Jun-02	Jun-02	Jun-04	Sep-03	Sep-03	(HAC - 1249, Reallocated from Auth-Wide Vacancy Renovation. HABCO)(HAC - 1201, Funding moved from 2001 Auth-Wide. Also funded in 1999. HABCO)
MD 2-43 Monument East							
Grind Shifted Pavements	Sep-02	Sep-02	Sep-02	Jun-04	Jun-03	Jun-03	HAE-1143
Exit Doors	Sep-02	Sep-02	Sep-02	Dec-02	Dec-02	Dec-02	HAE-1233
Replace Fire Management System	Dec-02	N/A	N/A	Jun-04	N/A	N/A	HAE - 1272, Funds moved from 2002 to 2000 and 2001. Contract Awarded December 2002.
Waste Water Discharge	Sep-02	Sep-02	Sep-02	Jun-04	Sep-03	Sep-03	HAE - 1132, Funds reallocated from Auth-Wide Pool.
MD 2-44 Wyman House							
Grind Shifted Pavements	Sep-02	Sep-02	Sep-02	Jun-04	Jun-03	Jun-03	HAE-1143
Asbestos Removal-Mechanical Room	Sep-01	Sep-01	Sep-01	Dec-01	Dec-01	Dec-01	HAE-1174
Repair Security Entry System & Emergency Call System	Mar-01	Mar-01	Mar-01	Jun-04	Jun-02	Jun-02	HAE-1131
Replace Fire Management System	Sep-02	Sep-02	Sep-02	Jun-04	Dec-03	Dec-03	HAE - 1220, Funds moved from 2001 and 2002. Contract awarded September 2002.
MD 2-45 Hollander Ridge							
Erosion & Sediment Control	N/A	Jun-02	Jun-02	N/A	Sep-03	Sep-03	HAE-1179
Erosion Control Plan - Phase II	Jun-02	Jun-02		Jun-04	Dec-03	Dec-03	HAE-1193
MD 2-46 Chase House							
Grind Shifted Pavements	Sep-02	Sep-02	Sep-02	Jun-04	Jun-03	Jun-03	HAE-1143

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PHA Name:		Grant Type and Number:			Federal FY of Grant:		
Housing Authority of Baltimore City		Capital Fund Program No: MD06P002501-00			2000		
Replacement Housing Factor No:							
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original - Rev 3 Sep-02	Revised(4) Sep-02	Actual Sep-02	Original - Rev 3 Jun-04	Revised(4) Mar-03	Actual Mar-03	
504 Work							HAE - 1238, Reallocated from Auth-Wide 504. 99% Complete, Processing final payment
MD 2-47 Govans Manor							
504 Work Apt. 6M, 10H	Sep-01	Sep-01	Sep-01	Sep-02	Sep-02	Sep-02	HAC-1156
Repair Wall Leaks & Remove Mold	Mar-02	Mar-02	Mar-02	Dec-02	Dec-02	Dec-02	HAE-1153
MD 2-51 Bernard E. Mason							
Grind Shifted Pavements	Sep-02	Mar-02	Mar-02	Jun-04	Jun-03	Jun-03	HAE - 1143, funds moved from 2005.
Beautification of Mixed Population Building	Sep-02	Sep-02	Sep-02	Jun-04	Sep-03	Sep-03	PO 37543, Auth-Wide Funds for Lobby Enhancements
MD 2-52 Lakeview Tower Ext.							
Repair Security Entry System	Mar-01	Mar-01	Mar-01	Dec-02	Dec-02	Dec-02	HAE-1131
Replace Call Station	Mar-02	Mar-02	Mar-02	Jun-04	Mar-03	Mar-03	HAE -1104, Contract also funded in 1999.
MD 2-54 Bel Park Tower							
Grind Shifted Pavements	Sep-02	Sep-02	Sep-02	Jun-04	Jun-03	Jun-03	HAE - 1143, Funds moved from 2002. Total Contract 48%
MD 2-56 Brentwood							
Replace Existing Fire Alarm System	Dec-01	Dec-01	Dec-01	Mar-02	Mar-02	Mar-02	HAE - 1185
Replace Fire Management System	Sep-02	Sep-02	Sep-02	Jun-04	Dec-03	Dec-03	HAE -1220, Funds moved from 2001 and 202.
Beautification of Mixed Population Building	Sep-02	Sep-02	Sep-02	Jun-04	Sep-03	Sep-03	PO 37543, Auth-Wide funds for Lobby Enhancements
MD 2-59 Scattered Sites							
Roof Replacement	Sep-01	Sep-01	Sep-01	Jun-04	Dec-03	Dec-03	HAE-1154
504 Work	Dec-01	Dec-01	Dec-01	Dec-02	Dec-02	Dec-02	HAC-1187
Vacancy Renovation	Sep-01	Sep-01	Sep-01	Dec-02	Dec-02	Dec-02	HAC-1163
Vacancy Renovation	Jun-01	Jun-01	Jun-01	Dec-02	Dec-02	Dec-02	HAE - 1112, also funded in 1999. Complete December 2002
Boarding Up of Vacant Units	Jun-01	Jun-01	Jun-01	Jun-02	Dec-02	Dec-02	HABCO, also funded in 1999. Complete October 2002. HAE - 1221, Also funded in 1999. Complete November 2002
Rehab	Sep-02	Sep-02	Sep-02	Jun-04	Jun-03	Jun-03	HAE - 1225, Funds reallocated from Scattered Site Revitalization. HAE - 1240, Funds reallocated from Scattered Site Revitalization.
Clean-Up	Sep-02	Sep-02	Sep-02	Jun-04	Dec-02	Dec-02	HAE - 1262, Funds reallocated from Scattered Site Revitalization.
MD 2-69 Laurens House							
Repair Chimney	Sep-02	N/A	N/A	Jun-04	N/A	N/A	HAE - 1269, Work required in connection with Roof Replacement funded in 2001-HAE - 1210.
Grind Shifted Pavement	Sep-02	Sep-02	Sep-02	Jun-04	Jun-03	Jun-03	HAE - 1143, Work Item Moved from 2002.
Install Boiler and Chiller	Sep-02	Sep-02	Sep-02	Jun-04	Jun-03	Jun-03	HAE - 1216. Also funded in 2002. Complete June 2003
Upgrade Security System	Sep-02	Sep-02	Sep-02	Jun-04	Mar-03	Mar-03	HAE - 1227, Work Item moved from 2001.
Beautification of Mixed Population Building	Sep-02	Sep-02	Sep-02	Jun-04	Sep-03	Sep-03	PO 37543, Auth-Wide funds for Lobby Enhancements
MD 2-69 Homewood House							

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part III: Implementation Schedule

PHA Name:		Grant Type and Number:			Federal FY of Grant:		
Housing Authority of Baltimore City		Capital Fund Program No: MD06P002501-00			2000		
Replacement Housing Factor No:							
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original - Rev 3	Revised(4)	Actual	Original - Rev 3	Revised(4)	Actual	
Grind Shifted Pavement	Sep-02	Sep-02	Sep-02	Jun-04	Jun-03	Jun-03	HAE - 1143, Work Item moved from 2002.
Beautification of Mixed Population Building	Sep-02	Sep-02	Sep-02	Jun-04	Sep-03	Sep-03	PO 37543, Auth-Wide funds for Lobby Enhancements
MD 2-70 Rosemont							
Beautification of Mixed Population Buildings	Sep-02	Sep-02	Sep-02	Jun-04	Sep-03	Sep-03	PO 37543, Funding from Auth-Wide Lobby Enhancements
MD 2-71 Primrose							
Grind Shifted Pavements	Dec-02	Sep-02	Sep-02	Jun-04	Jun-03	Jun-03	
Replace Kitchen Cabinets & Equipment (part fund)	Sep-01	Sep-01	Sep-01	Nov-02	Dec-02	Dec-02	
Beautification of Mixed Population Building	Sep-02	Sep-02	Sep-02	Jun-04	Sep-03	Sep-03	PO 37543, Auth-Wide Funds funds for Lobby Enhancements
MD 2-72 Carey House							
Beautification of Mixed Population Building	Sep-02	Sep-02	Sep-02	Jun-04	Sep-03	Sep-03	PO 37543, Auth-Wide Funds funds for Lobby Enhancements
MD 2-74 Hollins House							
Grind Shifted Pavement	Sep-02	Sep-02	Sep-02	Jun-04	Jun-03	Jun-03	HAE - 1143, Work Item Funded in 2002.
Repair Security Entry System	Mar-01	Mar-01	Mar-01	Dec-02	Dec-02	Dec-02	HAE - 1131. PO 32729 Emergency
Beautification of Mixed Population Building	Sep-02	Sep-02	Sep-02	Jun-04	Sep-03	Sep-03	PO 37543, Auth-Wide Funds funds for Lobby Enhancements
MD 2-75 The Allendale							
Grind Shifted Pavement	Sep-02	Sep-02	Sep-02	Jun-04	Jun-03	Jun-03	HAE - 1143, Funds moved from 2005. Total Contract 48%
Beautification of Mixed Population Building	Sep-02	Sep-02	Sep-02	Jun-04	Sep-03	Sep-03	PO 37543, Auth-Wide Funds funds for Lobby Enhancements
Management Improvements							
Utility Management - Testing Lab (3 positions)	Sep-01	Sep-01	Sep-01	Jun-04	Sep-03	Sep-03	
Utility Management Consultant	Dec-02	Jun-02	Jun-02	Jun-04	Sep-03	Sep-03	
Employment and Empowerment							
Resident Management Leadership Training	Dec-01	Dec-01	Dec-01	Jun-04	Mar-03	Mar-03	
Resident Business Development Training - Establish & Operate Small Businesses.	Dec-02	Dec-02	Dec-02	Jun-04	Jun-03	Jun-03	
Resident Initiatives Internal & External Evaluation, RM Leadership, Hospitality Program (DSS Match) and Skills Training	Dec-02	N/A	N/A	Jun-04	N/A	N/A	Reallocated to Skills Training
Learning Center - Salaries and Program Expense	Sep-01	Sep-01	Sep-01	Jun-04	Sep-03	Sep-03	
General Administrative Expenditures	Dec-01	Dec-01	Dec-01	Jun-04	Jun-03	Jun-03	
Retail Training	Sep-01	Dec-01	Dec-01	Jun-02	Jun-02	Jun-02	PO 34545
Skills Training	N/A	Dec-01	Dec-01	N/A	Mar-02	Mar-02	PO 34926
Step-Up Program (Apprentice)	Sep-01	Sep-01	Sep-01	Dec-02	Dec-03	Dec-03	
Skills Bank (Job Point Case Mgmt.)	Dec-02	Jun-02	Jun-02	Sep-02	Sep-03	Sep-03	HABC-1241-02

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part III: Implementation Schedule

PHA Name:		Grant Type and Number:			Federal FY of Grant:		
Housing Authority of Baltimore City		Capital Fund Program No: MD06P002501-00			2000		
Replacement Housing Factor No:							
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original - Rev 3	Revised(4)	Actual	Original - Rev 3	Revised(4)	Actual	
Skills Bank (Job Point Case Mgmt.)	Dec-01	Dec-01	Dec-01	Sep-02	Sep-03	Sep-03	PO 33153
Employment Opportunity (Lawn Care & Pesticides) Salaries	Sep-01	Sep-01	Sep-01	Jun-04			
Customer Service Retail Training Program	Sep-01	Sep-01	Sep-01	Dec-01	Dec-01	Dec-01	
P.A.C.E. Employment Center - Operating Expenses	Dec-02	Dec-02	Dec-02	Jun-04	Jun-03	Jun-03	
P.A.C.E. Employment Center - Salaries	Sep-01	Sep-01	Sep-01	Jun-04	Dec-03	Dec-03	
Job Access and Reverse Commute (Match)	Sep-01	Sep-01	Sep-01	Jun-04			
Family Support Services							
Antidrug Activities (3pos.)	Sep-01	Sep-01	Sep-01	Jun-04	Sep-03	Sep-03	
Human Services Coordinators (Coord) (10 pos.)	Sep-01	Sep-01	Sep-01	Jun-04	Mar-02	Mar-02	
Human Services Coordinators (Supv) (2pos.)	Sep-01	Sep-01	Sep-01	Jun-04	Sep-02	Sep-02	
Resident Management Aides (2)	Sep-01	Sep-01	Sep-01	Jun-04	Jun-02	Jun-02	
Management Information Systems							
Purchase In-House Internet Services & Add'l Upgrades	Dec-02	Mar-02	Mar-02	Jun-04	Dec-02	Dec-02	
Purchase Add'l hardware (Servers, Memory, Switches, Fiber)	Dec-02	Mar-02	Mar-02	Jun-04	Dec-02	Dec-02	
Training							
Job Skills, Technical, Misc. Division Level and Agency Wide Training	Dec-02	Dec-02	Dec-02	Jun-04	Dec-03	Dec-03	
Admin. Staff - Salaries (4)	Sep-01	Sep-01	Sep-01	Jun-04	Sep-02	Sep-02	

ATTACHMENT D (10)

**FFY 2000 Replacement Housing Factor
Performance & Evaluation Report**

Annual Statement / Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary

PHA Name: Housing Authority of Baltimore City	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant: MD06R00250100	Federal FY of Grant: FY 2000
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Original Annual Statement
 Reserve for Disasters/Emergencies
 Revised Annual Statement (revision no: 4)
 Performance and Evaluation Report for Period Ending: 12/31/03
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original - Rev3	Revised 4	Obligated	Expended
1	Total non CFP Funds				
2	1406 Operations				
3	1408 Management Improvements Soft Costs				
4	1410 Administration	\$136,168	\$136,168	\$136,168	\$111,718
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$39,459	\$39,459	\$39,459	
8	1440 Site Acquisition	\$1,549,952	\$1,549,952	\$1,549,952	
9	1450 Site Improvement				
10	1460 Dwelling Structures	\$141,668	\$141,668	\$141,668	
11	1465.1 Dwelling Equipment -- Non-expendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Replacement Housing				
19	1501 Collateralization Expenses or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant (Sum of lines 2-19)	\$1,867,247	\$1,867,247	\$1,867,247	\$111,718
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to LBP Activities				
24	Amount of line 21 Related to Security - Soft Costs				
25	Amount of line 21 Related to Security - Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name:		Grant Type and Number				Federal FY of Grant:		
Housing Authority of Baltimore City		Capital Fund Program Grant No:		MD06R00250100		FY 2000		
Replacement Housing Factor Grant No:								
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original - Rev	Revised #4	Funds Obligated	Funds Expended	
AUTHORITY WIDE Development Activities	Development of 36 Broadway Units. (Broadway Homes)	1410.0	36 Units	\$117,498	\$117,498	\$117,498	\$111,718	Development Budget submitted to HUD for Approval. Also funded in 1999, 2001, 2002, 2003
		1430.0	36 Units	\$34,099	\$34,099	\$34,099		
	Development of 29 Replacement Housing Units	1410.0	29 Units	\$18,670	\$18,670	\$18,670		Development Budget submitted to HUD for Approval. Also funded in 1999, 2001, 2002, 2003
		1430.0	29 Units	\$5,360	\$5,360	\$5,360		
		1440.0	29 Units	\$1,549,952	\$1,549,952	\$1,549,952		
		1460.0	29 Units	\$141,668	\$141,668	\$141,668		

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part III: Implementation Schedule

PHA Name: Housing Authority of Baltimore City		Grant Type and Number: Capital Fund Program No: Replacement Housing Factor Grant No: MD06R00250100				Federal FY of Grant: FY 2000	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original - Rev 3	Revised #4	Actual	Original - Rev 3	Revised #4	Actual	
AUTHORITY- WIDE Development Activities	Mar-04	Mar-04		Mar-06	Mar-06		Dates revised to reflect statutory deadlines

ATTACHMENT D (11)

**FFY 1999 Replacement Housing Factor
Performance & Evaluation Report**

Annual Statement / Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary

PHA Name: Housing Authority of Baltimore City	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant: MD06R00250199	Federal FY of Grant: FY 1999
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Original Annual Statement
 Reserve for Disasters/Emergencies
 Revised Annual Statement (revision no: 4)
 Performance and Evaluation Report for Period Ending: 12/3
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original - Rev 3	Revised #4	Obligated	Expended
1	Total non CFP Funds				
2	1406 Operations				
3	1408 Management Improvements Soft Costs				
4	1410 Administration	\$48,149	\$52,149	\$52,149	\$12,730
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$51,320	\$47,320	\$47,320	\$76,145
8	1440 Site Acquisition		\$324,893	\$324,893	
9	1450 Site Improvement	\$324,893			
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment -- Non-expendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Replacement Housing				
19	1501 Collateralization Expenses or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant (Sum of lines 2-19)	\$424,362	\$424,362	\$424,362	\$88,874
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 Compliance				
24	Amount of line 21 Related to Security - Soft Costs				
25	Amount of line 21 Related to Security - Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

Annual Statement / Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name:		Grant Type and Number				Federal FY of Grant:		
Housing Authority of Baltimore City		Capital Fund Program Grant No:		MD06R00250199		FY 1999		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original - Rev 3	Revised #4	Funds Obligated	Funds Expended	
AUTHORITY WIDE Development Activities	Development of 36 Broadway Units. (Broadway Homes)	1410.0	36 Units	\$27,897	\$27,897	\$27,897	\$12,730	Submitted the Development Budget to HUD for Approval. Also funded in 2000, 2001, 2002, 2003 Journal Memo to be issued
		1430.0	36 Units	\$47,320	\$47,320	\$47,320	\$76,145	
	Development of 29 Replacement Housing.	1410.0	29 Units	\$20,252	\$24,252	\$24,252	\$0	Submitted the Development Budget to HUD for Approval. Also funded in 2000, 2001, 2002, 2003
		1430.0	29 Units	\$4,000	\$0			
		1440.0	29 Units	\$324,893	\$324,893	\$324,893	\$0	

Annual Statement / Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part III: Implementation Schedule

PHA Name: Housing Authority of Baltimore City		Grant Type and Number: Capital Fund Program No: Replacement Housing Factor Grant No: MD06R00250199				Federal FY of Grant: FY 1999	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original-Rev 3	Revised #4	Actual	Original-Rev 3	Revised #4	Actual	
AUTHORITY- WIDE Development Activities	Dec-02	Dec-02	Dec-02	Jun-05	Mar-06		Dates revised to reflect statutory guideliens

ATTACHMENT E

**Comments by the
Resident Advisory Board**

HABC 2004 PHA Annual Plan Committee Roster

Martha Benton	RAB – Executive Committee
Rachel Bishop	RAB - Chair
Julia Brinson	RAB – Maintenance Chair
Ella Broadway	RAB – Executive Committee
Thomas Dennis	RAB – Security Chair
Rev. D. Farmer	RAB – Executive Committee
Maurice Harris	RAB – Senior Buildings
James Jackson	RAB – West 20
June Johnson	RAB – Family Buildings
Elnora Moore	RAB – Executive Brd. Secretary
William Ruff	RAB – Monument East
Anna Warren, Co-Chair	RAB – Brd. Of Commissioners
Annie Chambers	Scattered Sites
Ellen Pennick	Scattered Sites
Richard Aull	HABC, Interim Reg. Dir.
Paula Hutchinson	HABC, Interim Reg. Dir.
Mae Cumberbatch	HABC, Regional Director
David Jefferson	HABC, Regional Director
Anita Chavis	Capital Prog., Plan. & Developmt.
Ada Cherry-Mahoi	RAB – Executive Director
Maj. Donna Hawkins	HAPF
George Hergenbahn	Budgets/Financial Resources
Felecia Johnson	Fair Housing & Equal Opport.
Michael Kramer	Section 8
Ed Landon	HABC, Engineering & Capital Imp.
Penny Milsom	Human Resources
Patrick Pat	HABC, Engineering & Capital Imp.
Joyce Stewart, Chair	HABC, Special Asst to the DED
Kyla Williams	Employment/Empowerment
<u>Advisors/Other:</u>	
Ericca Blake	HABC, Board Office
Phyllis Clements	Committee Assistant
Jan Goslee	HABC, OLA
Jyoti Kumta	HABC, OLA
Nikol Nabors-Jackson	HABC, Commissioner's Office

Introduction to Annual Plan 2004
Meeting of October 16, 2003
10:00 a.m.

This was an introduction to the process and the template. No resident concerns were discussed.

Capital Improvement Overview
Meeting of October 23, 2003
10:00 a.m.

PRESENTER/S: Ms. Anita Chavis, Director, Capital Planning Program

QUESTION:

Several residents had heard that funding from HUD would be cut drastically this year. What is the situation?

RESPONSE:

Ms. Anita Chavis, Director of the Capital Planning Program for the Housing Authority, explained the HUD funding situation. HUD has notified us that we have received around \$18.8 million. Last year, those who were on the committee will recall that we had planned for \$25 million in capital dollars. The actual allocation came back to us at \$18.8 million.

The reason for that was a bit complicated. HUD withheld about \$444 million in capital dollars across the country. They determined that they would hold this money and only award this money to housing authorities who have met their goals. This means they will look at those agencies who have obligated and spent their money in a timely manner. We have until September 30th of a given year to meet those goals. When HUD awarded us our \$18.8 million, they withheld the additional funds across the board, not just from our housing authority but from all housing authorities.

Now they are assessing housing authorities' performance. Have they met their goals? If they have met their goals, then they are going to provide us with a separate grant that will actually come very close to what we received last year at the \$25 million level. We are expecting that it is going to be about 4% less, which equates to about \$1 million.

Please keep in mind that we are all planning – this is a planning program. We have been planning for the last year on how we are going to spend this money. Our people are out there trying to get their contracts let, trying to gear up their programs in anticipation of receiving this money.

What Ms. Chavis is recommending, and the fairest thing to do, would be to take an across-the-board cut in whatever terms it comes to – be it 4%, more or less. We cut all

programs by that amount. When we get into the sub-committee meetings we will review in detail where we are and try to flesh this all out, and we will bring it all back to this committee for your final look, in terms of where we have gone and what recommendations we have made.

Mr. Landon recalls that, when he first arrived at the Housing Authority, we were getting \$8 million in capital funds. By the mid-1990's, we were up to \$47 million annually. We planned out 5 years for that amount of money - \$50 million per year up to \$250 million. We were receiving an upward trend in capital dollars. However, we are now back down to \$25 million annually. So all those things we planned for have to be revised and pushed back. Congress has changed also. They are now making our funding conditional. We will get our funds only if we complete certain mandated things, such as the 504 work, lead paint abatement, asbestos removal, etc. In order to get any funds, we now have to put mandated items first. Then the remainder is supposed to accomplish everything else. We need to remember that this capital funding is an ever changing amount based on a changing legislative agenda.

QUESTION:

Richard Aull asked about the bond funds coming in at \$80 million. We have the work planned for 2004 – 2005; we want to get the work done sooner than later. How will that effect the out years in terms of debt service and getting the work done?

RESPONSE:

Ms. Chavis said that the debt service will come off the top every year. However, the benefit of that is that we will get the work done now. It will not take forever. There's \$66 million on work that we can do now that might have been spread over 5 to 10 years before we even got to it. Plus it will cost less if we do it now. Each year prices and construction costs go up. If we were not doing this bond deal, we would not be able to do all the fire management systems, all the elevators now. Clearly, there is a need to get this type of work done as soon as possible.

COMMENT:

Mr. Dennis commented that he had been part of the capital process several years ago. He wants to make sure that new resident members of this committee stay in touch with management. If they refuse you access to information, then all you have to do is go to the Commissioner. He is firm about working together in a partnership with the residents and the Annual Plan committee. We do not want to have the powers that be – City Council or Board of Commissioners – come back to us and say they never heard from us. We must be active in this process.

Component 14: Pet Policy
Component 6: Grievance Policy
Component 12: Community Service Requirement
Meeting of October 30, 2003
10:00 a.m.

PRESENTER/S: Jean Jenkins, Director, Housing Operations Administration
Cheryl Worthington, Business Development Specialist

QUESTION:

Ella Broadway asked when the new lease would go into effect.

RESPONSE:

Jan Goslee said that the lease became effective on the date the Board adopted it. That would have been on Tuesday, October 28th.

Jean Jenkins said that Housing Operations is preparing the documents for printing. Once it is mass-produced, it will be distributed to the managers. At that time we will set up a schedule for getting people to come in and sign. Some will be signing as part of their annual review process, and some will be specially scheduled.

Ella Broadway said that they would like to know about the implementation, because the tenant councils will need time to let residents know what the procedure is. Ms. Jenkins said there would be a letter going out to tenant councils.

COMMENT:

Reverend Farmer said they just had a tenant council meeting and the manager talked about the new lease. What she questions is the rule that anyone who did not have their rent in by the 5th of the month would be referred to as being late, and that they were subject to eviction. She asked the manager, what about those people who do not get their Social Security checks until mid-month? He said they would be subject to the same rule. That was not her understanding. Is there anything in writing that re-stated this? She recalls seeing something that said persons who receive their SS checks at later dates would be exempt from that rule.

RESPONSE:

Joyce Stewart said that Ms. McCoy-Muhammad was at the meeting where that was discussed. It was the understanding of the committee that an operating order would be issued regarding people who receive Social Security after the 5th of the month. Ms. McCoy-Muhammad will provide clarification of the situation on rent payment for persons who receive their checks after the 5th of the month.

Pet Policy

QUESTION:

Reverend Farmer had a question that was raised by Mr. Ruff. If the tenants in a building do not want to have pets in their building, can that building be exempt? Ms. Brinson recalled that when the pet policy first came out there was a letter distributed advising each development to have a meeting with the tenants as to whether they would accept pets in the building. This was quite a while ago. She said her building had refused.

RESPONSE:

Ms. Jenkins said the answer was no. Ms. Stewart added that since that time, things have changed. The pet policy currently adopted by the HABC is the one that HUD has promulgated. Ms. Goslee said that HABC's format is consistent with QHWRA.

QUESTION:

June Johnson said that there are plenty of pets in her development, McCulloh. She would like to know who follows up with the pet regulations and whether they are up to date on their vaccines, whether they are legal size, etc. There are lots of animals roaming McCulloh. How is this enforced?

RESPONSE:

Mr. Stewart said that it is the manager's responsibility. They need to be familiar with the pets in the complex and also need to get strays removed.

QUESTION:

Ms. Cherry-Mahoi asked that since a person could be evicted for violations, is there a process? Are there warnings, or is this a one-strike situation? She would not want individual managers to have the discretion.

RESPONSE:

Ms. Jenkins said that in the ACOP there are specific procedures that will be outlined in an operating order. The policy speaks clearly about what constitutes violations. There will be a process of documentation

Grievance Policy

QUESTION:

Rev. Farmer asked how many persons are on a grievance board from RAB and how many from management?

RESPONSE:

Ms. Jenkins said that the normal makeup is 2 representatives for the tenants. They can be from RAB or from tenant councils. There are 2 from HABC, and one independent hearing officer. Each year, a letter goes out to the RAB asking if they have any independent persons that they would like to nominate or encourage to participate in the board. It is a no-fee position, but they are compensated for transportation. RAB and

HABC will each periodically submit a list of names. These are discussed and finalized by both parties.

Ms. Jenkins said that most grievances are settled at the informal level, usually between a resident taking action, contacting the management office and negotiating a conclusion in that manner. If they are not able to resolve their differences, then they would file a formal grievance.

QUESTION:

Rev. Farmer asked if there are any records kept of what the vote is when a grievance has gone through the process.

RESPONSE:

Ms. Jenkins said there is a documented process from the beginning, the informal hearing. This starts a document that is part of the entire process. If it is not resolved at the informal level, then a document is filed to begin the formal process. There are minutes maintained of all these proceedings.

QUESTION:

Mr. Dennis asked about confidentiality. Do the records indicate who voted which way?

RESPONSE:

Ms. Warren said they would not reveal who voted which way. It will show that a vote might be 2 to 3 or 4 to 1. All that is confidential – even the names of the individuals. She said that you can find the numbers, but not names – except for drugs. If you get a drug conviction, or even if you were just busted, you will not get a grievance.

Ms. Stewart added that if you are looking for a data base that gives numbers – like 50 for the resident and 35 against – no, we do not have that.

Community Service Requirement

QUESTION:

Rev. Farmer asked if a person was doing volunteer work for the church, is that exempt?

RESPONSE:

Ms. Jenkins said she thinks that might be acceptable as a community service. Cheryl Worthington added that you would not be “exempt” from community service, but those hours that you volunteer for the church would be counted as community service time. You would need to work up to 8 hours per month, and the church would need to document your time.

Ms. Jenkins said that the only activity that would not be considered community service would be political activity. Taking part in RAB and tenant council activities are considered applicable toward community service hours.

COMMENT:

Cheryl Worthington stated that anything that you get a stipend or payment for is not considered a community service. For example, if you go to tenant council meetings or RAB meetings and you are getting \$15 for attending the meeting, you cannot count that as community service.

TENANTS OBJECT:

Ms. Warren protested this particular situation. She said that the stipend for RAB is for transportation. For example, these committee meetings are not held in the development. Therefore, in order for people to participate they have to travel. This is not like getting paid to do this job. It's to take you there and bring you back home.

Mr. Jackson said he believes that a stipend is for employees. We are not employees. We are volunteers. It is a per diem that we receive. You cannot include us under the stipend rule.

Rev. Farmer said that when they had the meeting with Dr. Little, she raised the issue of why the RAB was not on the list of agencies or organizations that you could work for or who where exempt. We are not being paid. If we are being paid, then the tenant council is also being paid, because they attend meetings where they receive \$15. Community service is not employment. The RAB members, by definition of community service are, in fact, performing a community service. We are not employees by any stretch of the imagination. Otherwise, she as well as other residents who sit on the Board are underpaid. They should be filing an action against HABC.

Rev. Farmer said that Vol. I of the Attachments of the Plan clearly states that the definition of community service is a voluntary work or duty that are a public benefit, and that serve to improve the quality of life and enhance resident self-sufficiency. Certainly the RAB does that. We are not employed. If you consider the RAB to be employed then we will have to charge the city, the HABC, according to what is the minimum hourly rate.

Ms. Warren said that the RAB members are not like the volunteers who work around the developments. They have to leave their communities to come to the HABC offices. If you find that it cannot be done because of the stipend, then she will have to go to Washington. Ms. Warren joked that we are volunteers, and we're here more than some employees.

Ms. Cherry-Mahoi said that if it is determined that it is a local policy not to consider RAB participation, because of the stipend or per diem, as being volunteer work, she would strenuously support the notion of changing that. It would have a stifling effect on the diversity of the RAB. They want a Board that is age-diverse, and what would happen is that we would end up having only people who are exempt participating. They want to strengthen and diversify the RAB to include younger as well as older people.

RESPONSE:

Kylla said that the original notion was that volunteers had activities in the community for which people are not getting paid – like gardening, beautification, Tenant On Patrol. They are not getting anything, and other people coming forward are not getting any kind

of stipend, including transportation. We are trying to keep some consistency in defining "volunteer."

FURTHER RESPONSES TO THIS ISSUE WERE OFFERED BY DR. LITTLE IN THE MEETING OF DECEMBER 19 - AFTERNOON

QUESTION:

Ms. Cherry-Mahoi asked if the volunteer activities have to be structured. She said there are a number of people in community who, on their own, will do grocery shopping for seniors. That is not a structured, organized activity, but it is a community service. Does this system give people credit for that type of activity?

RESPONSE:

Ms. Jenkins said there had been discussions about this. There are many residents, beyond Tenant On Patrol, who do just that. They may check on the care and wellbeing of their neighbors.

Kyle Williams added that the problem is the documentation. At one time, they had a program of "Time Dollars," where people could bank those services to neighbors. The key is documentation to make sure that this actually happens.

Cheryl Worthington said they would be looking at that. But the bottom line is 8 hours per month. A person may need to do additional activities to make up to 8 hours.

QUESTION:

Ms. Johnson asked if the resident will have a form or some document that will have to be signed? Would that be obtained from the office?

RESPONSE:

Cheryl said that forms would be used to document hours, and they will be distributed and monitored by the family counselor.

QUESTION:

Mr. Aull asked where the records of verification are kept – in the tenant files, in the management office?

RESPONSE:

Cheryl said that copies of the forms will be kept by the family counselor and the housing manager. Ms. Jenkins said there were two major issues in this process. First we are doing this because it is a HUD requirement, and we have to make sure that we keep accurate records. HUD will be coming in to make sure that we are carrying out this program. She agrees that residents should request a copy and keep it in their records.

Component 4: Rent Determination
Component 5: Operations & Management (Public Housing)
Meeting of October 30, 2003
1:00 p.m.

PRESENTER/S: Anita McCoy-Muhammad, Associate Deputy Director, Housing Management

Operations & Management

NO CONCERNS WERE RAISED DURING DISCUSSION OF THIS COMPONENT

Rent Determination

QUESTION:

Mr. Jackson said that he thought Congress made it mandatory that we have a \$50 minimum rent.

RESPONSE:

Ms. Stewart said that has not happened yet. They are trying to get it through. Anna Warren said this discussion has taken place with the RAB. They have decided that they will go to a minimum rent of \$25, but not \$50.

QUESTION:

Ms. Holmes asked, if you have \$0 rent, does that indicate that you have no income?

RESPONSE:

Ms. McCoy-Muhammad said no, that you could have a small income, but when you calculate everything, it could come out to \$0.

QUESTION:

Mr. Jackson asked what the most amount of money is that a resident can have in a savings account?

RESPONSE:

Ms. McCoy-Muhammad said there is no limit. What the HABC counts as income on a savings account is the interest. So if someone has \$1 million in a savings account, then the interest on that would be substantial, and would count as income.

QUESTION:

Ms. Holmes asked what is the policy for taking someone off your lease or adding someone?

RESPONSE:

Ms. McCoy-Muhammad said it has to do with money, and everybody has to be screened. You are required to let us know when you add someone to your household mostly for the reason of screening.

QUESTION:

Mr. Jackson asked what are some reasons a person can use to lower their rent?

RESPONSE:

Ms. McCoy-Muhammad said that the biggest reason is some type of loss of income. The other thing that lowers the rent is adding a minor person to the lease, because you get a deduction for minor children. If you are a senior citizen or disabled person, your medical expenses can lower your rent. Or maybe someone with income moved out of the house.

Ms. McCoy-Muhammad said that the government is becoming more strict on documentation of rent situations. They are looking for all the money they can possibly find, and intend to make sure that everyone is paying their fair share.

Component 13: Crime & Safety
Meeting of November 6, 2003
10:00 a.m.

PRESENTER/S: Chief Hezekiah Bunch, HAPD
Bobby Potts, HAPD
Roland Williams, HAPD

Recap of Questions Raised about the Grievance Policy

QUESTION:

Reverend Farmer had asked whether we have a database that can report the results of grievance actions in a general way.

RESPONSE:

Ms. Stewart said that we do not have any way to report on how many grievances there are by topic or by outcome in favor of tenants or staff. This might be a point that RAB will wish to take on in the future, perhaps add it to their requests to the HABC.

COMMENT:

Ms. Benton said that many tenants are not up on how to put rent in escrow legally, if there is a dispute concerning a rent increase. They end up paying the housing manager, thinking that they are following the rules of the grievance procedure on rent disputes. There's also the question of which rent to pay – the lower amount or the higher, disputed amount. Some people go through the grievance while paying the lower rate only to find that, at the end, if the decision goes against them, they owe a large amount of money. There's a lot of misunderstanding around this.

Ms. Benton said that some managers are letting residents pay their rent during the escrow period. They are doing this because otherwise there would be a large loss of rent money. It takes a long time to get to court. And if the court rules against the tenant, and they do not have the full amount due at that minute, then that's an automatic eviction.

Ms. Benton said that it could be spelled out on paper. There should be more instructions to let the resident know that it is their responsibility to make sure that they put aside or put in escrow the amount of rent.

Mr. Dennis agreed with Martha that we need to have something in writing about this procedure, especially for our senior members.

Mr. Landon said that another point here is that residents should be putting in escrow the new amount and not the old amount. If the difference is \$50, that will mount up in the time it takes the case to be heard in court. Therefore, if the resident is putting away the old amount, and the court rules in favor of the new amount, then they will have a hefty bill.

RESPONSE:

Mr. Jefferson said that as long as a resident puts their rent into escrow, there are no late charges. They can do nothing like that until the issue is settled.

Ms. Stewart said we need to make it clear to them how to go through the escrow process – what they need to do.

Crime & Safety

QUESTION:

Chief Bunch said that, after careful study, they had determined that crime rates were lowest from midnight to 8 am. Therefore, because they did not have enough officers to staff all shifts, they had dropped that coverage. Several residents wanted to know exactly what facts he was looking at.

RESPONSE:

Chief Bunch said they looked at the crime, the number of incidents on each shifts. The lease number of instances of crime was on that shift. He knows that it might seem that crime would be higher during that time, especially to those who live in the developments who are awakened at night by someone on the corner doing their thing. When you look at the actual data, it shows that crime is lowest during that time. As a result, when you have a limited number of people, you have to focus on high crime shifts.

Ms. Joyce Stewart asked if he could elaborate on the type of data they look at to determine this. He replied that they look at calls that are received, the actual crime, arrests made. They do definitely consider the severity of the crime. Of the 221 homicides in Baltimore City this year so far, only 14 of those were in public housing.

From the perspective of severity, none of those 14 homicides happened on the midnight shift.

QUESTION:

Martha Benton pointed out that just because all this takes place around public housing does not mean that it is our residents that are doing it. Do you ask to see those things that are not being done by public housing?

RESPONSE:

The Chief said that they do track that data, and they make arrests of a lot more people who are not public housing residents. There are many more people that come into our area to do crime.

QUESTION:

Ms. Brinson said that there is drug trafficking going on in her building where she lives, and they just about know who they are, but they cannot pronounce that to anybody. There are two buildings at Lakeview. We knew who they were when they came in, when they were assigned to our building. They were supposed to be rehab people, but they are not. What do we go about weeding them out? Some of them are on someone else's lease.

RESPONSE:

The Chief said there are two ways to handle this. Let the housing manager know, and she will forward the information to the HAPD. The other way is to call HAPD directly – not through 911, but through the other office number. Major Hawkins or Major Hairston will be glad to take the information. Also the shift commander can assist.

Ms. Brinson said we need some kind of undercover or something. Chief Bunch said that once they get the information from the tenants or housing manager, then they do set up undercover operations. That's what they did at McCulloh. They set us a system to forward information. In the first week they got a several page report of apartments, addresses, times, etc. We gave that to our drug unit and the city. Some of the information we had, but we did not have enough to get into the unit. The tenant information was invaluable.

Chief Bunch continued that it is not an easy matter to simply enter a unit and make an arrest. They need to set up surveillance and gather specific evidence.

QUESTION:

Mr. Jefferson asked if they had ever thought of doing a random period where they do a midnight shift, as a surprise.

RESPONSE:

The Chief said that when they get information on specific activities, they have their tactical units work those hours. We recently did this at Bel Park Towers. They did make a number of arrests. They also had a successful tactical operation at Pleasant View.

QUESTION:

Michelle Holmes asked what kind of training the building monitors receive.

RESPONSE:

The Chief said this was done in-service. They train them to answer calls, to track people going in and out, about who can enter certain buildings. We have a very high turnover rate in monitors, because we do not tolerate a monitor who does not do their job. We have always had 11 to 15 vacancies. We may hire a group of monitors and they may go to one of our buildings one night, and they quit. They cannot handle it. One of things that we stress in our training is that not everyone is cut out to be everything they think they can be. There are people who cannot be police; there are people who cannot be monitors or dispatchers. Each one of those things has different work sets that have to be done.

QUESTION:

Martha Benton asked what the most expensive shift is. You have to have money in order to get things done.

RESPONSE:

The Chief said that there are probably 1,000 incidents that people have told him, and he can guarantee that his focus is to reduce crime in public housing! We have to target our resources. The reality is that it is unrealistic to say we can provide service 24 hours a day. We can't.

He said that they look at the data – that's how they determine where their primary focus will be, which developments. Every crime is important to us. The developments that will receive that focus in the coming year are: Cherry Hill, Westport, O'Donnell Heights, Latrobe, Somerset, Douglas, The Terraces, Perkins, Gilmor, Brooklyn Homes, McCulloh, Poe, Pleasant View and Claremont.

These are the developments where we are having the most problems with – that we can do something about. Each post has certain buildings that they must check on and coordinate. What determines that coverage is workload. When an officer responds to a call, that takes him out of service. If he makes an arrest, then he's out even longer. There are times in the city, in general, when 2 or 3 districts are "out of service," completely out of service, because all of their officers are engaged in specific calls. The same thing happens in the HAPD.

QUESTION:

Ms. Stewart asked if they plan to continue with Tenants On Patrol (TOP) and community outreach. I believe some of your staff are involved in outreach programs, addressing tenant councils.

RESPONSE:

Chief Bunch said that Sgt. Tennessee will continue the community policing activities. All of their officers are trained in community issues, and often times any one of those

officers will attend community meetings. We do need to have some advance notice if you do want to have one of our officers at your meetings.

We are presently trying to start a facsimile of TOP, which did not work. It did not grow; people were not participating.

Our strategy is also to continue to coordinate our efforts with other law enforcement agencies. There is the BEST Committee, which includes all police departments in the city. There are over 30 police departments in this city. These include security forces in the hotels, on college campuses, etc.

QUESTION:

Ms. Johnson said that she has called the city police, and once they hear her address, they say it's a HAPD problem.

RESPONSE:

Chief Bunch said that they will tell you that, but they do respond. Keep in mind that some districts may be especially busy, and there may be a delay in response time. They also prioritize calls.

Component 15: Civil Rights
Meeting of November 6, 2003
1:00 p.m.

PRESENTER/S: Barbara Snow, Director, Fair Housing & Equal Opportunity
Felecia Johnson, Equal Opportunity Specialist

QUESTION:

Ms. Stewart asked if she could give an example of a reasonable accommodation.

RESPONSE:

Ms. Snow said that it is a request that a resident, an employee, or an applicant can make to change a feature, to make their unit more comfortable to live in. It could be a change in a policy, request for a physical change, or a request for a change in a program activity.

QUESTION:

Mr. Ruff asked about people who have problems with using a shower. How would you handle this?

RESPONSE:

Ms. Snow said that they have had a number of requests concerning showers. In some cases, they remove the tub and put in a stall shower where they can just walk in, rather than attempting to step over a tub. Usually there is a handheld shower head installed. Also hand rails and grab bars are popular.

QUESTION:

Mr. Jackson asked if anyone on the HABC staff is medically qualified to say yes or no to these requests.

RESPONSE:

Ms. Snow said that no one on the staff is medically qualified. Her staff now consists of 2 equal opportunity specialists and 1 assistant, and one administrative assistant. They do require that, when a person submits a request for reasonable accommodation, they also submit documentation to legitimize the request and why they need this. That can come from their doctor or a social worker.

QUESTION:

Ms. Broadway asked if there is a system in place to follow up with people who have made a reasonable accommodation request. Do you check up on them?

RESPONSE:

Ms. Snow said that the specific requests were given to the housing managers to check on. They found that the majority of those requests were legitimate, and some were actually routine maintenance. They also, through Engineering, send out an inspector to make sure that work has been done.

QUESTION:

Ms. Ada Cherry-Mahoi asked about structural problems. What if a person is in a wheelchair and cannot use the kitchen counters, and other features? Is that a 504 request that can be done at this time?

RESPONSE:

Ms. Snow said that yes. Lowering kitchen cabinets has been one of the top requests for feature changes. What HABC does is lower the cabinets and install openings under the sink for a wheelchair.

QUESTION:

Ericca Blake asked how they determine what is reasonable. Is it by dollar amount?

RESPONSE:

Ms. Snow said that there are two ways HABC can determine that. The key word is "reasonable." One type that is not reasonable is one that is not physically feasible; does the physical site allow for that modification. The other type is one that HABC may determine that it is a financial burden to do it. The is not determined by the cost alone. It is possible a requested feature is available at another development. We ask if they would like to transfer. No one is forced to transfer. We will not stop trying to accommodate that person, but they may have to wait longer for the accommodation.

The other instance where the agency may deny a request is if the request would substantially alter the nature of the program available. One request was for HABC to pay a family member to come in and take care of them. We do not provide that service

to anyone. By law we would not be required to provide that service to a person who is disabled. That would be considered an alteration in our program or activity.

Again, we do not stop trying to accommodate someone. We ask them what they feel they would need to solve the situation. This is a partnership. We respect the fact that most residents know best what they need, better than we do.

QUESTION:

Ms. Moore asked that, once you put in a request for reasonable accommodation, do you actually hear from the manager?

RESPONSE:

Ms. Snow said that they encourage managers to sit down and talk to residents about their requests. You really need an interview to determine exactly what is needed. The manager then comes back and tells you the status of your request. It is in our policy how many days it should take to go through the different steps.

COMMENT:

Ms. Benton said that she has seen the accommodation requests going very quickly at Douglass. The wheelchair ramps went in very well. She said thank you for that on behalf of Douglass.

QUESTION:

Mr. Ruff said he feels we should educate our contractors, because the contractors have stigmatized the people who live in public housing. Most of them think we have all be incarcerated or are unemployable. There are a lot of people in public housing who are looking to better their conditions.

RESPONSE:

Felecia said that she agrees. That is one of the things they concentrate on – to remove the stigma that exists. We do that by sending them people that are qualified, motivated and ready to work.

We also work with contractors to remove some of the barriers to employment. We have seen situations where a contractor may have been looking for an administrative assistant, and it may say auto required. Why? Maybe that's a barrier that is not necessary.

QUESTION:

Ada Cherry-Mahoi asked about the contract certification process. How does one go about getting information on certifying your business?

RESPONSE:

Felecia said that HABC does not certify minority or women-owned businesses, but we do accept certification from the Minority and Women's Business Opportunity Office located in City Hall. We also accept certification from Maryland Department of

Transportation – or any certifying jurisdiction throughout the country. We do not receive Federal funds, so we do not have a geographic limit.

Ed Landon said that they do have to be certified to do business with us. The problem comes in because sometimes they are hard to get because of financial requirements.

Component 16: Audits
Meeting of November 13, 2003
10:00 a.m.

PRESENTER/S: Robert Baker, Jr., Internal Audits Director

NO CONCERNS WERE RAISED DURING DISCUSSION OF THIS COMPONENT

Recap of Rent Calculation

QUESTION:

Ms. Holmes asked for more information on the RIM review. Ms. Warren had heard that HABC was getting into trouble with rent calculations, doing it wrong.

RESPONSE:

Ms. Stewart explained that HUD has a goal, across the country, to reduce rent calculation errors by 50%. For each large housing authority, they are sending out consultants to review the tenant folders to find out if there are errors, missing documentation, etc.

Ms. Stewart said that the largest finding for HABC is that there is no documentation to support the rent that's being calculated. Housing staff is not going after the DSS letters, child support documents, and other verifications. Ms. Warren said that we had all that information, but it was lost in the crash of Y2K.

Component 12: Family Services & Self-Sufficiency
Meeting of December 11, 2003
10:00 a.m.

PRESENTER/S: Kylla Williams, Director, Employment & Empowerment

QUESTION:

Concerning the driver-training program, Ms. Holmes said she had heard that funding had run out.

RESPONSE:

Kylla said that it had, but they just got additional dollars to keep it going. They are recruiting right now for people who are interested.

QUESTION:

Kylla then described the Welfare-To-Work programs. She said that it was a success, and in fact was one of the best in the city as far as all Welfare initiatives. Ms. Brinson said that she had been seeing some of the exterminators that were trained through that program, but she does not see them anymore. What happens to them?

RESPONSE:

Kylla said that many of those trainees do not end up going into the pesticide business. They look for opportunities to get into the Housing Authority. HABC last year picked up about 6 or 7 of them, or we refer them to PACE for employment.

QUESTION:

Ms. Brinson asked about the cleaners. Ms. Brinson said that so many of the developments are a mess, inside and out. We really should pick them up again.

RESPONSE:

Kylla said that was the same situation. She is not in charge of hiring. HABC seems to be doing a much better job in terms of hiring. She is aware of the landscaping program, keeping up the exteriors.

QUESTION:

Ms. Stewart said that at one time we had BARC do janitorial work on our developments. Where did that money come from? She does not believe it was a resident initiative program. Was that out of the low-income housing operating budget?

RESPONSE:

Kylla said that some managers hired resident businesses to clean the developments. It was a contract situation, not a training program. Many of those were discontinued because of the reduction in budget. They did have BARC at one time. Then we had the residents who had completed the business development training who got contracts for cleaning. Many of them are now marketing their businesses to outside people and getting better situations.

QUESTION:

Martha asked about the escrow program for Section 8. Why is it not being done for Public Housing?

She said that as of October 31st, it has been mandated that community service is required for certain residents. Why can't people be involved in uplifting activities, like the self-sufficiency program? Nobody seems to know what self-sufficiency is. Why should young people be stuck with "prison time" when they could be involved in a program where they can advance and go on to a better life?

RESPONSE:

Kylla said that Public Housing is no longer mandated by HUD. Section 8 is mandated.

She said that the Family Self-Sufficiency is structured in a certain way. It is only focused on the Section 8 program because the mandate from HUD requires HABC to meet a certain goal. We do not have enough people to do anything other than Section 8. When we have community service and self-sufficiency, that means that residents can choose to participate in any of employment and training initiatives offered through us or we can help coordinate opportunities through other agencies. It does not mean the self-sufficiency program; it means a self-sufficiency activity. We might not always have the resources to do what's needed for any person, but we can help them find what they may need.

QUESTION:

Joyce Stewart asked what self-sufficiency activities, relating to community service, are available to residents today? Ms. Stewart thought that Martha was saying there were no self-sufficiency activities for community service. However, Martha clarified. She wants to know what's available for those residents who have already been through the self-sufficiency and were not successful and not allowed to go back through. What about those? For those in one program, they cannot be part of another. It is a one-time-only situation.

RESPONSE:

Kylla said that, in next year's program, based on the funding that's available, will be Step-Up, Youth Build, PACE. Family Self-Sufficiency will be available for Section 8. Skills training is there for customer service, retail, etc.

Kylla said that they will be supported in meeting their goals. They can be supported in job placement. They can go through any number of training programs. Do not confuse the Family Self-Sufficiency program and the program that provides escrow accounts. I believe you are saying that the Family Self-Sufficiency Program should not just be mandated to Section 8. Because the community service requirement is kicking in, why can't residents of public housing now benefit for a Family Self-Sufficiency program that provides an incentive like the escrow account and the whole case management that goes with that.

COMMENT

Felecia said it appears to her that you have public housing residents who, when they are faced with moving on to Section 8, they are not prepared to deal with that type of living program. They have not received any of the training or skills to live in that environment. We should discuss where to get the funds for this, because you are leaving the public housing residents to fend for themselves with respect to being able not only to save that money to be able to move forward, but to receive the skills necessary to live in a Section 8 environment.

Ms. Benton continued to reiterate that for those who were in one of these programs, maybe even 10 years ago, cannot get in another one – not Step-Up, not any of those has been said to be available to residents. HUD has said they are going to enforce the community service piece. Why can't we put things in place? There are no funds available to really help the people, even though HABC has to mission to target people from age 18 to 45. This is the group that is sitting at home, on welfare, getting food stamps. This is not going to work for the people who have been through previous programs, which is most of the people in public housing.

QUESTION:

Ms. Stewart asked if there are resources for those hard-to-reach people? Kylla said that they work with partners, because they know that resources are limited in terms of the residents. They are in process of applying for more grants, more funds. There are some people who have gone through the program that cannot come back, but the population is unlimited. People go in and out of cycles of need, and in jobs. We may need to follow-up with people for a year or two to make sure they stay stable in employment.

RESPONSE:

Kylla said that they work with partners, because they know that resources are limited in terms of the residents. They are in process of applying for more grants, more funds. There are some people who have gone through the program that cannot come back, but the population is unlimited. People go in and out of cycles of need, and in jobs. We may need to follow-up with people for a year or two to make sure they stay stable in employment.

QUESTION:

Martha Benton asked Felecia to answer what does Fair Housing have to offer those people, and where is the self-sufficiency piece that comes out of Fair Housing? Is it connected up at all with this?

RESPONSE:

Felecia said that the only connection might be in the Section 3 program. This is for those people who have demonstrated motivation, who have completed programs, and they are ready to work.

Ms. Stewart said that there also is a list of people who have been through the business ownership training, who have their own businesses. They are given special consideration in any contract that they can fill.

QUESTION:

Ms. Bishop said that we hear so much about homeownership, but it seems to be about Section 8. Does public housing not have homeownership? She said that Section 8 and public housing do not seem to have the same program.

RESPONSE:

Kylla said that people that come through her program to get jobs also get into homeownership. The only distinction with the Family Self-Sufficiency program is in allowing residents to build an escrow account that they can keep. People in public housing can still go through with job training, case management support and to go on to be homeowners.

Kylla said that they are operating the Section 8 program through her division. It is just targeted to Section 8 families right now. They coordinate with Section 8 to get their families enrolled in the Family Self-Sufficiency program because HUD requires us to have a maximum level of Section 8 residents in that program.

Kylla said that she does not know why, in the Family Self-Sufficiency program, there is a mandate for Section 8 residents and not for public housing residents. She cannot explain that. HUD will allow public housing authority to work a Family Self-Sufficiency program for the public housing side. It does not say you cannot do it. We do have permission to do it. The only thing that keeps us from doing it is that we do not have enough staff.

QUESTION:

Mr. Ruff said that he is a senior citizen in public housing, and he understands all the surroundings of all the senior citizen buildings in Baltimore City. When a senior citizen applies for an apartment, almost all senior citizens have a disability – himself included. He represents senior citizens. How in the world, if you are in a senior building and already have difficulty getting around, how in the world can he do the new community service requirement? How can you mandate community service for disabled people, whether they are 70 or 40? There is no one in the senior citizens' buildings who does not have a disability.

RESPONSE:

Ms. Stewart confirmed that seniors and the disabled are exempt from the new community service requirement. They do not have to participate in any way. This is part of HUD's mandate, and HABC will never require them to take part.

Mr. Landon said that if you are in an HABC senior building, you are exempt. That is correct. What he found out recently was that, if you live in Indeco or some other state-operated building, you are mandated under the same program to do community service. It does not matter how old you are. So if you know anyone in state-run buildings, then they are probably not exempt.

QUESTION:

Mr. Landon also asked a question concerning the Family Self-Sufficiency program. He understands Ms. Benton to be saying that, for a public housing resident who went through that program before, maybe some time ago, they cannot go back now and repeat the program. It's a one-time deal. What are we doing about getting those people into jobs and into things that are important? What Martha seems to be saying is that these people have to go out and provide community service, but they cannot get into the self-sufficiency program. Of course, there are funding and staff problems, but somebody has to be looking at the overall picture. What percentage of people do self-sufficiency work and are not able to move to the next level? Is there a list of these people? What Martha is saying is those people now have to go out and provide community service because they cannot get into the self-sufficiency program. Somebody really needs to look at what percentage of people go through self-sufficiency and are not able to move forward.

RESPONSE:

Kylla said that they do not stop them from being case managed or for job placement or finding outside resources. There are quite a few programs that we operate on our own that are open to those who have tried the program before. The rationale is that people cannot keep repeating the cycle, because we have to give as many people as possible the opportunities to go through the self-sufficiency program.

Kylla agreed when Mr. Landon summarized that, therefore, it does not matter if we had the money and staff. There's a group of them that cannot go back in anyway.

QUESTION:

Felecia Johnson asked about the apprenticeship program, the Step-Up program, do they go through HABCO? If not, why not? HABCO gets millions of dollars of work, the type of work that would be good for training.

RESPONSE:

Kylla said they are now working through other areas, particularly with the Flag Housing project. We are negotiating with HABCO for other work. The Step-Up program is a state program that requires a certain course of action. HABCO cannot always meet those requirements.

Ms. Stewart added that HABCO negotiates with various unions. We need to make sure that training our people coordinates with union activities. There are issues of insurance and liability.

QUESTION:

Ms. Cherry-Mahoi asked, in view of the limitation on economic self-sufficiency, has the Family Services division revisited the issue of RAB participation qualifying as a legitimate community service activity. We want to include more people who are in this position to participate in resident leadership. She strongly stresses her belief and her advocacy in favor of the uplifting activities coming out of the Resident Advisory Board. This should be treated and recognized as community service. It is vital.

RESPONSE:

Kylla said that the decision remains that the stipend paid to attend RAB activities is a payment received for something. Other community service participants get nothing for their activities, strictly volunteer.

Ms. Stewart added that she is fighting this fight along with RAB. She said that Dr. Little is the one to fight this issue with. Kylla does not make the policy, so she personally cannot change it. However, she wholeheartedly agrees that it is not a stipend; it is reimbursement. Whether or not it is received, it should not exclude those hours from community service. This puts a chill on people who want to contribute to the community.

QUESTION:

Martha Benton said that the Senior Computer Program is having problems. Seniors are coming to her, and she has no answers. What is the situation?

RESPONSE:

Kylla responded that the Senior Cyber net program was opened with Towson University operating computer learning labs to teach residents how to access the Internet and be brought up with current technology. This is a tenant-council-run program. What FSS offered to do was give them access to the Internet for one year and provide computer instruction provided by Kathryn Johnson at the Douglass Homes learning lab. Unfortunately the program is growing rapidly. We have eight more sites coming on board. She is sure there are problems with coordinating training schedules and getting people trained properly. Ms. Johnson cannot handle this by herself. They are looking for volunteers to train residents. The volunteers that we have are not consistent in their participation. We are working on this, trying to do what we can to improve it.

Also Towson moved to the program to JHU. It has officially happened, but they have not set up their location yet. JHU was looking for eastside sites to get started.

Kylla also said that the funding for this program is running out. She hopes that it can be kept going by the tenant councils and the money they receive.

QUESTION:

Mr. Dennis said that he believes that Pleasant View is being left out of the loop. He knows that the computers are on board, but he does not know anything further. As the RAB representative there, he is not getting any communication. He is constantly doing things in the development where he hears what's going on. He had heard that these computers were only for the people in the circle, but not for the people in the senior building. That was the rumor.

RESPONSE:

Kylla said this was coordinated through Darryl Royster, tenant council president.

Component 8: Demolition & Disposition
Component 17: Asset Management
Meeting of December 11, 2003
1:00 p.m.

PRESENTER/S: Erin Corsair, Budget Management Analyst
Robert Pipik, Director, Asset Management

Asset Management

QUESTION:

Martha Benton said that some time ago, she heard that some developments might go under Social Services management. What is the status of this?

RESPONSE:

Ms. Corsair said that we are looking at everything individually and as a whole. We are hiring an outside company to do independent assessments of all our housing stock. They will tell us what each needs, how much it will cost, and create a plan over years for each development. We are also doing a market study. Again, an outside expert will be looking at the entire city of Baltimore and will tell us what needs are being met, what needs are not being met, and where the gaps are. In combination we then will better be able to determine how best to manage our properties.

QUESTION:

Ms. Benton said that we already have a Master Plan. Why do we need the actions you are taking?

RESPONSE:

Ms. Corsair said that the Master Planner is looking at land and appearance. For example, they would create designs for communities – duplexes here, apartments there, streetscapes, etc.

She further explained that housing managers are now being asked to manager their properties like they are valuable investments, which they are. Asset Management is involved in this. They are also involved in looking at the entire City of Baltimore.

QUESTION:

Mr. Jackson asked, over the next 15 to 20 years, how many of our developments do you anticipate will go to private sector management? What's in the plan? We know that you plan many years in advance. When you tear down a building, you know what's going up in it's place.

RESPONSE:

Ms. Corsair replied that now, when we tear down a building, it is because it needs to be torn down. It is obvious that it is not salvageable. Then we decide what to do with that site. Presently, we look at the needs of our population – after the site is demolished – to then determine what needs to go at that site. We have no real plan. The master

planners will come in to decide what would look best, but it will involve everyone – community and residents, etc. So much also depends on what happens in the legislatures, state and federal, over the next few years.

Ms. Chavis added that we are looking at the best ways to leverage our money. We have a small pot of money and so many buildings to redevelop. We have to bring other people to the table. We have to consider what those other people will want from the properties if we accept their money to fix up those properties. Those are big-picture type things that will come later.

QUESTION:

Joyce Stewart asked what is the relationship between the master planners and the needs assessment?

RESPONSE:

Erin said that, once they determine what their needs are, what developments need the most attention, then the master planner is hired to determine how to make is work. Joyce then asked if the needs assessment has been done at McCulloh. Erin said that it was done as part of the master plan. It was done 7 years ago, and it will be reviewed.

QUESTION:

Ms. Broadway asked about Latrobe and Perkins. Are they part of master planning?

RESPONSE:

Ms. Chavis said that no, Latrobe was never on the list . Perkins was never on the list in terms of what we saw at O'Donnell and the other sites. It was part of a design plan, looking at the exterior of the development and the 504 work. There is also electrical work, landscaping, roofing, etc. We are putting in a level of work that is above other sites, but we have not done master planning. Latrobe will fall under the needs assessment model that we will be doing soon.

QUESTION:

Anna Warren said that she has heard that there is demolition scheduled for Claremont. Is that true, or are they talking about Freedom? She wants demolition for Claremont.

RESPONSE:

Ed Landon said that demolition for Claremont has been approved by the Board. We are putting the package together, waiting for the Mayor's letter of approval. We will then send it to SAC; they then have 90-100 days to review and ask questions. Then it will get approval.

Demolition & Disposition

QUESTION:

Anna Warren wants to make sure that Mr. Pipik's office is involving the resident representatives in demo/dispo decisions.

RESPONSE:

Mr. Pipik said that there is resident involvement. Before they send anything to HUD, it is in the law that they demonstrate that residents were contacted. There are specific guidelines – residents given an offer of sale, opportunity to buy the property, etc. Anna Warren wanted to make sure that he is talking to the main scattered site leadership, like Annie Chambers. Mr. Pipik and Mr. Landon assured her that they always speak to Annie Chambers on everything involving scattered sites.

Mr. Pipik added that along with meeting Annie on a regular basis, there is public announcement of all applications. It goes through the Board, as well. There are others from scattered sites, besides Ms. Chambers, who meet on a regular basis.

QUESTION:

Mr. Ruff asked what kind of reparations were made at Hollander Ridge when you dislocated all those seniors who were out there, and what are you planning to do with Hollander Ridge. He believes that HABC did not act properly in moving the seniors. They had no place to go, and they are still dislocated.

RESPONSE:

Ms. Stewart said that the agency followed the Uniform Relocation Act which is a HUD-mandated process by which the housing authority is supposed to relocate residents, due to demolition or disposition. Under this Act, the residents can choose to come back to the new property or receive a Section 8 voucher or other options.

QUESTION:

Ms. Benton asked about what is happening at Harlem Park.

RESPONSE:

Jan Goslee said that they are demolishing some and creating a whole new subdivision. It's going to be low-income housing. The community organization is doing the redevelopment. She said a separate entity has been created to hold funds from these properties for the benefit of the residents of Harlem Park. They will also be building some senior buildings.

QUESTION:

Martha then asked, if she were a corporation, how would she come to you and ask for property?

RESPONSE:

Mr. Pipik said that Harlem Park formed a non-profit corporation and came to the city for funding. They went through a planning process, and discovered that there were HABC

properties in the area. They prepared an application showing where the funding was coming from, and the general community plan.

Ms. Stewart said that came before the resident representatives of scattered sites, as well as management of the HABC. Ms. Wise and Goldie Baker were involved in Harlem Park.

QUESTION:

Martha asked if anyone could come in and request properties, go through a bidding process. Martha asked if there is competition for a particular property, how do you decide who gets it?

RESPONSE:

Mr. Pipik said that this was not an open bid. There was no auction. Mr. Pipik said he has not been in that situation where there is a "tie".

Ms. Stewart said that the housing authority and residents look at the eventual use to which the organization wants to put the property. If they do not include persons of low income, either in home ownership opportunities or rental, then we do not even consider the proposal.

QUESTION:

Martha Benton asked if there is some form of plan for Latrobe. It is the first public housing built. Ed Landon said that the only planning that he knows of for Latrobe is 504 and 88 conversions. On scattered sites, there are RFP's going out for units that can be upgraded.

RESPONSE:

Ed Landon said that the only planning that he knows of for Latrobe is 504 and 88 conversions. On scattered sites, there are RFP's going out for units that can be upgraded.

Component 9: Conversion of Public Housing
Component 10: Designation of Public Housing
Meeting of December 18, 2003
10:00 a.m.

PRESENTER/S: Rosa Diaz, Real Estate Development Manager

QUESTION:

Kylla Williams said that she was under the impression that the housing authority had to house the disabled population with the elderly. She was not aware that we were allowed to have separate buildings, because of all the fair housing laws that seem to say that we have to accommodate everyone anywhere they want to go.

RESPONSE:

Jan Goslee said that the operative phrase is "cannot exclude," not "have to." It does not require disabled persons to live with elderly. If a person applies for housing in a mixed population building, they cannot be denied.

Ms. Stewart added that we never applied for "elderly only" status for our buildings. There are only two that currently have that designation – Pleasant View and The Terraces. The others, like Chase House and West Twenty, housed mostly seniors until more disabled people began applying for housing. They are mixed population buildings.

QUESTION:

Ms. Dennis asked if HOPE VI made a difference in the status of housing.

RESPONSE:

Rosa said that no, HOPE VI made no difference. Pleasant View just happened to be a HOPE VI project.

QUESTION:

Mr. Jackson asked about West Twenty. If they applied for a senior only designation and were accepted, then the younger people would have to move out, correct?

RESPONSE:

Jan Goslee said that someone who is under 62 and disabled, if that were to happen to West Twenty, would have to relocate.

Ms. Stewart said that when we applied for designation for Pleasant View we had to show that there was a definite need for elderly only housing within the area. We also had to show what the impact on people with disabilities would be. If we cannot show that people with disabilities will not be discriminated against when we change a building's designation, then HUD will deny our application.

QUESTION:

Ms. Bishop said that she thought that we were required to have a certain percentage of disabled in the elderly buildings.

RESPONSE:

Ms. Diaz said there is no such requirement. Ms. Stewart said that she may be confusing the fact that we were required to have a certain number of units that were handicapped accessible for the elderly disabled.

THE COMMENTS MADE AT THIS MEETING ARE OF CRITICAL IMPORTANCE TO THE ISSUE OF DESIGNATED HOUSING. THEREFORE, THE FOLLOWING IS TAKEN DIRECTLY FROM THE MINUTES OF THE MEETING:

Martha Benton said that some of our buildings are not designated elderly only, but yet they are elderly only. Can the housing authority come up with an idea on how to house the handicapped, as well as housing the seniors? With the mixed population concept, the seniors are being robbed, abused and are being placed in danger. They are not getting decent, safe and sanitary housing. The seniors right now are living in terror with these younger disabled's.

Major Hawkins asked how we classify disabled. Do we consider drug abuse and alcoholism a disability? Ms. Goslee said yes. Major Hawkins said that's the problem in those buildings. There are people with drug and alcohol problems who are reeking havoc.

Ms. Goslee said that it applies to drug and alcohol users who are no longer abusing those substances. In reality, how can we make sure they are complying? That's a problem. On the other point, Ms. Goslee said that there is no HUD designation for Bernard E. Mason. The housing authority does not have a practice of only putting seniors there. Because this is a mixed population building, there were persons with disabilities who applied and if a unit is available, then they would be placed there.

Martha said that she knows that this is the policy. However she again stated that the housing authority needs to come up with some kind of relief in those mixed population buildings. She knows that HUD would not want to see seniors in such distress, and in the conditions that currently exist.

Ms. Diaz said that is why it is so important that we submit a good application for renewal of our current plans. Our two developments have worked very well to provide safe housing for seniors. Right now we can justify only two properties. As far as designating new buildings, we need to hear more about that from seniors in other buildings. We need to do more research.

Ms. Stewart said that, as a former manager of a mixed population building, she knows what Major Hawkins and Ms. Benton are talking about. The housing authority and HUD must understand that the disabled bring in an entirely different culture and set of needs from the elderly. Sometimes the two do not mix. She had heard that the theory behind mixed population was that the elderly would be a good influence on the younger disabled. Sometimes that does not work. This is a conversation that we need to continue to have. She does not believe that warehousing persons with disabilities in one place is the answer. That would be a nightmare.

Ms. Benton said that there have been seniors who have left public housing in search of safer housing. There has been much said about the faith-based buildings, run by the churches, that seem to be good places to live. However, once they get there, they cannot afford it. They are not accustomed to utility payments and other fees associated with privately managed senior housing. Then they are kicked out and have to come back to these dangerous places. Not all disabled persons are causing trouble, but there's enough to make life unbearable.

Mr. Jackson said that the worst thing that ever happened is this mixed population. Senior residents are afraid to come out of their apartments. He knows that many have moved out to places where they cannot afford to live. This is not fair to seniors. They have worked all their lives and feel they are safe in the high rises. All of a sudden you feel you have to house these drug addicts and alcoholics, and they come into your home. It is not fair for the seniors to put up with this kind of stuff. You have seniors now that you do not even see anymore, unless it's payday. They go and cash their checks and hurry back into their apartments. They are shut-ins. You have seniors walking around with guns and knives in their pockets for protection. They are afraid even to put the trash down the chute. The reason for all this is the mixed population. These young people don't care about things. They make a whole floor a drug addict's convention. This is not fair!! And their guests have no respect for nobody. And this is not fair!! Why doesn't housing and HUD go around to each building and have a survey done with the residents?. Why don't they have a mass meeting with the residents, and see exactly what the residents have to say? Then act on what the residents say.

Ms. Diaz said that they are currently looking for a firm that can do an analysis of our public housing inventory. That will be one of the things they will be looking at; whether the housing that we currently have is meeting the needs of the residents. She will definitely make that the focus of the study that is being undertaken by her office.

Ms. Cherry-Mahoi said she would like to recommend that coordination be done with the Commission on Aging and the Social Services agency that often ends up getting guardianship cases as a result of the kinds of terror that has been described. What has happened is that people that were functioning at very high levels independently are retreating and literally end up losing their civil rights. They no longer have the right to make independent decisions as a result of being under siege where they live. She believes there is data available that can be used to assist them if you could coordinate with that agency. The coordinator at the Commission on Aging is Lisa Veale. She is an assistant director of this program. It is a difficult issue, and it will only escalate to a point that we will have to address it in the near future. If we could get in the forefront of planning for it, we could resolve it in a way that works for the disabled as well as for the elderly.

Ms. Felecia Johnson added that she worked at Lakeview and Hollander Ridge at a time when the state government had placed emphasis on mixed population housing, particularly mental disabilities. It is a difficult situation to manage when you have those type of residents with issues. She understands how difficult this is. She believes that this is basically a lease enforcement issue. She feels that the recommendation needs to

include that Housing Management and Family Support Services need to have the appropriate staff to handle these special situations. When you have people who are out of control, whether they are elderly or young, disabled or not, then it should be dealt with. At Hollander they had a nurse on staff who dealt with these issues. If you violate the lease, whether senior or disabled, you need to document what is going on. If they have a person who constantly has people going in and out at all times of day and night, whether drug dealers or prostitutes, they need to call the police force. Follow up and document to move those people out. We never know when we may lose our minds. We all want to get old gracefully, but some do not, and we cannot accuse just the young disabled or just the senile elderly. They bottom line is staff – we need social workers out there; we need those health clinics back on line.

Ms. Bishop said she remembered when the health clinics were available, and they were a great benefit.

Mr. Ruff said that there was a woman who got strangled in his building. She was attacked by someone with a coat hanger as she delivered trash to the trash room. She is dead. There was another incident on the 6th floor with a throat cut. We had another man in a wheelchair who brought in outsiders who was killed up the street. These are all recent. What everyone has said about these problems with the young drug addicts and the mentally disabled bringing people in off the street is true. They don't care about nobody. He had a man come in and OD'd downstairs in the hallway. He was a visitor. They wait for social security checks and disability checks and welfare checks. And the prostitutes are there, as well as the drug addicts. Right now they have put in for cameras on each floor, and he does not know when they will get them. The worst thing that they ever did was when they shut the police force down. When the police were there monitoring or coming in to sit for 2-3 hours a day, they did not have these kind of problems. People knew when they signed in that they would be watched.

Major Hawkins said that there are some very diligent managers out there who, when they get information on someone in the building, they get on it. They report it to us immediately. We have been very helpful in some of the buildings getting people evicted. We had Tenants On Patrol where the tenants were the eyes and ears of the police, though she believes many residents did not understand how the program could be effective. Now so many become shut-ins and they are afraid to report anything for fear of retaliation. Also, we have managers who have very stringent house rules. The rules state that whenever anyone signs in to visit a resident, that resident must escort that person back down. A lot of the crimes that are committed in these buildings are by people who are legitimately in the building. They signed in according to the rules, and then wandered the building. It is easier said than done, but you all have to get involved. She always says at community meetings that when you see things that you know are wrong – report it. The one's who make the most calls to the police department are the ones who get the most attention. Never think that you are calling too much. If we don't know about it, there's nothing we can do.

She said that from the 1st through the 6th of the month, they make a tour of the mixed population building. We get our tech people in there. The manager at Bel Park/BE Mason was very diligent in getting some things done over there. Bel Park was off the

scale. We found that many of the problems started on the outside. We got the Northwest District involved. We really must have residents involved in what's happening in your homes. Remember that these buildings are the size of a city block. You have drug dealers that come in there, and prostitutes. They are filling a need; it's a reality – a grim reality.

Mr. Ruff said that they tried to set up Tenant On Patrol. People were enthusiastic about it, but it never got off the ground.

Mr. Dennis said that he was a former coordinator of the TOP program. He tried to impress on people that they were eyes and ears only – not police officers. He found that management is not sensitive to residents' needs. They do not care what goes on after four o'clock. The next problem was a lot of the residents accepted the street people bringing their problems in and nobody said anything. He found that some were getting some of the graft. In other buildings they were part of the problem. Or they were just scared of retaliation. He thinks TOP would still work. If we all came together, it could work. BUT, we have to make manager's accountable for their developments. That's a major problem – management does not want to take responsibility. They don't have managers who will take charge. Some may be afraid of reprisals. There are some developments where residents are being very much short-changed – and Bel Park was one of them. But when you changed the management there, you really saw a difference. If we go in some of these buildings and the manager is not addressing the problems, then they should be out, and someone comes in who can handle it.

Ms. Stewart said that she believes there are resources for managers to use family support counselors who are there to refer people, whether elderly, disabled or mentally challenged.

Section 8: All Components
Meeting of December 18, 2003
1:00 p.m.

PRESENTER/S: Tiffany Smith, HAPP Advisor
Corliss Alston, Section 8 Office

QUESTION:

Ed Landon asked why there is a substantial increase in some of these numbers over last year.

RESPONSE:

Tiffany said that it was a reflection of the better reporting system. Corliss said that running a query is much easier. What we used to do manually, we can now have the computer do it.

QUESTION:

Ms. Benton asked what happened to those applications that were returned as incomplete.

RESPONSE:

Tiffany said that they sent them back with a note to contact the Applications Office for assistance in completing the information correctly. Ms. Benton said she knows that only some of those have been sent back. Tiffany said that they have kept track of those who have not returned applications, and they do follow up with those people.

Tiffany also said that there were two centers opened at the public housing developments where people could come in and get assistance with the process. There was a total effort put out to make sure everyone understood the applications and got help when needed. They are still taking updated applications.

QUESTION:

Ms. Benton asked about those currently on the waiting list. How long do they have to wait before they go through the process?

RESPONSE:

Tiffany said she cannot answer that accurately, because it all depends on how many vouchers they have to give out.

QUESTION:

Martha said that once they get the vouchers, she has heard that the time frame has changed. Tiffany said that there is now 180 days up front. In the past there was a number of extensions after shorter time periods. Now you get the full search time from the start.

Martha then asked if this 180 days includes the inspection process. Someone might find a property right at the deadline, and then the inspection procedure might run it over.

RESPONSE:

Corliss said that it takes 15 days to determine that the landlord is in compliance with the rules, and the rent is reasonable. If this came at the end of the search time, then 15 days would be added to your time. If the landlord has violations and is willing to fix them, he has an additional 30 days to do so. That is also given back to you. You are not penalized for the time taken in this process.

QUESTION:

Mr. Ruff asked what the maximum rent is that you allow on a unit? For example, a 2-bedroom.

RESPONSE:

Corliss replied that is very difficult to say. We would look at which area of the city you want, utility allowances, size and condition of the property. Then we make sure that families are not paying more than 40% of their adjusted income for rent and utilities. There are many factors involved in that determination.

QUESTION:

Mr. Ruff asked if they direct people to properties that have been approved.

RESPONSE:

Corliss said that the resident chooses the property and where they want to live. They bring us the information on the unit they want, and we determine if they can afford it and if the landlord meets our requirements.

QUESTION:

Mr. Landon asked about those public housing residents who move to Section 8. Do you automatically allow them to go up to 40% of their income or do you let them know that when they come out? In public housing the rent is 30% with no utility costs. So moving to Section 8 would be more expensive. He said that he has seen people coming out of Hollander Ridge, for example, who really do not understand these costs.

RESPONSE:

Tiffany said that they would not allow someone to move into something they could not afford. They also have training for people in how to budget for their housing expenses. However, a lot of people do not understand all that it entails until they receive their first bill.

QUESTION:

Ms. Cherry-Mahoi said the issue of water is of concern to her. If you have a landlord that has maintenance problems with his pipes, the water bill could exceed that 40% very easily. If you are dealing with residents who come from where water was unlimited, and suddenly they are hit with a \$180 water bill, this can be devastating. Is that a component of your inspections?

Mr. Landon said that something to keep in mind is the new city effort to collect funds to rehab the entire sewer system. Where once bills may have been \$12, they are now getting much higher based on consumption. He suggests that these inspections include looking carefully at the old pipe connections between the meters and the house. Many of those are prone to leaks.

RESPONSE:

Tiffany said there is a complaint inspection process. We do try to find these things in the initial inspection.

Corliss said that the water bill has to be in the owner's name. The owner has to put it in the lease that he is collecting it as unpaid rent, or else he cannot charge the tenant in rent court. He would have to take them to civil court. This all falls under the topic we discuss with tenants and landlords about what their responsibilities are. Rent court judges are looking closely at water bills, and do side with the tenant if the bills are excessive. He has ordered inspections of the properties to see if there are piping problems.

QUESTION:

Martha asked about their treatment of criminal records.

RESPONSE:

Tiffany said they use the guideline of "recent and significant" as proscribed by HUD. If they have been registered as sex offenders, they will not be admitted at all. However, if they commit a felony within the last two years, we can ban their admission for 3 years. After that time we will reevaluation their case. If there is no further criminal activity, they may be admitted. If they are turned down, they can appeal administratively. That does not mean the decision will be overturned.

QUESTION:

Martha Benton asked how many kinds of vouchers are currently being used.

RESPONSE:

Tiffany said they have the housing choice voucher, which is the main program. They also have an inventory of what they call moderate rehab units. These and project-based units are units where the property is on the program – not the tenants. The tenants only receive subsidies as long as they are in that particular unit. At the end of the mod rehab contract, then those tenants are eligible to receive vouchers.

QUESTION:

Mr. Aull asked about the mod rehab properties. After 15 years, do they come back to HABC inventory?

RESPONSE:

Tiffany said that they can come back to our inventory, but they would come under our voucher program. HUD offers the one-year renewal on the mod rehab, as long as they are multi-family units. We have quite a few that are renewed.

QUESTION:

Martha Benton asked how Section 8 manages to have a self-sufficiency program and public housing does not. How did Section 8 manage to get it?

RESPONSE:

Kylla said there is a mandated program for Section 8 by HUD. This is a HUD issue. Tiffany added that the HUD rule states that in order to qualify for a voucher, you have to do so many self-sufficiency training points.

Kylla said that when self-sufficiency was first started it was mandated for public housing. Then it switched over to Section 8. We are authorized to run a self-sufficiency program for public housing; the only thing that prevents it is we don't have enough staff, or rather the money to pay staff.

QUESTION:

Martha said her difficulty with this issue is that it is part of the lease for public housing. She understands that they don't have money, but it is required of the residents by the lease. It is also required for receiving a Section 8 voucher. Now how is Section 8 being funded? Can we do some of that for public housing? If it does not exist, but you put it in the lease, then eventually HABC will be in court trying to figure out how you are violating our lease.

RESPONSE:

Kylla said that what is in the lease is not the Family Self-Sufficiency program. It is community service activities.

Tiffany said that there may not be specifically Family Self-Sufficiency programs, but there are activities that you can do to qualify for Welfare to Work and other upward mobility activities.

QUESTION:

Martha said that there is no opportunity, no chance for public housing residents to get self-sufficiency. But then it is part of a legal document in the lease. She went on to demand that if it works for Section 8, then it should work for public housing.

RESPONSE:

Jan Goslee said that if HUD mandates a program that the HABC has to do, then HABC will find the money to do it. If it is not mandated, because of the level of funding, we are only able to do those things that we are mandated to do. Until there are funds to do those things that we want to do, rather than what we are required to do, then we simply cannot do it. There's no money.

Component 11: Homeownership
Inspector General's Report
Meeting of December 19, 2003
10:00 a.m.

PRESENTER/S Mr. Hilton Greene, Inspector General
 Ms. Rhonda Rone, Homeownership Coordinator

Inspector General's Report

QUESTION:

Mr. Dennis asked if he has many problems with seniors, such as rent fraud.

RESPONSE:

Mr. Greene said he has had no problem with seniors. The biggest problems occur when action has not been taken in a very long time on fraud, and then when his office acts, it's a question of why now. The best practice is to put the brakes on problems as they happen.

They do not have problems with seniors, and they will not allow seniors to be victimized. They are preparing a report that should be ready in spring that is just for seniors to let them know the latest scams out there and other popular criminal enterprises. We try to coordinate our training and workshops through RAB, and do these the right way.

QUESTION:

Angela Copeland-Trayham said, concerning checks, how would he recommend a person dispose of checks. Perhaps they changed accounts and still have old checks left.

RESPONSE:

Mr. Greene feels that the best thing to do is to shred them or tear them up, so that no one can write on them.

QUESTION:

Mr. Greene is also Chairman for the Eastside Boy Scouts of America. He would like to create a Boy Scout unit in every development, and this is moving forward. All his staff have volunteered to participate.

June Johnson asked if his office could find some money somewhere so that McCulloh Homes could have a community center? They need a building so that they can do all these great programs. June Johnson said that there has been great interest in this, but there is nowhere to meet.

RESPONSE:

Mr. Greene said that cub scouts meet in individual homes, so you do not need a hall unless you have a large crowd of kids participating. It usually starts small. Dr. Little has

already indicated that they are getting money available for transportation to get residents to training programs. As far as for the kids, he cannot speak on that. Mr. Greene said that McCulloh is not in his district, but he will pass along June's information to the leader of the Babe Ruth district.

Homeownership

QUESTION:

Joyce Stewart asked what the difference is between what we submitted in the Annual Plan last year and this year.

RESPONSE:

Rhonda said that they scrapped the old plan. This is an entirely new program. The old plan had a number of features in it that, because of new regulations, we could not do, so we had to start over. One feature we had to do away with said that residents could buy their home based on the number of years lived on the property. The new regulations do not allow this. This plan actually offers the residents more input into the process. It allows input into the selection of their homes, decorating, painting, etc.

QUESTION:

Ms. Ada Cherry-Mahoi said she noted that there is a significant amount of rehab anticipated. Are the residents able to do part of the work themselves to cut the costs or is it not allowed?

RESPONSE:

Rhonda said no. The way the regulations are written, we have to transfer to them a house with a useful life and that guarantees some expectation of successful homeownership. Allowing the residents to do the rehab, we would not know their level of expertise or ability. We would not want to make them responsible for repairing our property, basically.

Joyce Stewart said that she is aware of the Chesapeake Habitat for Humanity's involvement in scattered sites properties. They have already purchased 8 properties and will be rehabbing them and turning them over to scattered sites residents. The residents have to do the "sweat equity" work that is part of the Habitat program. Rhonda added that the Habitat group does have skilled people working with them.

QUESTION:

Mr. Harris asked if all HABC residents eligible for this?

RESPONSE:

Rhonda said yes, all HABC residents. We are not admitting anyone from outside our program. It is a tiered preference selection process, but only for HABC residents.

QUESTION:

Mr. Landon said that there are also the costs of move-in and initial decorating. There is an additional \$1,000 in that, at least. People need to understand this. The utilities are

also put right into your name. People have been surprised when they first move in. He believes that training is critical.

RESPONSE:

Ms. Rone said that one of the components of this program is that, prior to getting a letter of participation to enter the program, they must go to homeownership counseling. That is one of the requirements of the program. No one gets any paperwork until this is complete. The whole home buying process takes from 2 to 3 months.

QUESTION:

Mr. Ruff asked if the homebuyer needs to put up the money if there is a lien on the property.

RESPONSE:

Ms. Rone said that is part of the settlement process, and the buyer does pay for it. But, that is incorporated into the closing costs. There is a lien search and a title search.

QUESTION:

Ed Landon asked if there is a termite inspection. Mr. Landon said that this should be part of the training program. New owners must be aware that termites can get in there very quickly.

RESPONSE:

Rhonda said that is part of the settlement. After one year, you are on your own. Unlike the rental program, once you move into this house, there are no longer yearly housing inspections. HABC is not going to continue to inspect it.

She said that most of the buyers are going to go through an FHA process for first time homebuyers. HUD has certain requirements that these homes have to pass. Termite inspection is part of a strict policy. When the buyer is near settlement, we require that the purchaser has a warranty for all the major systems in the home. For the first year, the seller will probably pay for it. Thereafter, the buyer pays. There are some escrow accounts built into the mortgage payment – one is for home warranty and the other is a major repair/replacement.

QUESTION:

Ms. Johnson asked, if a person has a property they want to sell, how do they put it in the program? .

RESPONSE:

Rhonda said that they do not have this option. Our buyers are going to select a real estate agent and look for a house like anyone else. We will not keep a list of available properties

QUESTION:

Ed Landon asked if the homeownership counseling is considered an acceptable self-sufficiency training program

RESPONSE:

Rhonda said that yes, it would qualify as part of self-sufficiency training, along with state and federal programs.

The training for homeownership is outsourced to various agencies. It is not considered self-sufficiency training. There are two types of training required by the regulations. The first informs you of the program so that you can go out and find a house according to the program rules. The second is a development training, usually conducted one-on-one to instruct you how to handle the finances and the maintenance of homeownership.

QUESTION:

Martha Benton said that public housing residents do not have self-sufficiency. Would the 96 hours of required community service qualify as a program for the purpose of homeownership?

RESPONSE:

Rhonda said she thought they did have self-sufficiency. Martha said that everyone on this committee has heard her oration on that situation. They do not have self-sufficiency and it acts to discriminate against public housing residents in programs like homeownership that are based on going through self-sufficiency training.

Rhonda said that if Martha could get her the paperwork on the community service program, she would be glad to compare it to the regulations and see if it fits the regulation. If so, we can include it.

QUESTION:

Martha continued to explain the problems encountered by public housing residents not having mandated, funded self-sufficiency programs. Section 8 has it and it is funded. The self-sufficiency piece is in the lease, but it is not available to use through the agency. This is wrong, and this has been a contentious issue at a few of these meetings. The lease is coming out of Housing Management. The enforcement of the lease is from Housing Management as to where those dollars are, since they collect our rent. They should have those operating dollars available for those programs that do not have funding. Whoever is responsible for the lease, the ACOP, is also responsible for finding the money.

RESPONSE:

Rhonda explained that residents do not have to go through a self-sufficiency program sponsored by HABC. You can go through any program sponsored by federal, state or local agencies.

QUESTION:

Mr. Ruff asked about HOPE VI. He knows that they have homeownership. Is that program different than these?

RESPONSE:

Rhonda said that the HOPE VI is totally different than these plans. It has a different funding source. Her program is being run through the Section 8 program. We are not

getting additional funding for this. It is the same voucher, but we are using it in a different way. A Section 8 buyer can certainly buy a HOPE VI property.

Recap of Template To Date
Meeting of December 19, 2003
1:00 p.m.

PRESENTER/S: Dr. Samuel Little, Associate Deputy Director, Family Services

QUESTION:

Mr. Dennis asked which is more beneficial to residents – flat rent or ceiling rent?

RESPONSE:

Joyce replied that it all depended on the neighborhood and what amenities are available in that area. Scattered sites residents would be affected by this, because they are all over the city.

QUESTION:

June Johnson asked what exactly is the Operating Order Index.

RESPONSE:

Joyce explained that it is an alphabetically listing of orders pertaining to how circumstances are handled, from maintenance procedures to policies.

QUESTION:

Mr. Jackson said he remembers a \$1-house program. Was that city property?

RESPONSE:

Ed Landon responded that the way the housing authority is doing business presently is, if we are not going to use it, we transfer it to someone else in the city to do with as they please. So, we do not have \$1 programs. Perhaps the city has something like that. Mr. Dennis added that he had worked for city back when that was active. Those were definitely city houses. There were a lot of rules about the investment expected and the time you had to live there.

DR. LITTLE SPOKE ON THE CRITICAL ISSUE OF FAMILY SELF-SUFFICIENCY PROGRAMS FOR PUBLIC HOUSING. HIS REMARKS ARE UNABRIDGED:

Dr. Little said that he has been busy in meetings recently trying to expand service opportunities to the “forgotten” population within public housing. He believes that our population is getting older, and the existing programs do not adequately address them. He wants the seniors on this committee to know that you have been heard. We are trying to collaborate with other agencies to get greater service coverage.

Dr. Little addressed the questions of community service and self-sufficiency. There is a distinction between these, and sometimes we use both of them interchangeably, but they are really different.

Community service is a voluntary activity. For purposes of HUD it is an imposed voluntary program that says, if you are in public housing, and are not exempt according to a number of categories, you are required to do 96 hours of volunteer work per year in your community. This is basically 8 hours a month. It comes with no funding, no dollars. The housing authority is challenged to take that basic definition and mold it into a program that is user friendly for residents and use it as a vehicle to augment the existing things that provide some kind of service and opportunity in the development or community. We have created something called Neighbor-To-Neighbor Care.

Family Self-Sufficiency, on the other hand, is a program that has been in place for about 16 to 18 years. It has two components – there is a Section 8 component that is mandated. Housing authorities are required to do this one. Then there is the public housing portion that is a voluntary program. At this authority, in spite of the fact that one is voluntary and one is mandated, for a number of years we tried to do both. We tried to have programs that were similar in structure and to operate both of them similarly. When we sign a contract in the program, it gives one five years to move from dependency to independence. It spells out what you will do for that period of time to become self-sufficient. While you are in the program, and when you gain employment, the difference in the rent that you paid at the beginning of the program, and what you would pay in increased rent as a result of employment, that amount grows in an escrow account. When you achieve self-sufficiency, it goes back to the resident as a rebate to purchase a home, purchase a car, go to school, etc.

For those who went through the public housing resident program, and have escrow accounts, HUD has mandated a specified slot level for both the required portion and the voluntary portion. For the public housing portion, we have discontinued enrolling additional persons in the program, simply because we reached the maximum number that we could enroll, based on those slot levels. Although there could be other residents who have been waiting to enroll on the public housing side, we have discontinued enrollment.

To do these programs right, you have to have a ratio of case managers to participants. The merit of the program is that your case manager needs to have constant contact with you. This is a key part of the program. We do not have the staff. We have experienced cutbacks in one of the grants that funds this. The case managers, even for the Section 8 portion, we have not been awarded, because we were ineligible for it as an agency, due to the fact that we are in some areas of non-compliance. The operating budget cannot afford to pick it up. And there are no other grants out there that will just fund social service staff positions. In fact there are no grants that provide general social services. The grants that are coming up are in specialty areas.

The difficulty in continuing – it is not a decision that the housing authority makes because it does not believe in the program – is that it requires staff, resources, all the elements. There is only one funding stream for resident programs from HUD and that is

ROSS. You do not get a ROSS grant every year. We were very lucky to get it for the past few years. Our application is in process, as all of the other ROSS applications are in process. There have not been announcements yet as to whether we will get a third ROSS. He hopes that we will. With a reduction in funding by HUD, it has reduced considerably opportunities that we would have had.

The former head of HUD, Martinez, said at his swearing in ceremony, HUD is not in the business of providing social services. That is the job of the department of social services, and the resources that HUD has would probably be shifted over to the President's Office of Faith Based Initiatives. Housing authorities will now need to collaborate with faith-based organizations and do grant writing and come up with other strategies to fund social services programs. That is the reason why we have anything in place at this authority – it is all grants we have written and won to bring resources in.

There are differences between community service and family self-sufficiency. Also there are limitations within the existing family self-sufficiency program structure, because one portion of it is mandated by HUD, and the other portion is voluntary, but we have reached the maximum number of individuals approved for enrollment.

Someone asked the question whether or not you can successfully do community service with our family self-sufficiency. You can. It would be ideal if we had funding on a big scale for the public housing self-sufficiency programs. We could continue the FSS program, but without resources. You cannot do those programs without staff, without resources.

Our committees are meeting with advocacy groups, legislatures, public policy people, trying to shake tenderizer on the fact that there has to be a focus on three things. Yes, we do property management and also redevelopment, but there has to be some funding for resident programs. They intersect; there has to be a relationship between those three functions.

Bottom line, Dr. Little said, he has heard you. He has heard you clearly. He believes in what you are asking for. He wants to do it. But he cannot do it without resources. He has not thrown up his hands. He is meeting and partnering trying to find alternative ways to do things.

When HUD passed along the mandated community service, it did not come with a single dollar. If every adult in public housing who is not exempt has to be involved in community services, there could be upwards of 2500 to 3000 adults who have to do this. We have 2500 to accommodate and not one dollar to do it. We need to take the money from somewhere else.

This is not rhetoric. This is reality. All of us are continuously in conversation trying to figure out what we can do, what next steps need to be taken, what alternatives. The bottom line is more money.

QUESTION:

Ms. Bishop said that at one time we had all this in place. Under Thelma Malloy we had caseworkers, and counselors. When we lost Ms. Mallory, we lost what we had. The residents know what was there. Somewhere down the line, the housing authority lost it. If we had it, why can't we just pick it up where it left off? We should have had someone in there to fight for us, because it looks like others have gotten stuff for residents programs.

RESPONSE:

Dr. Little said that she is right. The atmosphere is different now. If you organize the most successful public housing resident body, you need to be strong not just to HABC. We can't do much here in Baltimore. You need to be in Washington, at legislative conferences, telling elected officials that you are a force and that do not forget about the needs of the families. And you vote. He has organized the practitioners who run resident programs. We cannot have too many organizations. All of them have to be working together in Washington to keep these programs alive and funded. This is not an HABC issue, and it is not because resident leadership is not doing their job. We are fighting a monster of insensitivity out there, that it takes big groups and powerful to be in Washington, no letting back on making this system fund what has to be funded for this stuff to stay alive.

QUESTION:

Mr. Dennis said that as a senior, he sees a lack of education in the residents. This RAB board takes a lot of flak, like HABC. It's always the RAB's fault. They are not privy to the type of setting we are in today. They cannot say directly to you, Dr. Little, how did we go from that point to this point. We need to reacquaint the residents with the responsibility of community service, or the responsibility for your own accountability. The RAB does take it on the chin a lot. But we do meet and strategize and organize. Our residents lack information.

Mr. Dennis said that he whole-heartedly agrees with self-sufficiency. He worked for the HABC for 5 years, and his program was cut. Then when he applied for another position to try to remain self-sufficient, he was treated with platitudes – you've done a good job, and now you just go home and don't worry. He said he may not get around very quickly physically, but there is nothing wrong with his brain. And he has proven to the HABC that he wants to be self-sufficient. He wants to work, he wants a check. But he cannot get that if he cannot get the opportunity.

Here's an individual who wants to be self-sufficient; you don't give him a second chance. He worked for you under the present program for five years, but then when that budget is cut and he applies for something different, he's brushed off. If you give more people like me a chance, we might be able to be self-sufficient. I think the powers that be do not see what we are saying.

RESPONSE:

Dr. Little said that he does hear Mr. Dennis, and he knows that his experience is accurate. This is one of the reasons why there has to be a respected and strong

resident organization and all these other organizations. It is groups like this who are at the table with our legislators who can represent what has happened to you and your experiences and desires. Your organization must be strong and allied with others like you. You people at this table will kill yourselves if you are the only ones at the table. It has to be every resident in the development.

QUESTION:

Mr. Dennis said he wants to know what can they do from this point to interest the residents in the problems like the RAB is interested. All you hear about is RAB taking the beating.

RESPONSE:

Ms. Cherry-Mahoi said, don't forget, your RAB Director is here. It is her desire to be an organizing force for the RAB.

Ed Landon said there are information sources out there. They just got a CLPHA flyer that showed public drug elimination dollars from Congress - \$0. It was a chart. Those charts are the things that filter down to the chief levels, but they don't get to the residents. It seems the RAB gets beat up by its own residents, because they do not know what 's happening. The thing to do is send information to every resident you have and circle the headlines showing the reductions in funds. Circle the fact that they went from \$40 billion to \$2 billion. And point out to them that it is not anyone here who is doing this. It's 35 miles south of here. You need to get all those people together and say here's the truth, now what are we going to do about it. He's been here 15 to 20 years, and we do not need to pick on each other. We need to be going 35 miles south of here with signs and such – pay attention, Congress. That has to come from the RAB

He continued that the RAB went to Boston for a conference with a group of people who have a lot of power. Where did that go? Did you discuss the funding situation? You need organization from that group, from CLPHA, from NAHRO, from all these organizations that like to have all these conferences. They need to get together and march to DC. Really, the money is going south, and we are going to be sitting here with nothing – and you cannot argue with nothing.

Dr. Little said that in addition to what Ed said, when they do these regional retreats where we try to bring residents and resident leaders together to hear where the money is, people need to attend these. You here at the table cannot do it all by yourselves. The responsibility is for all of housing residents to take ownership for the challenges that we are faced with.

Mr. Dennis said for example, he does not believe anyone on RAB knew about the \$0 in drug elimination funds.

Mr. Landon also mentioned as a resource the Sherwood letter that keeps very current on the steady withdrawal of funds for housing residents. It covers the whole country.

QUESTION:

Mr. Ruff also said, about community service, you cannot pick up a broom or a shovel or any tools and work with it, because it is against HABC's plan or code. If one person gets hurt picking up trash, who's going to have the insurance for that person while they are doing voluntary service? You have to have some kind of insurance, and if there are no dollars, you better find some. Nobody is going to work voluntarily who might get hurt with no compensation.

RESPONSE:

Dr. Little answered. In designing the whole Neighbor-To-Neighbor Care model, what resulted was not a resident volunteer maintenance program. The goal was not to go around and clean up the development. Rather one that could find the things that people liked to do to build capacity in their communities – working with schools, assisting seniors, reading programs, after school. It is true, some housing did not sit down with residents to design this like HABC did. We do not want to have our community services to do janitorial cleanup in the development. It is true that the issue of liability insurance and safety was factored in, and that's what he meant when he said that the program was mandated, and not a dollar came with it. If we went in that direction, we would have needed money for tools and equipment. We still need money now for some equipment.

QUESTION:

Ms. Copeland-Trayhan suggested to Dr. Little that she is aware of a conference that comes to Baltimore sometimes. It's called the National Grant Conference. Individuals can take advantage of this. Maybe we could come up with plans individually and put in for these grants through this agency. They assist you every step of the way. Then maybe pool whatever money they get.

RESPONSE:

Dr. Little said that what she is referring to is the Maryland Association of Grantmakers. It is an organization of all the grant making groups in the area. There are many. We often hear about Abell and Casey and the Weinberg Foundation. There are about 30-40 different foundations in the State of Maryland who have formed this organization. They get together as a group and offer seminars for the community to come in and learn about the grants they can make, and technical help on writing grants. Another thing they do is prioritize what they are going to fund in a given year. They decide on a particular social issue or group for a period of maybe two years. That's why we have to watch the trends. We can write a hundred grants, but if it is for the wrong thing, we will not get a dollar. And for every grant you write, there are hundreds of others applying as well. It has quadrupled since 9/11. Being declined does not mean your grant is not good. It means that competition is so steep that grant makers have to decide almost ahead of time who they will fund.

QUESTION:

Mr. Jackson asked Dr. Little to define stipend and "per diem."

DR. LITTLE ADDRESSED THE IMPORTANT ISSUE OF STIPEND-PAID ACTIVITIES AS PART OF ALLOWABLE COMMUNITY SERVICE REQUIREMENTS.

RESPONSE:

Dr. Little said he knows that the issue has arisen around the payment of a transportation stipend for community service. A stipend is defined as a dollar amount – it could be \$5, \$25, etc. – that is viewed not as income, but is awarded for the completion of an eligible activity. For IRS purposes, generally a limit is established in terms of the amount of the stipend. If it is above that limit, it is taxable.

For the purposes of TANF, when you are doing pre-employment programs and you pay a stipend in lieu of income, DSS says that the stipend cannot exceed \$25 a week, maximum. Another state agency says that the activity cannot exceed \$10. A stipend is defined differently by different funding sources.

Here there is a Catch 22, and we need to work this through to do what is most prudent as an organization. Historically, stipends have been paid in the agency for meeting attendance, events that we are involved in, meetings that could be a part of RAB, or sometimes meetings that staff asks the residents to attend. We have paid a customary stipend, and it has to be budgeted.

Community service says if there is reimbursement or compensation for the activity, it is not volunteerism, it is not community service. For purposes of transportation, the thinking here is that the cost associated to get to the place to do the community service, that is a transportation stipend, which is different generically than a stipend that you would get as compensation for attending a meeting, being a part of the food bank, etc. That's how you substantiate the difference between the two.

What we have to work out is, if we have 2000 to 2500 residents who are required to do community service, and half of that would be 1200, or if we said that we would take 80%, say on the basis of 1000 residents, if we budgeted a transportation stipend, say \$15 times 1000, times once a month. That's about \$180,000. OR if we said for 1000 a bus reimbursement for \$5 for 12 months, that's still \$60,000. He is not against it, but the issue is, what are we going to give up, and where can we get the dollars to fund it.

The bottom line is that we are required to do community service and did not get a dime to do it. What you are bringing up is valid. HABC is very sensitive to all this. It is a money issue. Realistically, one of the things that we can do to try to move forward with this, he has been talking to people at the US Dept. of Transportation. Right now, there are no transportation grants that are going to be announced within the next 6-8 months. The only transportation grant that is out there that we have benefited from is one that we got a year ago in collaboration with Sojourner-Douglass College. It has one more year before it spins out. It provides transportation reimbursement for residents involved in the training programs there who are linked with the commuter transportation system to get to

jobs outside of Baltimore City. He said that outside grant makers are not working on transportation right now.

He does not have a grant that can pick up transportation costs. The operating budget cannot pick it up. The question is do we take it from something else, and if so what?

QUESTION:

Mr. Jackson asked what happened to our money, the tenant council allowance? He was told by HUD that those funds would roll over every year. All of a sudden it is not rolling over. Now there's nothing.

RESPONSE:

Joyce Stewart and Dr. Little both said that it could not be gone. Mr. Jackson said they do not have it in their budget. It is truly gone.

Ms. Bishop says that she has been talking to Rainbow Lin, her and Ada Cherry-Mahoi, and no one can tell her what happened to RAB's money and the development money. She has found some mistakes, like charging a phone at O'Donnell Heights to the RAB budget. That was HABC, and that is why we don't have any money. We are trying a compromise. HUD has to investigate to find out where our money went.

Dr. Little said that he feels the money is there, even if it cannot be found. It has to be allocated, and can only be used for that purpose. When HUD does an audit, they will make HABC give it back immediately.

Ms. Ada Cherry-Mahoi said that they are continuing to meet on this issue, and they bring it up at every opportunity.

COMMENT:

Mr. Dennis said, about this community service, he sits at the reception desk in his building for a few hours a day – and he does not have to do that. He wants to do something. He feels that we should put this stipend issue behind us and get to work. There's a lot to do right in the developments, and people would not need transportation money. He wants to work, and he feels other people want to also. RAB has an ED; we have a chairperson; we have a Board. Let's go to work. He has been to Washington and has stood out in the cold. He is willing to do it again for a common goal. So let's stop all this bickering about money. The thing that concerns him now is why we can't get this and that, why we end up with zero balances, and all that kind of stuff. We need to know all that.

COMMENT:

Ms. Cherry-Mahoi said she feels compelled to add that we have a broader issue. The people who are already involved with RAB are going to continue to be involved. The same is true of the people involved in tenant council. The bigger issue that goes to the heart of the advocacy that is being described involves those people who are sitting there, perhaps with skills that we could captivate to use in a productive way. But they are not involved because they perceive it as RAB's project. What we need to do is to draw in that entity of people who are considered difficult to serve – those who have been

through self-sufficiency programs, who are still unemployed, still live in public housing, and are under age 45, but not technically disabled. Although one could argue that they are disabled.

The problem is getting enough community service slots that these people are going to be able to do what is required of them under the lease. The point has already been raised; it is going to become an enforcement issue. If this is a requirement, and you are not engaged in something, then the next thing that will happen is that we have people being evicted.

What do we do on the front end to avoid that? By getting a list of activities that people can be made aware of, that they can do, to start fulfilling the hours. We do not want them to wait till the end of the year and suddenly they need 96 hours. We need to be thinking collectively. Maybe it is not connected with a stipend, there is a requirement that there be some documentable community service hours. What she is hearing is that we need additional structure. How are we going to do that?

RESPONSE:

Dr. Little said, again if we want to do something, we must have the resources to do it with, whether it is money for a stipend or money for tools. He promised that he will continue to look for other opportunities external to what we have now as resources to do that. This cannot change overnight. Grants are announced daily. He does understand and support what you want to do. The challenge is to find resources.

Component 2: Financial Resources
Meeting of January 6, 2004
1:00 p.m.

PRESENTER/S: Mr. George Hergenbahn, Chief, HABC Budgets

QUESTION:

Mr. Ruff asked what percentage of HABC's stock is managed by HABC and how much is managed by private managers.

RESPONSE:

George replied that housing management has the lion's share. He is not certain, but he believes we have about 1500 units under private management out of 11,000. Joyce said the exact number is 1,657 units privately managed. She said that she had been working on a project involving private managers and had a print-out of all those units – under Cahela, partnership rental housing, everything.

George said that the reason some units are under private management is that the state donated funds for the renovation of the units. As a part of that deal, private

management was specified. Companies are chosen by competitive bid. We have terminated for poor performance, so they can be terminated for various reasons.

QUESTION:

Joyce Stewart said she noticed there are no funds under HOPE VI revitalization, but she knows there is funding for Claremont.

RESPONSE:

George said that he believes the HOPE VI grant ran out. He is only reporting new money. They may still be spending last year's money, but it would not show up on this table.

QUESTION:

Jan Goslee asked about income from the sale of scattered sites. Where would that appear on this table? Should that not appear here, because it is a federal use?

RESPONSE:

George replied that it is not on here. It is being reserved for the renovation of other scattered sites.

QUESTION:

Mr. Ruff asked if these proceeds from scattered sites could be used to help fund the police.

RESPONSE:

George said that it cannot be used for that purpose. By HUD requirements it is reserved for fixing up other scattered sites, capital type work. The only allowable use is to renovate other scattered sites. Unfortunately, dollars come with restrictions.

QUESTION:

Richard Aull said in years past they have used some of these resources for extraordinary maintenance items. With the reduction of funding and the dedication of funds in the capital fund, how are we going to cover extraordinary maintenance items? Is the Operating Budget going to be able to pick it up this year?

RESPONSE:

George said that this is one of the challenges we face. Everybody has less to work with, including capital. They have many demands on them, and we have to prioritize what's important to us. One thing we instituted last year is a new method of preparing our budget, called Zero-Based Budgeting. It tells the manager that just because you got a certain amount this year, do not assume you will get that next year. You have to justify the money you are getting. They have to make their case for things that may come up. If they have problems with a door entry system, they cannot just say they need \$50K to repair it. They have to justify it – why they need it, how it will benefit us, what it will do. We are trying to focus the dollars where the needs are greatest. In the past, our managers have asked for hundreds of thousands of dollars with only a few sentences in explanation. That will not cut it anymore.

As far as emergencies go, we do recognize that they happen. We have a procedure that says they can be dealt with and fixed, and we will just have to find the money later. Around the time of Isabel, we had several calls about sliding doors coming off tracks. We did tell them to get them fixed; we deal with the money later.

QUESTION:

Richard added that, as part of the capital committee who cuts funds, it is imperative to the zero-based budget people that they know what's being cut so that they have an opportunity to at least try to get it into their operating budget. This is where this budget has to mesh somehow, and more critically this year than ever.

RESPONSE:

George said that they do recognize that there is a separation between the capital budget and the operating budget. We will try to bring it together. We recognize that is something we will have to put more attention to.

QUESTION:

Martha Benton said that these five non-federal sources used to be money that went to the tenant councils. Are you saying that you are withdrawing this from the tenants?

RESPONSE:

George said they are not withdrawing anything. He said in our effort to understand better what individual managers are doing, we have become aware that in some developments this money is going to the tenant council. They are looking at that. It is only in certain developments. They are going to determine what the appropriate policy should be.

QUESTION:

Martha asked how this can be done at only certain places. That is the only money that a lot of residents have.

RESPONSE:

George said that the policy needs to be the same across the board. The only thing he can determine is that, in some locations, the tenant council has negotiated this and come to the point where they can get these funds. He does think the policy should be across the board. They just became aware of this, so they are going to be working on that.

COMMENTS:

Mr. Dennis said that Martha is right. It is because of the leadership. Some of the leadership is aware of this, and they work to keep this arrangement. When he was at Lakeview Towers, they were fortunate that they were allowed to speak very freely to their leadership and management. Even in security meetings, he has noticed that what goes on in Lakeview is not going on in Douglass. Maybe it is because we do not interact with each other. The only group that gets together is the RAB. But sometimes this information does not get to the residents. It is a big communication breakdown. He is very glad to hear that they are trying to address those needs. In so many developments, the people are suffering because of the lack of good leadership. We try to stress that

this is a people thing, not a personal thing. When you are not serving your constituents then you do not need to be there.

He recalled that when Commissioner Hensen was in, he allowed each tenant council to speak on behalf of their constituents. When this issue came up, at Lakeview, they met with the company. They could not get direct funds, but they did get a library built for the residents.

Mr. Ruff said that he is an officer of the tenant council; he knows that the only money they do not get is from the washing machines, because the HABC pays for the water. We do receive money from the vending machines – all of it. This goes for the council's paper, pencils, etc. This really does not cover all that they need, by far.

QUESTION:

Mr. Harris asked what is the difference between the candy machines, the soda machines and the laundry. Why do they get all the vending except the laundry?

RESPONSE:

Richard Aull said that it probably has to do with the contract terms. These would be provided by different companies.

QUESTION:

Martha asked if these grant funds are incorporated into the general fund.

RESPONSE:

George assured her they were not. They are accounted for separately. They must have a specific purpose. We do approve grant applications in advance, because we do not want people requesting funds in the name of HABC that has nothing to do with housing. They also need to provide a budget. They need to know that HABC is not going to lose money. If you are going to get a grant, you must indicate that it is a reasonable budget and that it will cover the entire program without committing HABC to extra costs. We then account for it through our system.

QUESTION:

Richard Aull said that the bond funds are listed as a capital resource. When do we start paying off this loan?

RESPONSE:

George says repayment begins in two years and goes on for 20 years. We repay this out of the capital fund. We are borrowing the money now to do work now that would have been done over the next ten years.

Ed Landon added that we are doing all 504 work over the next two years, so Richard and he will gain no ground on roofs and electrical distribution. The number that is being heard now is between \$50-\$70 million to do just our 504 needs. We are working to figure all that out.

QUESTION:

Martha said that with the bond, we do not have to begin paying back for 2 years. That's \$16.6 million per year – can we use that for self-sufficiency? Or have you already set that money for something else?

RESPONSE:

George explained that we do not actually have that money. We are borrowing that money. The proceeds are \$65 million. We are going to start spending that on capital projects. We have to repay it, but not for 2 more years. The repayment is not coming out of the \$65 million; it's coming out of future capital.

Ed Landon added that he felt the Commissioner was clear; we must find family support services fund through other areas and other grants. It is not capital and cannot come out of the capital program.

George added that with those 2 years of payments, \$16.6 million, there is actually \$26 million worth of projects that need to be done. There are just too many needs and not enough money. The money is not sitting there waiting to be spent.

QUESTION:

Martha asked how we plan to keep up those buildings once we put all that money in?

RESPONSE:

George said that it would come from the operating budget as maintenance items. As mentioned before, the subsidy from HUD and the rent income goes to all the expenses in upkeep, the day-to-day normal operations.

Review of Staff Changes to the Template
Meeting of March 9, 2004
10:00 a.m.

PRESENTER/S: Ms. Joyce Stewart, Committee Chair

QUESTION:

In the notes from the February 9th staff meeting, there were a number of items that were noted as “no reply.” The committee would like to receive answers to these questions prior to the public meeting. In the minutes of the 2/9 meeting, these occur in discussions of Pages 15, 21, and 31.

RESPONSE:

Page 15:

The figures on the Public Housing charts need to be validated. The 2003 numbers and those from 2004 are very different. For example, extremely low-income applicants we have at 90%. Last year's document we were at 97.6%. Do we have the same issues here as we did in Section 8? How are the income numbers in MST? Very low income we show 10%. Last year it was 1.5%. We need to validate these numbers. The same thing for families with children. It changed from 34% to 47%. Elderly families from 1% to 7%. Disabled families are the most dramatic. Last year we said we had 591 or 5.1%. Now it's 45%. We need to review and make sure these are right.

Response:

The numbers used in last years Annual Plan were obtained from our waiting list, which had not been updated for quite some time. This years numbers are more accurate as they were obtained from an updated waiting list which was computerized by our MST system.

Page 21

Under Need: “Races or ethnicities with disproportionate housing needs”, Strategy 1. We checked “Other,” and stated that HABC will affirmatively market to race/ethnicity under-represented on the waiting list.” What does that mean? How will we do this?

Response:

HABC makes sure that the community and/or advocacy groups that represent the races/ethnicities under-represented on our waiting list have HABC applications. In addition HABC also does outreach to these groups.

Page 35:

“Did the PHA's analysis of its family developments to determine concentrations of poverty indicate the need for measures to promote deconcentration of poverty or income mixing? Was an analysis done?”

Response:

Yes an analysis was done. Data was obtained from the MST system that gave the race and income levels for existing residents. From this data we were able to determine the need for measure to promote deconcentration of poverty or income mixing.

QUESTION:

The committee wants to know more about the HOME funds. Please clarify the statement that "those funds are going through the city and not through HABC." What are these funds; where do they come from and where do they go; what are totals?

RESPONSE:

HOME is a HUD directed federal entitlement program applied for through Baltimore City's Annual Action Plan/Consolidated Plan. Annual allocations depend on the total amount appropriated by Congress and a weighted formula applied to all eligible jurisdictions. For Baltimore City the FY 2004 the allocation was \$7,513,643.

HOME funds are essentially limited to housing for low and moderate-income households although a small percentage is set aside for operating support. Under the draft Bailey consent decree, HABC would receive \$500,000 over a five-year period for minor accessibility retrofits in **privately held units** and the City will commit 11.5% of its HOME annual allocation for housing for persons with disabilities. Since HOME funds cannot be used for the construction of PHA-owned units, the HOME funds will be used to make minor accessibility retrofits in units where Section 8 residents reside. The final terms of the decree are under discussion so the specifics relative to HOME funds may still change.

QUESTION:

It is "rumored" that the city will be handling all relocations in the future. Please clarify. How will these funds be distributed?

RESPONSE:

HABC is and will continue to handle the relocation of its families. It will coordinate to the extent appropriate with others including the EBDI initiative to see that our families get the same benefits as all others in the community

QUESTION:

Construction has begun at Flag House. Is there a trailer located there where someone can sign up for the wait list? If not now, will there be one in the future? What is the office at Gough & Broadway for? Where are Flag House people applying?

RESPONSE:

HABC is not accepting applications for Flag House at this time. The trailer located at Gough and Broadway is for construction and inspection of that construction. As for the waiting list, a stipulation from the court provides that the residents of Flag receive first right of re-entry and then other residents displaced by HOPE VI. Once we exhaust

those lists HABC can draw applicants from the community-wide waiting list.

QUESTION:

About Heritage Crossing. What is happening? It is their impression that many of the re-entry folks are not back in yet. Ms. Bishop, in particular, said she was expecting a 1-bedroom, but has heard nothing for a long time. What happened with the lottery at Heritage? Have all lottery winners been settled?

RESPONSE:

Heritage is fully occupied. Once a vacancy occurs residents will be pulled from the lottery list.

QUESTION:

What is Asset Management? What is the Asset Management waiting list?

RESPONSE:

As discussed at our December 11, 2003 meeting, Asset Management means preserving the value of the housing inventory that we own or have an ownership interest in, making sure that the stock retains its value and stays well managed and acceptable housing stock. The "asset-managed" waiting list is a list of privately owned and HABC-owned units. The waiting list is managed by Housing Operations and is based on eligibility requirements under the Thompson decree.

QUESTION:

504 issues are restricting transfer requests. When will those restrictions be lifted?

RESPONSE:

HABC transfers for 504 take precedence, i.e. residents with immediate needs or those who need accessible units. In addition to the foregoing, HABC is also executing transfers where an emergency exists. This will continue until all 504 transfers as under Bailey are complete.

QUESTION:

Ms. Benton objected strongly that Ms. Cherry-Mahoi was not included in the staff meeting that met on February 9th to discuss changes to the plan. She wants to reinforce with Lyle Schumann, and with Mr. Graziano, that Ms. Cherry-Mahoi represents the residents and must be included in any and all staff meetings and meetings that discuss matters that relate to residents.

RESPONSE:

The absence of Ms. Cherry-Mahoi from the February 9th staff meeting was an error that will not be repeated. There was no intention to exclude the residents as evidenced by the dissemination of the February 9th meeting minutes at the March 9th meeting.

QUESTION:

Why isn't the Master Plan for each development included in the Annual Plan?

RESPONSE:

HUD produces the template for the Annual Plan and housing authorities must comply with that template. HUD does not ask for Master Plans to be included in the Annual Plan, however, all aspects of a Master Plan for a particular development can be found in Component 8: Demolition and Disposition. In addition all Master Plans are public documents and are made available upon request.

Following the release of the Draft Plan, a series of meetings was held at the developments to discuss the Plan and the public meeting with as many residents as possible. At several meetings, residents had questions or concerns that were addressed by Ms. Stewart in follow-up letters. Excerpts of those letters follow.

February 11, 2004 Brentwood Tenant Council Meeting

During the meeting a Tenant Council President Dorothea Thompson asked if an applicant who suffers from substance abuse is eligible for public housing assistance. She also wanted to know about the status of repairs for a leak on the 12th floor.

Please be advised that a person may be eligible to receive SSI if that person is disabled, and drug addiction or alcoholism is a contributing factor to the determination of the disability. In order to receive SSI, the person must show that he or she has received appropriate treatment for the drug addiction or alcoholism at an approved institution or facility, and that he or she has made progress in treatment. If that person then applies for public housing, he or she is eligible for housing, and **the applicant will be considered disabled** for purposes of receiving a waiting list preference for public housing assistance.

As for the leak on the 12th floor, it is my understanding that the plumbing crew who were at The Brentwood on Monday, February 23, 2004, determined that a water-line leak is causing the problem. Since that time, the leak was repaired when the Plumbing Crew came on site to turn off the water in the building, cut out the leaky pipe and replace it with a new copper pipe, new valves and other fittings.

Additionally, Mr. Dennis Connelly in apartment #7-P advised me during the meeting at The Brentwood that his bathtub drain was clogged. Please be advised that the drain has been cleared and Mr. Connelly now has the full use of his bathtub.

February 11, 2004 and March 9, 2004 – Dukeland Homes

February 13, 2004 Rosemont Towers Tenant Council Meeting

During the meeting one of the residents asked when the work on the elevators will begin? Please be advised that a contract to replace the elevators was awarded on January 6, 2004 to Centennial Contractors and a Notice to Proceed was issued on January 12, 2004. Machinery is being designed, approved and manufactured for this contract and work on the first elevator will probably begin in April of this year and continue through the fall. At that time work on the second elevator will begin so that only one elevator at a time will be out of service. The completion date for replacement of both elevators is estimated to be around May of 2005.

February 17, 2004 Primrose Place Tenant Council Meeting

February 18, 2004 Chase House Tenant Council Meeting

February 18, 2004 Douglass Homes Tenant Council Meeting
During the meeting several concerns were raised regarding the new Community Service requirements. I advised both Dr. Little of Resident Initiatives and Mr. David Jefferson, Regional Director for Douglass Homes of your concerns. I understand that you have since met with Mr. Jefferson to discuss some of your concerns regarding this and other issues.

February 18, 2004 Gilmor Homes tenant representatives

February 18, 2004 West Twenty Tenant Council Meeting

February 19, 2004 Lakeview Towers Tenant Council Meeting
During the meeting Ms. Brinson asked if there is an age limit for admitting persons with disabilities into a mixed-population building. Please be advised that a person **without a disability** must be at least 55 years of age to be admitted into a mixed-population building, however, **a person with a disability may be admitted at any age.**

February 19, 2004 O'Donnell Heights Tenant Council Meeting

February 26, 2004 McCulloh Homes Tenant Council Meeting

February 27, 2004 Govans Manor Tenant Council Meeting
While at the development several residents wanted to know if new kitchen cabinets would be funded from the Capital Plan and installed during the coming year. As I discussed during my visit, Govans Manor will receive a new fire management system and new elevators (which are currently being installed), both of which are funded from the Capital Plan. At this time money has not been set-aside in the Capital Plan for kitchen cabinets. I respectfully suggest that you bring this matter to the Capital Plan Committee from your development so that next year the committee can see that this item is put into the Capital Plan.

Last, Ms. Joyce Smith, occupant of 8-A asked if maintenance would clean the pigeon droppings from her balcony. Please advise Ms. Smith that I have spoken with the Manager who stated that she would have Maintenance staff clean her balcony.

March 10, 2004 Allendale Tenant Council Meeting
During the meeting one of the residents asked if there is an age limit for admitting persons with disabilities into a mixed-population building. Please be advised that a person **without a disability** must be at least 55 years of age to be admitted into a mixed-population building, however, **a person with a disability may be admitted at any age.**

March 10, 2004 Somerset Homes tenant representatives

ATTACHMENT F (1)

HABC Administrative Plan
For Thompson v HUD Partial Consent Decree
Section 8 Programs

**Administrative Plan
For Thompson v HUD Partial Consent Decree
Section 8 Programs**

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SECTION ONE: GENERAL PROVISIONS

INTRODUCTION

In 1995 a class action was filed in U.S. District Court for the District of Maryland against the Housing Authority of Baltimore City (HABC), the City of Baltimore and the U.S. Department of Housing and Urban Development (HUD), *Thompson, et. al. v HUD, et. al.*, C.A. No. MJG95-309. The plaintiffs alleged that African American residents of and applicants for public housing and Section 8 vouchers had been discriminated against based upon their race. In 1996 the parties entered into a Partial Consent Decree, which established a Special Mobility program using 1,342 special Section 8 certificates (Special Certificates), a Homeownership Demonstration Program to create up to 168 homeownership units to the extent practicable, lawful, feasible and affordable and up to 646 Section 8 project-based vouchers. The Special Certificates and Vouchers for these programs were provided to HABC by HUD in accordance with the Partial Consent Decree and may only be used in Non-Impacted Areas identified in the Partial Consent Decree except as set forth below.

This separate Administrative Plan has been developed to address those aspects of the Special Certificate and Voucher programs that differ from HABC's regular allotment of Section 8 Housing Choice Vouchers. Except as set forth herein, the principles, policies, practices and standards set forth in the HABC general Administrative Plan apply to the homeownership programs established pursuant to the Partial Consent Decree and to the Special Certificates and the project-based vouchers issued pursuant to the Partial Consent Decree.

The Special Certificates specified in the Partial Consent Decree will be administered as Housing Choice Vouchers (HCV) as a result of the funding provided by HUD and because the Section 8 certificate and voucher programs were merged into a new Housing Choice Voucher program in legislation adopted subsequent to the Partial Consent Decree in the Quality Housing and Work Responsibility Act of 1998 (QHWRA).

PROGRAM ADMINISTRATION

HABC has contracted with Quadel Consulting Corporation to administer the Section 8 aspects of the three programs included in the Special Mobility Programs. Quadel is conducting this work through its Baltimore-based subsidiary Metropolitan Baltimore Quadel (MBQ). In addition, MBQ is providing mobility counseling and follow-up for the 1,342 Housing Choice Vouchers funded under the provision for Special Certificates from the Partial Consent Decree.

HABC has contracted with the Innovative Housing Institute (IHI) to administer all other aspects of the project-based vouchers and the homeownership program. This includes locating and contracting for units, recruitment and placement of eligible families and providing training and counseling services and follow-up for participating families.

The policies set forth in this Plan are based on current regulations in effect. HABC, MBQ and IHI are responsible for complying with all subsequent changes in HUD regulations pertaining to the programs administered. If such changes conflict with this Plan, HUD regulations will have precedence.

SPECIAL VOUCHER CONDITIONS

The Housing Choice Vouchers provided by HUD for these programs in accordance with the Partial Consent Decree are subject to HUD regulations and guidance for its Section 8 programs, except as modified by the requirements of the Partial Consent Decree. The major relevant requirements of the Partial Consent Decree are the following:

- For all three special mobility programs families may use their assistance only in Non-Impacted Areas identified in the Partial Consent Decree, except that families who qualify as displaced persons (as defined below) may request and be granted the option of using a Special Voucher in an Impacted Area. If a Special Voucher is used in an Impacted Area, in accordance with the Partial Consent Decree, a regular Housing Choice Voucher will replace it.
- A Special Voucher holder must rent a unit in a Non-Impacted Area for a period of one year. After the one-year period expires, the Special Voucher holder may move anywhere in the Metropolitan Baltimore area or, under HCV Program portability provisions, anywhere in the United States where a Public Housing Agency (PHA) with jurisdiction, operates a HCV Program. Due to the provisions of the Partial Consent Decree, no more than 200 Special Voucher families in the first year of assistance, may use their voucher to lease units in the Non-Impacted areas of Baltimore City, at any one time.
- Due to the provisions of the Partial Consent Decree no more than 360 Special Voucher families, during the first year of their assistance, may use their voucher to lease units the Non-Impacted areas of Baltimore County, at any one time.
- Special Voucher holders may be denied the ability in their first use of their Special Voucher to lease a unit in a multifamily rental development with more than 50 units if more than 20 percent of the units in that development already have families receiving some form of Section 8 assistance.

STATEMENT OF PROGRAM APPROACH AND OBJECTIVES

The primary objectives of the Special Mobility Programs are to:

- Provide rental housing and homeownership assistance in Non-Impacted areas identified in the Partial Consent Decree to those families eligible for the Special Mobility Program; and
- Provide mobility counseling to eligible families participating in one of the Special Mobility Programs.

FAIR HOUSING AND NON-DISCRIMINATION POLICY

It is the policy of MBQ to administer its programs in compliance with the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975.

In addition, as a contractor to HABC, MBQ will abide by all contract clauses that require it to affirmatively further Fair Housing and Equal Opportunity in the administration of programs by fully complying with all Federal, State and local nondiscrimination laws and in accordance with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment practices. HABC and its contractors do not discriminate against any applicant or participant because of race, color, sex, religion, national origin, ancestry, age, familial status, handicap or disability, or sexual orientation. MBQ will also not apply any criteria or consider any information pertaining to attributes or behavior that may be imputed by some to a particular group or category. HABC and its contractors do not deny to any family the opportunity to apply for housing (when the waiting list is open) or deny any eligible applicant the opportunity to lease a housing unit that meets program requirements.

MBQ will provide program applicants and participants with information on Federal/State/local laws regarding housing discrimination and any recourse available, including HUD's web site at www.hud.gov. Such information will be made available as part of the program briefing session, and all applicable Fair Housing and Equal Opportunity information and complaint forms will be made part of the Briefing Packet. MBQ will provide referrals and information to applicants and participants about local organizations that provide assistance in filing discrimination complaints. In addition, all MBQ form letters contain the Equal Housing Opportunity logo.

REASONABLE ACCOMMODATION POLICY

As contractors to HABC, MBQ and IHI will abide by the Authority's Reasonable Accommodations Policy adopted by HABC's Board of Commissioners and approved by the Baltimore HUD's Office of FHEO. In addition, MBQ's and IHI's policies and procedures have been designed to provide assurances that individuals with disability may request reasonable accommodation to fully access and utilize the housing programs and related services.

To be eligible for a reasonable accommodation, an individual must have a disability which is defined as follows:

- A physical or mental impairment that substantially limits one or more of the major life activities of an individual;
- A record of such impairment; or
- Is regarded as having such an impairment.

Availability of specific accommodations will be included on Special Mobility Program forms, notices, and letters to families. An applicant or participant with a disability may request a reasonable accommodation in writing to the attention of the Managing Director. Decisions on granting a reasonable accommodation will be made on a case-by-case basis upon consideration of the nature and cost of the accommodation requested and the overall financial resources involved in granting the accommodation. Requests for reasonable accommodation will be verified in accordance with MBQ's independent third-party verification policies.

To further MBQ's and IHI's commitment to Fair Housing and Equal Opportunity, the following steps will also be taken:

- Organizations that provide assistance to hearing and sight-impaired persons be contacted and utilized as necessary;
- A list of known accessible units will be provided to applicants and participants upon request;
- Household members having a disability will be referred to agencies in the community that offer services to persons with disability;
- Information on the Maryland Relay System that provides accessibility to the hearing impaired will be provided upon request.

In addition, MBQ has designated the Managing Director as its Section 504 Coordinator. The address and phone number of MBQ's office is provided on all correspondence and forms including the Program Briefing Packet, Moving Packet, and Recertification Packet.

EQUAL OPPORTUNITY HOUSING AND AFFIRMATIVE MARKETING PLAN

Program Outreach: MBQ and IHI will conduct outreach to inform and attract applicants from among eligible families. Information will be provided on the Special Voucher, Project-Based, and Homeownership Programs. This outreach includes, but is not limited to, mailings to eligible families, brochures, and public presentations at public housing developments and other appropriate locations.

Advertising will be accomplished through newspapers of widespread general circulation and minority focused media. MBQ and IHI may also undertake additional marketing activities in order to market site specific or special purpose housing, as identified in this Plan.

To ensure that the availability of housing is communicated to individuals with disabilities, MBQ will contact agencies and organizations that serve individuals with disabilities. If necessary, special mail-in procedures for frail elderly or severely disabled respondents may be employed.

Outreach to property owners is conducted by MBQ and IHI on an ongoing basis to develop interest in the program and to increase the number of units available in Non-Impacted areas. MBQ and IHI will distribute information about the Programs and the advantages to landlords of participating by mail, at group and one-on-one meetings.

MBQ maintains a list of interested property owners and units available for the Special Voucher Program. As inquiries from prospective new property owners are received, staff records the necessary information about units and makes it available to prospective tenants upon request.

MBQ and IHI will encourage local property owners with units specially designed or adapted for persons with disabilities, and those who may be willing to adapt units, to participate in the programs. Whenever a local property owner makes a unit available for the program, MBQ or IHI shall inquire as to whether the unit is accessible and the extent of accessibility.

TRANSLATION OF DOCUMENTS

In determining whether it is feasible to translate documents into other languages, MBQ will consider the following factors:

- Number of applicants and participants in the jurisdiction who need the other language translation;
- Estimated cost to MBQ for the translation;
- The availability of local organizations to provide the translation services; and
- Availability of bilingual staff to provide the translation.

HOUSING AUTHORITY JURISDICTION

MBQ's and IHI's jurisdiction for the Special Mobility Programs is Metropolitan Baltimore which includes Baltimore City and Anne Arundel, Baltimore, Carroll, Harford, Howard and Queen Anne's Counties.

RECORD MAINTENANCE

Participant files will be maintained for the following time frames:

- Past participants leaving with no balance owed MBQ: three years.
- Past participants leaving with a balance owed MBQ: indefinitely until balance is cleared but not less than three years

UNUSUAL CIRCUMSTANCES

In the event circumstances arise that do not fall under the provisions stated in this Plan, those circumstances will be reviewed on a case-by-case basis by MBQ's Managing Director. Appropriate actions will be taken as warranted and those actions will be documented by MBQ's Managing Director.

DESCRIPTION OF PROGRAMS

The Special Mobility Program includes three programs:

- Special Voucher Program: Tenant-based vouchers, which must be used in Non-Impacted areas by eligible families who have received mobility counseling.
- Project-Based Voucher Program: Project-based vouchers, which must be used in Non-Impacted areas by families who have received mobility counseling. (See Project Based Program Section)
- Homeownership Program: This program will use second and third mortgages, in addition to Section 8 Homeownership Vouchers to assist those eligible families who qualify for a mortgage but have very-low or extremely-low incomes of no less than \$10,200/year. Disabled and elderly applicants are exempt from the minimum income requirements. The program includes a direct purchase program and a lease purchase program. (See Homeownership Program Section)

ELIGIBLE TYPES OF HOUSING

Single family dwellings, duplex, triplex, fourplex, row-type housing, multi-unit complexes, apartments, condominiums, town homes (mobile homes and manufactured homes if allowed in the jurisdiction) are eligible types of housing for the Special Voucher Program. Hotels, motels, nursing homes, college or school dormitories, other types disallowed by HUD regulations, or a unit occupied by its owner or by a person with any interest in the dwelling unit, are not eligible types of housing. The exception to this is a participant in the Special Homeownership program who is purchasing under a lease-purchase arrangement.

At its discretion, MBQ may allow a family participating in the Special Voucher Program to use any of the following special housing types in accordance with the regulations of the program: single room occupancy housing, congregate housing, group home, shared housing, or cooperative housing. MBQ will follow HUD regulations regarding participants residing in these special housing types.

PAYMENT STANDARDS REVIEW

MBQ will review the payment standard schedule annually and will recommend to HABC any proposed changes to the payment standards. The schedule amounts will fall within the HUD allowed range from 90 percent to 110 percent of the HUD-published Fair Market Rents (“FMR”), or such higher exception standard approved by HUD. In 2002, HUD approved a schedule of “success rate” Payment Standards for HABC that MBQ will also utilize as it administers the Special Mobility Programs.

The payment standard applied for the family will be the lower of:

- The payment standard based upon the size and composition of the family, or
- The payment standard for the size unit rented by the family.

MINIMUM RENT

The Special Mobility Programs have a zero (\$0) minimum rent policy.

UTILITY ALLOWANCE SCHEDULE

MBQ will maintain a schedule of utilities in accordance with HUD regulations to be used in the determination of housing assistance payments to owners. The utility allowance schedule will be evaluated annually, using data compiled by the local utilities company and utility schedules obtained from other PHAs operating HCV programs within the jurisdiction of the Special Mobility Programs. Unless MBQ and HABC find the utility allowances of the resident PHA with jurisdiction to be inadequate, MBQ will use the utility allowances adopted by the resident PHA.

MBQ will use the appropriate utility allowance for the size of the dwelling unit actually leased by the family.

Utility Reimbursement Payment checks will be mailed to those participants whose utility allowance is greater than their Tenant Rent. The Utility Allowance Payment (UAP) checks will be issued in the name of both the participant and utility company.

PRIVACY RIGHTS

At time of application, and anytime a change of family status is processed, each participant may be required to sign a Federal Privacy Act Statement, acknowledging that all family status information is released to HUD, and that HUD may share this information with other governmental agencies.

Applicants and participants are required to read and sign the Federal Privacy Act Statement which outlines the conditions under which HUD will release information. Requests for information must be accompanied by a written Release of Information Request signed by the applicable party in order for MBQ to release any information involving an applicant or participant, unless disclosure is authorized under Federal or State law. MBQ may release information requested by court subpoena.

QUALITY CONTROL

MBQ maintains complete and accurate accounts and other records for the program in accordance with HUD requirements. MBQ has developed monitoring procedures as part of its internal control systems to monitor program requirements, program actions and performance standards. Each SEMAP indicator is monitored, as well as other relevant program actions. In addition to SEMAP requirements, MBQ performs quality control audits on all Housing Choice Voucher actions.

MBQ maintains records, reports and other documentation for the period of time required by HUD that is in accordance with HUD requirements and records retention policies established in

this Plan. In addition, MBQ files will be maintained in a manner that will allow an auditor, HUD, HABC, or other authorized party to monitor MBQ's operations in an objective manner.

SECTION TWO: ELIGIBILITY AND ADMISSION

PROGRAM ADMISSION

Only eligible applicants on the waiting list maintained for the Special Mobility Programs will be admitted to one of the Special Mobility Programs. .

DEFINITION OF FAMILY

The applicant must qualify as a family. A “family” shall be defined as:

- Two or more persons sharing residency whose income and resources are available to meet the family’s needs and who are either related by blood, marriage or operation of law, or who evidence a stable family relationship over a period of not less than one year. Evidence of “stable family relationship” may include birth certificates of children, joint tax returns, prior lease held jointly, joint bank accounts, insurance policies, marriage certificates, or equivalent documentation as determined by MBQ.
- A single, pregnant female is considered a two-person family for purposes of this program.
- A group of persons consisting of two or more elderly persons or disabled persons living together, or one or more elderly or disabled persons living with one or more live-in-aides.
- An elderly family. A family whose head, spouse, or sole member is a person who is 62 years of age or older. It may include two or more persons living together, and one or more such persons living with one or more persons, including live-in-aides, determined to be essential to the care and well-being of the elderly person or persons. An elderly family may include elderly persons with disabilities and other family members who are not elderly.
- A single person who lives alone or intends to live alone, and who is not elderly, disabled, or the remaining member of a tenant family.
- A disabled family. A family whose head, spouse, or sole member is a person with disabilities. May include two or more persons with disabilities living together, or one or more such persons living with one or more live-in-aides determined to be essential to the care and well-being of the person or persons with disabilities. A disabled family may include persons with disabilities who are elderly.

Joint-custody agreements. For the purposes of this program, children who are subject to a joint custody agreement and live in the unit at least 51% of the time will be considered family members (“51% of the time” is defined as 183 days of the year, which does not have to run consecutively). In a joint custody arrangement, if the minor is residing in the assisted dwelling less than 183 days per year, the minor will be considered an eligible visitor, not a family member, and not on the lease.

Foster Care. For purposes of this program, a child who is temporarily away from home because of placement in Foster Care is considered a member of the Family if the child will be returned within six (6) months.

When multiple families (two families living together) apply as a family unit, they are considered one “family” for purposes of this program.

Person with Disabilities. For purposes of determining eligibility for this program a person with disabilities is defined as a person who:

- Has a disability as defined in Section 223 of the Social Security Act; or
- Has a physical, mental or emotional impairment that:
 - Is expected to be of long continued and indefinite duration;
 - Substantially impedes his/her ability to live independently; and
 - Is of such a nature that such disability could be improved by more suitable housing conditions; or
- Has a developmental disability as defined in Section 102 (5) (b) of the Developmental Disabilities Assistance and Bill of Rights Act.

No applicant shall be considered a person with disabilities for the purpose of program eligibility solely on the basis of any drug or alcohol dependence.

Individual with Disabilities. The Section 504 and Fair Housing definition of individual with disabilities is a civil rights definition and is used to determine whether an applicant or participant is entitled to a reasonable accommodation.

Live in Aide: A person who resides with someone who is age 50 or older, disabled, or a person who:

- Is determined by MBQ to be essential to the care and well being of the person(s); and
- Is not obligated for the support of the person(s); and
- Would not be living in the unit except to provide necessary supportive services.

A live-in aide may include more than one person. A live in aide or the live-in-aide’s family will not be considered a remaining member of the tenant family. A live-in aide may only reside in the unit with the approval of MBQ. Written verification is required from a doctor, social worker, caseworker, etc. The verification must certify that the live-in aide is needed for the care of the person and must specifically state what the care is needed for. Verification must include the hours the care will be provided. The landlord must provide written approval of the live-in aide residing in the unit. The live-in aide is added to the lease and contract, and noted as a live in aide.

At any time, MBQ may refuse to approve a particular person as a live-in aide, or may withdraw approval if:

- The person commits fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program; or
- The person commits drug related or violent criminal activity; or

- The person currently owes rent or other amounts to MBQ or another PHA in connection with subsidized housing assistance; or
- The person is subject to a lifetime registration requirement under a state sex offender registration program.
- Any other reason allowed under HUD regulations.

DEFINITION OF INCOME

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

- Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or
- Are anticipated to be received from a source outside the family during the 12 month period following admission or annual re-certification effective date; and
- Are not specifically excluded as mentioned below.
- Annual income also means amounts derived (during the 12 month period) from assets to which any member of the family has access.

Annual income includes, but is not limited to:

1. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services.
2. The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family.
3. Interest, dividends and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as per HUD regulations. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets by the family. Where the family has net family assets in excess of \$5,000.00, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD.
4. 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.
5. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay.
6. Public assistance (welfare, TANF, etc.)

7. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the household.
8. All regular pay, special pay and allowances of a member of the Armed Forces.

Annual Income does not include the following:

1. Income from employment of children (including foster children) under the age of 18.
2. Payments received for the care of foster children or foster adults.
3. Lump-sum additions to family assets, such as inheritances, insurance payments, capital gains and settlement for personal or property losses.
4. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member.
5. Income of a live in aide.
6. The full amount of student financial assistance paid directly to the student or to the educational institution.
7. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.
8. Amounts received under training programs funded by HUD.
9. 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).
10. Amounts received by a participant in other publicly assisted programs, which are specifically or in reimbursement of, out of pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program.
11. Temporary, nonrecurring or sporadic income (including gifts).
12. Reparation payments paid by a foreign government pursuant to claims filed under laws of that government by persons who were persecuted during the Nazi era.
13. Earnings in excess of \$480 for each full-time student 18 years of age or older (excluding head of household and spouse).
14. Adoption assistance payments in excess of \$480 per adopted child.
15. Deferred periodic amounts from Supplemental Security Income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts.
16. 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.
17. 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.
18. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 C.F.R. 5.609(c) apply. A notice is published in the Federal Register identifying the benefits that qualify for this exclusion.

Annualization/Averaging of Income: If it is not feasible to anticipate a level of income over a 12-month period, i.e. seasonal or cyclic income; or MBQ believes that the past income is the best available indicator of expected future income, MBQ may annualize the income anticipated for a shorter period, subject to a re-certification at the end of the shorter period. Income may also be calculated by averaging known sources of income that vary to compute an annual income (no interim adjustment is required if income remains what was calculated).

Assets Disposed of for Less than Fair Market Value: MBQ will count assets disposed of for less than fair market value during the two years preceding eligibility determination or re-certification. MBQ will count the difference between the market value and the actual payment received. Assets disposed of as a result of foreclosure or bankruptcy are not considered to be assets disposed of for less than fair market value. Generally, assets disposed of as a result of a divorce or separation are not considered to be assets disposed of for less than fair market value.

MBQ's minimum threshold for counting assets disposed of for less than fair market value is \$1,000.00. If the total amount of assets disposed of within a one-year period is less than \$1,000.00; they will not be considered an asset for the two-year period. If the total amount of assets disposed of within a one-year period is more than \$1,000, all assets disposed of for less than fair market value will be counted as assets for two years from the date the asset was disposed of.

Reduced Payment Amounts: If a public assistance (TANF, SS, SSI, etc.) recipient receives a reduced benefit payment because of willful non-compliance with program requirements, MBQ shall calculate HAP and Tenant Rent on the basis of the income prior to the penalty or reduced benefit.

INCOME DEDUCTIONS

The following deductions are allowed:

- \$480 for each dependent (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).
- \$400 for any elderly family or disabled family.

In summary, to the extent the sum exceeds 3% of annual income:

- Un-reimbursed medical expenses of any elderly or disabled family. Non-prescription medicines must be doctor recommended with a specific dosage in order to be considered as a medical expense; and
- Un-reimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is disabled) to be employed. This allowance may not exceed the earned income received by the family

members who are 18 years of age or older who are able to work because of such attendant care or auxiliary apparatus.

- Any reasonable childcare expenses for children age 12 and under, necessary to enable a member of the family to be employed or attend school full time, provided:
 - Childcare expenses may not be deducted if there is an adult household member capable of caring for the child who can provide the childcare.
 - The maximum childcare expense allowed must be less than the amount earned by the person enabled to work. The “person enabled to work” will be the adult member of the household who earns the least amount of income from working. Proof of expense is required.
 - The number of hours claimed for childcare may not exceed the number of hours the family member is attending work or school (including two hours travel time to and from work or school).

MBQ may survey local care providers in the community or collect data as a guideline. If the hourly rate exceeds the guideline, MBQ may calculate the allowance using the guideline.

RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS

In order to receive assistance, a family must be a U.S. citizen or eligible immigrant. Eligible immigrants are persons who are in one of the immigrant categories as specified by HUD. Every family member must provide sufficient information to enable MBQ to obtain and verify citizenship or eligible immigration status in accordance with HUD Regulations. The status of each member of the family is considered individually before the family’s status is defined for this reason. A family is eligible for assistance as long as at least one member is a citizen or eligible immigrant. Families that include eligible and ineligible individuals are “mixed families” and assistance is pro-rated.

For this eligibility requirement only, the applicant is entitled to an Informal Hearing if they are denied housing assistance based on their citizenship status.

OPENING AND CLOSING OF THE WAITING LIST

MBQ will maintain a single waiting list for admissions to the Special Voucher, Project Based, and Homeownership Programs.

Because of the preferences provided in the Partial Consent Decree, it is not anticipated that the waiting list will ever be completely closed. However, the waiting list may be closed to the lowest priority groups should there be sufficient applicants from the higher priority groups to fill all expected program vacancies for at least one year. Should the waiting list be closed to any eligible priority groups and MBQ determines that additional applicants are needed, the waiting list will be opened and a public advertisement and notice will be posted.

All notices and advertising announcing the opening of the waiting list will include:

- The date(s) the list(s) will be open.
- The office hours and location where applications are available and will be accepted.
- Eligibility guidelines.
- Preferences for the selection of applicants.
- Any limitations that may apply.

At the initiation of the Special Mobility Program implementation, the waiting list will be opened indefinitely until there are enough applicants to fill anticipated vacant slots for the next two years. At that time the waiting list will be closed.

PRE-APPLICATION AND WAITING LIST PLACEMENT

Any family or individual wishing to participate in any of the Special Mobility Programs must submit a pre-application to MBQ. After an initial review to determine eligibility under the Partial Consent Decree, MBQ will then place the applicant on the waiting list by the date of receipt of the preliminary application by MBQ

The order of admission from the waiting list will be based on preference and then by date and time of MBQ receipt of completed pre-application. Completed pre-applications must be mailed or delivered to the MBQ Office.

MBQ will not deny anyone the right to submit a pre-application when the waiting list is open. All pre-applications will be time and date stamped upon receipt.

The MBQ waiting list(s) will contain the following information for each applicant listed:

- Applicant name
- Head of Household Social Security Number
- Family unit size
- Date and time of application
- Category or categories under which the family qualifies under the eligibility definition of the Partial Consent Decree.
- Qualification for any preference
- Racial or ethnic designation of the head of household

WAITING LIST MAINTENANCE

When MBQ updates the waiting list it will mail notices to applicants on the list requesting updated information and an indication of whether the applicant remains interested in the Special Mobility Programs. The applicant will be required to respond to the request for information within a specified time period. Each update notice will include offering the applicant an opportunity for an informal review if the family has been withdrawn from the waiting list.

If the applicant fails to respond to MBQ's request for updated information or any notice is returned to MBQ as undeliverable, a further attempt will be made to locate the applicant and

determine their continued interest. Should a second attempt fail to locate the applicant or the applicant fails to respond, the applicant's name will be withdrawn from the waiting list. Any applicant whose name is withdrawn under this procedure, but who remains eligible for the program, may reapply and have his/her name placed on the waiting list.

ELIGIBILITY AND PREFERENCES

The Partial Consent Decree establishes a definition of who is eligible to participate and the order of preference among the eligible categories in the Special Mobility Program.

The preferences established by the Partial Consent Decree, in priority order as listed¹, are as follows:

- Displacees, as defined in the Partial Consent Decree, which are families who were residing at Lexington Terrace, Murphy Homes or Flag House Courts as of August 19, 1995, and families that resided at Lafayette Courts who allegedly did not receive all of the benefits under the Uniform Relocation Act, and the named plaintiffs in the Thompson v. HUD lawsuit.
- Relocates, as defined in the Partial Consent Decree, which are non-Displacee former resident families at Lafayette Courts, Lexington Terrace, Murphy Homes, Flag House Courts, and Fairfield Homes, who wish to move to Non-Impacted Areas.
- Other public housing residents living in HABC public housing developments, including scattered sites, as of April 17, 1996 or who live in HABC public housing at the time of their application for the Special Mobility Programs. Within this category, preference shall be given to families with children.
- Public housing applicants on the waiting list as of August 1, 2002, living in Impacted Areas who wish to move to a Non-Impacted Area.
- Section 8 applicants on the waiting list as of August 1, 2002, living in Impacted Areas who wish to move to a Non-Impacted Area.

These preferences only apply if more than three months has elapsed between MBQ receipt of the preliminary application and the eligibility interview. If more than three months has not elapsed, applicants to the program are selected from the waiting list by date and time of preliminary application receipt by MBQ.

VERIFICATION OF PREFERENCES

The Housing Authority of Baltimore City (HABC) will provide MBQ with separate lists for each preference category that indicate the complete population of each preference group, including, where still available:

- Family name

¹ The Partial Consent Decree was entered in 1996. As a result, the preferences set forth in the Partial Consent Decree have been slightly modified by the changing the waiting list date from June 1996 to the August 2002 date set forth above and to include public housing residents living in public housing as of April 1996 or at the time of their application for the Special Mobility Programs.

- Project or address from which the family was relocated or displaced
- Complete list of heads of households
- Complete list of social security numbers

HABC will update these lists regarding name changes or addition of social security numbers as needed. These lists will be used as verification for preferences.

If the applicant is not listed on the HABC lists for the eligibility category he/she claims, the applicant will be denied a preference to the Special Voucher Program. HABC will provide an informal review procedure for applicants who wish to challenge the denial of eligibility or a preference because their name was not included on the list for the category they claimed.

SCREENING

In accordance with HABC's Administrative Plan for its regular program, MBQ will collect information and verify that each applicant family meets the following screening criteria:

- Whether or not the applicant has a debt to HABC, any other PHA in the Metropolitan Baltimore area or MBQ. This will include whether there is a current repayment agreement and, if so, whether payments are current under the agreement. Applicants with such debts must either pay the amount outstanding or enter into an acceptable repayment agreement with the relevant party in order to have their application processed.
- MBQ or IHI will review the Criminal record of the applicant to determine if any household member has been arrested, convicted or evicted from any federally assisted housing program for violent criminal activity or drug related criminal activity in the five years prior to the date of initial/annual recertification. Any family member is subject to a lifetime registration requirement under a state sex offender registration program.

MBQ will notify applicants if they do not meet these screening criteria.. The notice will include the date of the determination, the reason for the determination, and the process to request an informal hearing.

ELIGIBILITY INTERVIEW

MBQ will schedule all applicants who meet the definitions of the Partial Consent Decree and the screening criteria for an eligibility interview to determine their eligibility under the rules of the Housing Choice Voucher programs. During the interview, MBQ will obtain all the necessary information regarding the applicant's income, assets and family composition.

At the time of interview, applicants will be required to certify to all information they provide to MBQ and to sign verification forms permitting the release of information from verifying agencies. Documentation of all verifications will be placed in the applicant file. Family income and assets and all factors related to eligibility will be verified prior to the issuance of a voucher.

VERIFICATIONS

MBQ will use third party verification whenever possible. This will include either mailing or faxing forms directly to the third party verification source and having them mailed or faxed back to MBQ, or oral verification with the third party by phone. If third party verification is not possible, MBQ will review documents brought in by applicants. If there are no documents, MBQ may use a notarized applicant certification for verification. Whenever third party verifications are not used, MBQ will note in the file the reason and action taken.

All income and asset information will be verified by MBQ. Verification of family composition will be fulfilled by submitting birth certificates for all children in the family. Legal child custody papers, or other sufficient documents must be submitted once it has been determined that the mother and father do not live together or custody is with other than the parent.

ELIGIBILITY FOR HOUSING CHOICE VOUCHER PROGRAM

To be eligible for admission, an applicant must meet HUD and HABC criteria for eligibility. Applicant households will be denied admission to the Special Mobility Programs if the household:

- Does not meet the definition of “family”.
- Has a household income that exceeds applicable HUD Income Limits.
- Has Ineligible Citizenship or Ineligible Immigrant Status.
- Has a member who has engaged in Drug Related or Violent Criminal Activity.
- Has a member subject to a lifetime registration requirement under a state sex offender registration program.
- Owes an outstanding debt to HABC, MBQ, or another public housing agency.
- Breached an agreement with HABC or MBQ to pay amounts owed.
- Violated any Family Obligation during a previous participation in a Section 8 program and/or has been terminated from assistance in a Section 8 Program.
- Has a member who was evicted from any federally assisted housing program in the last five years.
- Does not supply MBQ or HUD with necessary information or does not provide information within the required timeframes.
- Does not sign and submit consent forms for obtaining information.
- Does not disclose and verify social security numbers for all family members six years of age and older.
- Has a member who refuses to sign or submit required consent forms.
- Has a member who was/is illegally using or possessing a controlled substance for personal use.
- Has a member who commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
- Has engaged in or threatened abusive or violent behavior toward MBQ personnel.
- Has a member who is convicted of manufacturing or producing met amphetamine or any other narcotic in violation of any federal, state or local law.

DENIALS

Denial of assistance for an applicant may include any or all of the following actions by MBQ:

- Denying listing on the MBQ waiting list.
- Denying or withdrawing a voucher.
- Refusing to enter into a HAP contract or approve a lease.
- Refusing to process or provide assistance under portability.

Ineligible families will be notified by mail and given the reason for the determination, with an opportunity to request an informal review (See Informal Review Section).

PREVIOUS VIOLATION OF A FAMILY OBLIGATION

A participant who has been denied participation in the Special Mobility Programs for a violation of a Family Obligation, cannot re-apply to Special Mobility Program for a period of one year, provided the waiting list is open at that time. This one -year will allow the family time to establish references in relation to the Family Obligation violation and allow MBQ to determine if such a violation is likely to occur in the future. If the member who violated the Family Obligation is no longer part of the household, the family may not be required to wait the one year period before re-application, provided the waiting list is open. Documentation must be provided by the family to verify that the person who committed the violation is no longer part of the household, and will not be a member of the household. Allowable documentation includes, but is not limited to: proof of residence, utility bills, lease, court documents.

COMPUTATION OF ANNUAL AND ADJUSTED INCOME, AND TOTAL TENANT PAYMENT

Once eligibility is determined and verification is completed, MBQ will compute Annual and Adjusted Income and Total Tenant Payment. The assistance is based on the Payment Standard for the unit size and area. If the rent is less than the Payment Standard, the family pays the Total Tenant Payment (TTP). If the gross rent exceeds the Payment Standard, the family pays the TTP plus the amount by which the gross rent exceeds the Payment Standard. In the latter case, the total amount the family pays may not exceed 40% of the family's adjusted income (See Rent Burden Section).

Once the unit is selected, the family's portion of the rent is calculated as the difference between the gross rent (contract rent plus utilities) and the lesser of the Payment Standard for the voucher size issued or the unit size selected by the family.

The utility allowance used is based on the actual size of the unit the family selects regardless of the size authorized on the family's Voucher.

SUBSIDY STANDARDS

The following standards are used for assignment of the appropriate bedroom size on the Voucher.

Number of Bedrooms	Number of Persons	
	<u>Min</u>	<u>Max</u>
0	1	1
1	1	2
2	2	4
3	3	6
4	4	8
5	6	10
6	8	12

The intent of HUD requirements is that the smallest appropriate bedroom size be assigned to participant families without overcrowding. When determining unit size required MBQ attempts to meet HUD's intent and applies the following guidelines:

- Larger bedroom size may be granted for children of the same sex if there is more than 10 years difference in age.
- Minor children of the opposite sex may occupy separate bedrooms if one child is over the age of six.
- Unborn children will be included in the size of the household.
- A minor child who is temporarily away from the home because of placement in foster care is considered a member of the family in determining the family unit size, if it is documented that the child will return within six months.
- MBQ may approve a live-in aide to reside in the unit and be provided a separate bedroom for a family consisting of one or more elderly or disabled persons.
- MBQ may assign a larger unit than permitted using the above standards if an individual with a handicap and/or a medical need requests a reasonable accommodation and provides documentation of need from a physician.
- Families will not be required to use rooms other than bedrooms for sleeping purposes in the Voucher size determination.
- Families may choose to rent larger or smaller units than listed on the Voucher applicable as long as the rent reasonableness and Housing Quality Standards (HQS) requirements are met. HQS requirements permit a maximum of two (2) persons per living or sleeping room in the units.

Exceptions to these subsidy standards will be granted on a case-by-case basis, based on disability, health, or medical reasons, solely at the discretion of MBQ.

ADMISSION DATE

Admission to the MBQ programs is the effective date the first Housing Assistance Payments (HAP) contract is effective, which must be the same date of the first lease that is executed by MBQ on behalf of the family.

PROGRAM ASSIGNMENT

Applicants who have passed the initial screening and who have been determined eligible for the Housing Choice Voucher Program will be scheduled for a Workshop conducted by IHI. At the end of the workshop, MBQ and IHI will confer to assign each family to one of the Special Mobility Programs. Assignments will be based upon a combination of the wishes of the family, which Programs have units available, and an initial assessment of the capabilities of the family relative to the requirements of each Program. Should circumstances change for the family prior to execution of a HAP contract on their behalf, consideration can be given by IHI and MBQ to reassigning the family to another of the Special Mobility Programs to which they have become more suited.

INITIAL COUNSELING

The issuance of a Special Voucher to a family will occur only after the family successfully completes the initial stage of counseling. The initial stage of counseling includes:

- Initial home visit
- Completion of family assessment interview
- Execution of an Individual Family Plan (IFP)
- Completion of one or two required counseling or training activities specified in the Family Plan.

Once the family completes the initial stage of counseling, MBQ will advise the family regarding its assessment of the family's readiness to begin the housing search. At the family's request, MBQ may delay issuance of a Special Voucher, even after the family has completed the initial stage of counseling, if the family has significant credit or rental history problems that must be addressed in order to have a reasonable chance of success in its housing search.

MBQ will provide encouragement, counseling and referrals to help the family repair its credit or rental history or to provide an explanation to use with prospective landlords to overcome the difficulties in renting in the private housing market. MBQ will clearly explain to the family their likely lack of success if these issues are not resolved. However, if the family still wishes to be issued a Special Voucher, is otherwise eligible and has completed the initial stage of counseling, MBQ will issue the Special Voucher. MBQ will refer such families only to landlords whose screening criteria the family meets.

MOBILITY COUNSELING PROGRAM

MBQ will maintain a compendium of services with contact information for use by counselors to make effective referrals and for families to find needed services. A list of these services will be provided to each family prior to move in. MBQ will conduct outreach to community groups in the Non-Impacted areas, including seeking volunteers to welcome families and helping families become oriented to their new community after move in.

MBQ will provide or refer families to agencies that provide the counseling services needed by the family as identified in the Individual Family Plan. This counseling will focus primarily on counseling related to the family's access to housing in Non-Impacted Areas and on counseling to help remove barriers to that access (credit repair, substance abuse, etc.) MBQ will also provide referral to other community counseling and services needed by the family to promote self-sufficiency.

BRIEFING

Following the assignment of families to one of the Programs, MBQ will conduct a briefing related to the Housing Choice Voucher Program in compliance with HUD requirements and addressing the special needs of the Programs.

All eligible applicants are required to attend a briefing before a Voucher is issued. The head of household and all adult family members must attend the briefing. The briefings may be group or individual meetings. Each family will receive a briefing packet containing the following:

- The term of the Voucher.
- A description of MBQ's policy on granting extensions or suspensions of term and how a family can request extensions.
- Information on computing the Total Tenant Payment and Housing Assistance Payment.
- Information on the Payment Standards and Utility Allowance Schedule.
- Family rent burden
- What the family should consider in deciding whether to lease a unit such as unit condition, reasonableness of rent, cost of tenant-paid utilities, whether the unit is energy efficient, and location of unit to public transportation, employment, schools and shopping.
- Where the family may lease a unit using portability and how portability works.
- Request for Inspection and the process obtaining an inspection.
- MBQ's policy on providing information to prospective landlords.
- MBQ's subsidy standards including any exception to these standards.
- HUD brochure on selecting a unit.
- Fair Housing Brochure and information, HUD-401 and a Discrimination Complaint Form HUD-903.
- List of landlords or real estate agents who may be willing to lease a unit or may be able to help the family locate a unit.
- Notice that if the family includes a disabled person, the family may request a current listing of accessible units that may be available.

- Family program obligations.
- Grounds under which MBQ may terminate the family's assistance.
- Informal hearing and review process and how to request a hearing.
- The HUD Tenancy Addendum
- Request for Tenancy Approval and RTA instructions
- Other items as MBQ may determine appropriate.

The briefing will cover the information in the packet and discuss the following topics:

- A description of how the program works
- Family and owner responsibilities
- Where the family may lease a unit
- Non-Impacted Areas information
- Portability information
- Federal, State and Local Fair Housing Laws
- Assistance to Elderly and Individuals with Disabilities

If an applicant misses a scheduled briefing, without prior notification to the MBQ office, the applicant will be denied. If an applicant misses two scheduled briefing appointments, even if they have given prior notification to the MBQ Office, they will be denied. Exceptions to the above include: reasonable accommodation, death, serious illness, and natural disasters. Exceptions must be supported by written verification of the reason, and approved by the MBQ Managing Director.

MBQ will provide a landlord listing in the Briefing Packet and the MBQ Office, listing available units in the Metropolitan Baltimore area that will accept MBQ participants. Each participant's Briefing Packet also contains a referral guide to various local agencies. MBQ will maintain a listing of handicapped accessible units for those participants requesting information on accessible units. MBQ will take appropriate steps to assure effective communication with disabled applicants and participants. In the event a MBQ participant has a special need or requires a reasonable accommodation, the participant will be referred to the MBQ 504 Coordinator.

MBQ will explain during the briefing the advantages of searching for a unit in A Non-Impacted area and provide each family a map showing these areas.

At the conclusion of all Program Briefing Sessions, the family representative will be required to sign and date a Briefing Certification form to confirm that all rules and pertinent regulations were explained to them.

VOUCHER ISSUANCE

Vouchers will be issued after the family has completed the initial counseling requirements unless the family requests that issuance be delayed because of problems with credit or rental history that need to be corrected in order for the family to be successful in leasing a unit in a Non-impacted area.

HEAD OF HOUSEHOLD DESIGNATION

When there are two adults in the household, the family must designate who the head of household shall be. This designation is evidenced by signature on the Voucher.

VOUCHER TERM AND EXTENSIONS

The initial term of the Special Voucher is 120 days. Upon the expiration of the initial search period, at the request of the applicant, the term may be extended for an additional 60 day term with the total not to exceed 180 days. The request for an extension does not need to be in writing; however, the applicant must advise MBQ of the reason for the requested extension. Additional extensions may be granted by MBQ to households needing more time because of the need for a unit that accommodates a disabled household member or because of the difficulty in finding a very large unit (i.e., four or more bedrooms) needed by the household. Submission of a Request for Tenancy Approval shall toll the running of the initial term or extended term. Tolling begins the day the RTA is received at the MBQ office and expires when the unit has completed the inspection process. The inspection process is completed when either:

- The unit passes inspection, or
- The RTA is cancelled because the unit cannot be inspected or does not pass inspection within the required number of inspections.

If a Special Voucher holder is on any HABC waiting list for public housing, regular Section 8 assistance, and/or other type of assisted or subsidized housing, return of the Special Voucher after the term or extension expires will not affect the Special Voucher holder's standing on such other waiting lists.

MAXIMUM INITIAL RENT BURDEN

A family must not pay more than 40 percent of the family's monthly adjusted income for rent when the family first receives MBQ assistance for a particular unit. This rule applies at initial lease-up and each time the family moves to a new unit.

SECURITY DEPOSITS

The landlord may collect a security deposit. The landlord determines the amount of the deposit in accordance with State and local laws. The Maryland Code, Real Property, Section 8-203 states the maximum amount which the landlord may require as a security deposit for each

dwelling unit is the equivalent of two month's rent. MBQ prohibits security deposits in excess of private market practice or in excess of amounts charged to unassisted tenants.

PORTABILITY

Because of the requirements of the Partial Consent Decree, Special Vouchers issued are not portable until they are used initially for a year in a Non-Impacted area within Metropolitan Baltimore, as defined by the Partial Consent Decree. Once the family has used its Special Voucher for one year, the voucher then becomes portable. The portability feature allows a participating Voucher family to move from one jurisdiction to another with continued assistance. Voucher holders may move anywhere there is a Housing Agency that administers a Housing Choice Voucher program.. Families must also meet the income eligibility requirements in the area to which the family plans to move. In this case, the family is considered "continuously assisted" and the Low Income Limit is used to determine eligibility.

Families must notify MBQ in writing when they want to move using the portability feature. When a family notifies MBQ that it wants to move under the portability procedures, MBQ will contact the receiving PHA. MBQ will confirm the following to the receiving PHA:

- The family is eligible for assistance.
- A Voucher has been issued to the family.

If the participant is porting to an area that is in more than one PHA's jurisdiction, MBQ may choose the PHA to which the participant must go. Families cannot exercise portability if money is owed to MBQ. Families that request a portable voucher must pay all monies owed to MBQ before the portable voucher will be processed.

INCOME DISREGARD

HUD regulations require MBQ to disregard certain earned income of a qualified disabled family member. The annual income for qualified disabled families may not be increased as a result of increases in earned income of a family member with disabilities, beginning the date when the increase in earned income begins and continuing for a cumulative 12-month period. After the 12-month full exclusion, the income will be phased in.

In order to receive this earned income disregard, the family member must be disabled and:

- The increase must be from employment income.
- The member was previously unemployed for one or more years prior to employment
- The earned income increase was during participation in any economic, self-sufficiency, or job-training program.
- The increase is during or within six months of receiving assistance, benefits or services under any State program for TANF. The total amount of the increase over a 6-month period must be at least \$500.00

MBQ will follow HUD regulations in applying the Earned Income Disregard.

INFORMATION PROVIDED TO POTENTIAL LANDLORDS

The landlord selects the tenant and is responsible for tenant screening. The landlord is responsible for determining whether the family is suitable for tenancy. MBQ's decision to admit an applicant to the program is not based on an applicant's suitability for tenancy.

At the landlord's/owner's request, MBQ will provide the landlord the following information on potential participants or applicants:

- Participant's current and previous address.
- Participant's current and previous landlords' names, addresses, and phone numbers.

SEARCH ASSISTANCE

To the extent possible, MBQ will refer families to at least three identified vacancies in Non-Impacted areas in neighborhoods selected by the family. MBQ will also assist with transportation assistance and will visit or talk with prospective landlords with or on behalf of families who want and request this assistance.

REQUEST FOR TENANCY APPROVAL

The family must submit a completed Request for Tenancy Approval (RTA) and a copy of the proposed lease during the term or extension of the voucher. MBQ will not permit a family to submit more than one RTA at a time. The landlord must indicate on the RTA the proposed rent, the types of utilities and who pays utilities.

An RTA will be denied if it is not completed in its entirety by both the participant and landlord. It will be denied if:

- The unit is not in MBQ's legal jurisdiction
- The unit does not meet rent reasonableness and a reasonable rent cannot be negotiated with the owner
- The participant's rent portion is over the maximum 40% rent burden
- MBQ denies participation to the landlord for a reason identified in the "Disapproval of Landlord" section.

The family and landlord will be notified if the RTA cannot be approved. If the RTA cannot be corrected, MBQ will issue another RTA to the family to find another unit.

After approval of the RTA, the landlord will be required to submit the following documents:

- Landlord taxpayer ID number on a IRS Form W-9
- LBP State Certification of pre-1950 units

- In pre-1978 housing, the landlord is required to provide the tenant the Disclosure of Information on Lead-Based and/or Lead-Based Paint Hazards prior to execution of the Lease. The landlord must also provide MBQ a copy of the executed Disclosure Notice.

LEASING

The family must submit the proposed lease to the MBQ Office for review and approval with the RTA. The lease must be in the standard form used in the locality by the landlord and must contain terms that are consistent with state and local laws that generally apply to unassisted tenants in the same property. The lease must specify what utilities and appliances are to be supplied, what service is paid by the landlord, and what utilities and appliances are supplied and paid for by the family. The lease must also specify the type of utilities (gas, electric, etc.) used in the unit.

After the lease has been approved by MBQ, the Lease and HUD Lease Addendum must be signed by the head of household and landlord prior to contract execution. Any revisions or new leases must be approved by the MBQ Office prior to execution.

The Lease is to be current at all times and must be compatible with MBQ policies, as well as federal, state and local laws.

SEPARATE AGREEMENTS

The following types of landlord/participant separate agreements are acceptable:

- Agreements for parking, furniture and/or appliances
- Late charges
- Pets and pet deposits
- Community rules or covenants
- Agreements to pay security deposit amounts in installments

Separate agreements must be attached to the Lease as a Lease Addendum. The landlord must provide MBQ a copy of the Lease Addendum indicating all separate agreements made.

The following types of landlord/participant separate agreements are not acceptable:

- Agreements for altered security deposit amounts
- Altered rent amounts
- Excess utilities
- Meals or supportive services.

The landlord may not charge the family extra amounts for items customarily included in rent in the locality, or provided at no additional cost to unsubsidized tenants on the premises.

If MBQ determines that a participant willingly agreed to a separate agreement with the landlord that is not acceptable, the participant will be terminated from the program and the landlord will

be barred from participation in the program. The participant may request an Informal Hearing regarding the termination.

RENT REASONABLENESS

Rent reasonableness will be determined for all new leases and rent increases. A reasonable rent to the owner is defined as not more than rent charged (a) for comparable units in the private unassisted market and (b) for comparable unassisted units in the premises. MBQ will not approve a subsidized tenancy until a determination has been made that the rent to the owner is reasonable. The reasonableness of the rent requested by the owner will be determined by considering the following factors:

- Location
- Quality
- Size
- Unit Type
- Age of the Contract Unit
- Amenities
- Housing Services
- Maintenance
- Utilities provided by the Owner in accordance with the Lease

MBQ maintains market survey information on rents for comparable units in the area. If MBQ determines that the amount of rent requested by the owner is not reasonable, MBQ will attempt to negotiate the rent with the owner. Failure by the owner to accept the rent determined to be reasonable, will result in disapproval of the unit for the program.

INITIAL HOUSING QUALITY STANDARDS INSPECTION

(See Section Four: HQS Inspections)

DISAPPROVAL OF LANDLORD

MBQ will not approve a unit if the owner has a history of failing to terminate tenancy for lease violations in units assisted under Section 8 or any other federally assisted housing program.

MBQ will also deny owner participation for one or more of the following reasons:

- The owner is debarred, suspended or subject to a limited denial of participation (LDP) by HUD;
- If directed by HUD because the Federal government has instituted an administrative or judicial action against the owner for violation of the Fair Housing Act;
- If directed by HUD because a court or administrative agency has determined that the owner has violated the Fair Housing Act.
- The owner has violated obligations under any Section 8 HAP contract.
- MBQ has obtained documentation that the owner has committed fraud under any Federal housing program.

- The owner has engaged in drug-related criminal activity or any violent criminal activity.
- The owner has been debarred from participating in the Housing Choice Voucher program by other PHAs in the Metropolitan Baltimore area.

The individual circumstances and seriousness of such conditions will be considered prior to disapproval of an owner.

RESTRICTION ON RENTING TO RELATIVES

Participants may not lease units, which are owned by a relative (defined as the parent, child, grandparent, grandchild, sister, or brother) of any member of the recipient's household. The exception to this rule is if MBQ determines that approving a unit owned by a relative would provide reasonable accommodation for a family member who is a person with disabilities.

CONTRACT EXECUTION

The term of the HAP contract begins on the day the unit is approved by MBQ or the first day of the lease provided the unit is approved by MBQ, and ends on the last day of the lease. MBQ is not responsible for any part of the rent prior to the date the unit passes the inspection or prior to the execution of the HAP.

After the unit passes Housing Quality Standards (HQS) inspection, the HAP contract is subsequently executed on behalf of MBQ if all required paperwork is properly completed. A copy of the contract is then mailed to the landlord.

The HAP contract must be executed no later than 60 days from the beginning of the lease term. If a HAP contract has not been executed by MBQ within the 60-day time limit, the HAP contract will be voided. New leases and contracts must be executed. MBQ cannot pay any housing assistance payment to the landlord until the HAP contract has been executed.

PENALTIES FOR LATE HAP PAYMENT

MBQ will pay the housing assistance payment promptly when due the landlord.

If housing assistance payments are not paid promptly when due after the first two calendar months of the HAP contract term, MBQ shall pay the owner penalties in accordance with generally accepted practices and law, as applicable in the local housing market, governing penalties for late payment by a tenant. However, MBQ shall not be obligated to pay any late payment penalty if HUD determines the late payment by MBQ is due to factors beyond MBQ's control. MBQ shall not be obligated to pay any late payment penalty if housing assistance payments by MBQ are delayed or denied as a remedy for owner breach of the HAP contract (including any of the following MBQ remedies: recovery of over payments, suspension of housing assistance payments, abatement or reduction of housing assistance payments, termination of housing assistance payments, and termination of the contract).

MBQ is not responsible for payment of late fees caused by: the tenant's late payment of rent; late HUD fund transfer; HAP payments on hold (HQS, etc.), or for any other HUD allowed reason.

POST PLACEMENT COUNSELING

The counseling programs for the Special Mobility Programs include substantial follow-up counseling with program families. These activities include:

- Follow up telephone call within 60 days of move in
- Home visit within 3-4 months of move in
- Follow up home visit at least 2 months before the end of the initial one year lease
- Additional home visits as needed

This also includes follow-up with program landlords and participation, as requested and needed, in any participant landlord disputes.

Families will be referred to post-placement counseling agencies in their county. If there is no such agency in the family's county, post-placement counseling services, to the extent feasible and affordable, will be provided by MBQ (or IHI for the project-based and homeownership programs) and integrated with services provided by existing public and private social service agencies

SECTION THREE: CONTINUED PROGRAM PARTICIPATION

PARTICIPANT

A participant in the MBQ is a family that has been admitted to MBQ's program via an executed HAP contract and lease. The family becomes a participant on the effective date of the first HAP contract executed by MBQ for the family.

ANNUAL RE-CERTIFICATION

A participant's annual re-certification date is based on the date that the participant initially became a participant in the MBQ Program. This annual re-certification date does not change during the course of the participant's participation in the program.

Annual re-certifications will be completed by mail. MBQ may select a percentage of families for re-certification interviews for quality control purposes. Families will be mailed one re-certification packet asking for information needed to complete the re-certification. If the family does not provide the requested information within the specified time frame, the family may be terminated from the Program. Follow up requests may be made of the family to provide additional information needed to complete the re-certification. This follow up information must be provided within the specified time frame, or the family may be terminated from the Program.

MBQ will re-examine the income, assets, expenses and family composition of all families at least annually.

CHANGES IN FAMILY INCOME OR COMPOSITION INTERIM CHANGES

Participants must report in writing to MBQ within 10 business days any change in family composition or income. Interim changes (interims) do not affect the timing of regular, annual recertifications.

The following applies to interim changes in income:

- Participants must report changes in family composition such as: An addition to the household (a spouse, a newborn or adopted child) or the loss of a family member;
- Participants are encouraged to promptly report decreases in income or increases in your deductions (childcare expenses, medical, etc);
- Decreases in the participant's Total Tenant Payment (TTP) will be effective the first day of the month in which the change was reported;
- Increases in income will be processed at the time of the participant's next annual recertification. This includes annual cost of living increases in public assistance benefits;
- MBQ may schedule special recertifications every 60 days for families reporting zero income;

- If MBQ determines as a result of a special recertification that there has been unreported income, the participant's share of the rent will be increased retroactive to the date of the increase in income;
- If the participant's rent is decreased due to an unreported change in income, the decrease will be effective the first date of the month after completion of the redetermination.

Family Composition Changes: If the family adds an adult member to the household, (spouse, common-law spouse, birth child, legal guardian child, disabled adult child, etc.), the family must provide all required information for that person. This information includes, but is not limited to: police report, social security number, and income information. The family must submit written approval from the Landlord to add a member to the household. If the person meets MBQ eligibility requirements, but the Landlord does not grant approval to add the person to the household, the family must move to another MBQ eligible unit, in order to add the person and keep their MBQ assistance. If there is a change in family unit size resulting from a change in family size or composition, the new family unit size will be used to compute the payment standard or to determine the FMR.

If the family is responsible for delays in completing an interim re-certification, MBQ may terminate assistance.

Welfare Reductions: MBQ may deny a request for an interim re-certification based on a reduction in participant income from welfare after obtaining written verification from the welfare agency that the family's benefits have been reduced because of:

- Non-compliance with economic self sufficiency program.
- Failure to comply with work activities requirements.
- Fraud.

This does not apply if the welfare reduction is the result of the expiration of a lifetime limit on receiving benefits, nor where the family has complied with welfare program requirements but cannot obtain employment. This provision is subject to the MBQ informal hearing procedure. Written notice to the family will be provided if such a request is denied.

HUD Income Discrepancies: When MBQ receives a HUD notice that a family has been sent an income discrepancy letter, MBQ will contact the family by mail and by phone 40 days following the date of the notification. MBQ will request that the family promptly furnish any letter or other HUD notice concerning verification of the family's income. If the family fails to respond, MBQ will request that HUD send another letter to the family. After an additional 40 days, MBQ will send another letter to the family scheduling an interview to complete IRS forms 4506 and 8821. If the family does not cooperate with the income discrepancy process, the family's participation may be terminated.

FAMILY ABSENCE FROM THE UNIT

The family may be absent from the unit for brief periods. Absence from the unit is defined as no family member residing in the unit for more than 30 days. If the family is going to be absent from the unit and wishes to retain their voucher, they must make a written request in advance for such absence to be approved in advance by MBQ. The family must also submit written approval from the landlord for the absence. In the case of family absence, assistance payments are terminated and the family is responsible for the full contract rent. The family may not be absent from the unit for a period of more than 180 consecutive days in any circumstances or for any reason. If the family is absent from the unit for more than 180 days, the family will be terminated from the Program. The family will be eligible to re-apply for the program when the waiting list is opened.

FAMILY BREAK UP

In the case of family break-up, MBQ has the discretion to decide which members of an assisted family will continue to receive the housing assistance. The factors to be considered may include: whether the assistance should remain with family members remaining in the original assisted unit; the interest of minor children or of ill, elderly or disabled family members; and whether family members are forced to leave the unit as a result of actual or threatened physical violence against family members by a spouse or other member of the household.

If a court determines the disposition of property between members of the assisted family in a divorce or separation under the settlement or judicial decree, MBQ will follow the court's determination of which family members continue to receive assistance in the program. All cases of family break up must be documented and verified. Acceptable documents include separation papers, divorce papers, and abandonment papers.

RENT INCREASES

At all times during the assisted tenancy, the rent to the landlord may not exceed the reasonable rent as most recently determined by MBQ.

MBQ will re-determine the reasonableness of the rent:

- Before any increase in the rent to the owner.
- If there is a 5 percent decrease in the published FMR.
- If directed by HUD.

Rent increases will not be approved unless the rent is reasonable; the unit is in decent, safe, and sanitary condition; and the landlord is in compliance with the terms of the HAP contract and lease. The Contract Rent may not be increased during the initial term of the lease. After the initial term, landlords may request an increase at any time but must provide written notice of any proposed increase to the family in accordance with the lease and any applicable state and local laws. The notice of a rent increase is similar to a notice to terminate the lease, and must comply with the State and local laws relating to the notice required to terminate a tenancy (See Landlord

Termination Section). The landlord must provide MBQ with 30 days written notice of a rent increase to the family.

Families who wish to move because of the owner's rent increase, are required to give the owner proper notice under the lease and notify MBQ at least thirty (30) days in advance.

UNDER HOUSED OR OVER HOUSED PARTICIPANTS

MBQ will upgrade a family's voucher to the appropriate bedroom size at the time of annual recertification, move, rent increase, or interim recertification or if the family is under housed.

Participants who are over housed will be required to relinquish their over housed voucher and will be issued a voucher in the appropriate bedroom size at the time of re-certification, move, rent increase, or at the time of an interim recertification. Failure of the family to report an over-housed situation may result in required repayment of the excess of subsidized rent and/or termination from the Program.

FAMILY MOVES

The family's re-certification date does not change when the family moves.

If the family is in the initial 12-month lease term, the family must obtain a Mutual Rescission of the Lease from the landlord in order to move. Unless there is a documented threat to health or safety, the family may utilize the Mutual Rescission Procedure only once in a twelve-month period (See Tenant Terminations of Tenancy – Terminations Section).

If the initial lease term has passed, the family must vacate the unit in compliance with the lease, provide landlord with adequate notice, and provide MBQ with 30 days written notice (See Tenant Terminations of Tenancy – Terminations Section). Provided all obligations have been met, the family will be issued a Voucher to lease a new unit. The voucher number will remain the same, unless the bedroom size has changed. The voucher term and extensions will apply as stated above.

At any time, MBQ may deny permission to move due to the following:

- If the family does not notify MBQ and the owner before the family moves out of the unit or terminates the lease.
- If the family has not reimbursed a PHA for any amounts paid to a landlord under a HAP Contract.
- If the family breaches an agreement with a PHA to pay amounts owed to a PHA.
- If the family does not allow MBQ and landlord to inspect/repair the unit at a reasonable time during the day and after reasonable notice.
- If the family is responsible for an HQS breach caused by the family.
- If the family commits any serious or repeated violations of the lease, including any drug-related criminal or violent criminal activity. The family must promptly give MBQ a copy of any landlord eviction notice.

- If the family owes a PHA money for any reason.
- If MBQ does not have sufficient funding for continued assistance.
- Any other HUD allowed reason.

TERMINATIONS

Landlord Terminations of the Lease: The landlord may terminate the lease for lease violations at any time. The landlord may terminate the lease for any other reason at any time after the period of the initial lease.

The landlord must follow state and local laws in giving termination notice to the family, and must provide MBQ a copy of the termination notice immediately.

Maryland Code, Real Property Sec.8-208 (a) (5) and Sec. 8-501 and Sec. 8-402 states: The length of notice from landlord to tenant to terminate the tenancy as required by state law is as follows: In the case of tenancies from year to year, notice in writing must be given at least three months before the end of the current year of the tenancy. Baltimore City law requires the landlord to give at least 60 days written notice before the end of the year, month, or week when the tenant is to leave.

The landlord may give a written 30 day breach of lease notice that states the alleged cause, anytime during the tenancy. In Baltimore City, the notice must be given before the end of the week or month that the landlord wants the tenant to leave. Outside of Baltimore City, the landlord can give an immediate written 30 day breach notice.

An owner may evict the resident from the unit by instituting a court action and for one of the following reasons:

- Serious violation (including but not limited to failure to pay rent or other amounts due under the lease) or repeated violation of the terms and conditions of the lease;
- Violation of Federal, State or local law which imposes obligations on the resident in connection with the occupancy or use of the dwelling unit and surrounding premises; or
- Other good cause, which includes but is not limited to:
 - The tenant's failure to accept the offer of a new lease in accordance with HUD regulations.
 - A history of disturbances of neighbors or destruction of property.
 - Living or housekeeping habits resulting in damage to the unit or property.
 - Criminal activity by family members involving crimes of physical violence to persons or property.
 - A business or economic reason.
 - The owner's desire to utilize the unit for personal or family use.

During the term of the lease the landlord may not terminate the tenancy of the family for non-payment of MBQ housing assistance payment.

Tenant Terminations of the Lease: The family may not terminate the lease in the first term of the lease unless a mutual rescission is signed by both the landlord and the family. The family must give the proper move notice to the landlord, per the lease and State and local laws.

Maryland Code, Real Property Sec. 8-208 (a) (5) and Sec. 8-501 and Public Local Laws of Baltimore City, Sec. 9-16 state: A tenant occupying a dwelling for a term of one year and wishing to terminate the tenancy must give the landlord 30 days' written notice before the end of the rental period. The family must provide MBQ a 30-day written notice to move.

Termination of the HAP Contract: MBQ may terminate the HAP contract for any owner breach of contract that includes the following:

- When a family vacates the unit either in violation of the lease or by mutual agreement with the landlord before termination of the lease/contract, or
- The lease is terminated by the landlord or the family.
- The landlord will not renew the HAP contract or extend the current lease, or
- The sole participant dies, or
- There has been no HAP for 180 days.
- MBQ terminates assistance for the family.
- HAP contract violation (such as not maintaining HQS).
- Any fraud or bribery or other corrupt or criminal act in connection with Federal housing programs.
- Has a history or practice of failing to terminate tenancy of tenants of assisted units for activity by the tenant, any member of the household, a guest or another person under the control of any member of the household that: (a) threatens the right to peaceful enjoyment of the premises by other residents; (b) threatens the health or safety of other residents, of employees of the PHA or MBQ, or of owner employees or other persons engaged in management of the housing; (c) threatens the health or safety of, or the right to peaceful enjoyment of their residences, by persons residing in the immediate vicinity of the premises; or, (d) commits drug-related criminal activity or violent criminal activity.
- Engaging in any drug-related criminal activity or any violent criminal activity.
- Any failure to comply with mortgage insurance/loan program regulations, or bribery or other corrupt or criminal act in connection with the program (Only for projects with mortgages insured or loans made from HUD).

MBQ Program Terminations: Termination of assistance by MBQ of a program participant may include any or all of the following actions:

- Refusing to enter into a HAP contract or approve a lease.
- Terminating housing assistance payments under an outstanding HAP contract.
- Refusing to process or provide assistance under portability procedures.

MBQ may terminate participant assistance for the following reasons:

- Families who are guilty of program abuse or fraud in any Federal Housing Assistance program;
- If the family has not reimbursed MBQ for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease, or if the family breaches an agreement with MBQ to pay amounts owed to MBQ;
- If any household member refuses to sign or submit consent forms;
- If any family member commits serious or repeated lease violation(s);
- Eviction from the program for serious or repeated lease violation(s);
- Damages to the unit by any family member or guest;
- If any family member is subject to a lifetime registration requirement under a state sex offender registration program;
- Families at zero HAP for 180 days;
- Families who did not report an increase of income or change of family composition within 10 days;
- Families whose appropriate household members do not provide their Social Security information and documentation within the time required and specified by MBQ;
- Families who do not comply with HQS;
- If any family member violates any family obligations under the program;
- If any member of the family commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;
- If the family currently owes rent or other amounts to MBQ or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act;
- Any household member engages in drug-related or violent criminal activity;
- Any household member is convicted of manufacturing or producing methamphetamine on the premises of the assisted unit;
- Illegal use of a controlled substance by any family member;
- Alcohol abuse by any family member;
- If any family member does not establish citizenship or eligible immigration status;
- If the family engages in or threatens abusive or violent behavior toward MBQ personnel;
- Any household member illegally possesses weapons;
- If no Housing Assistance Payment has been paid on the family's behalf for six months;
- Any other HUD allowed reason.

MBQ may impose, as a condition of continued assistance for other family members, a requirement that the family members who participated in or were culpable for the action or failure will not ever reside in the unit.

In any case where MBQ decides to terminate assistance to the family, MBQ will give both the family and the owner a 30-day written termination notice which states:

- Reasons for the termination;
- Effective date of the termination;
- Family's right to request an informal hearing; and
- Family's responsibility to pay the full rent to the owner if they remain in the assisted unit after the termination effective date.

SECTION FOUR: HOUSING QUALITY STANDARDS INSPECTIONS

GENERAL PROVISIONS

MBQ performs Housing Quality Standards (HQS) inspections to ensure that landlords conduct periodic inspections and maintain dwellings at no less than the standards required by HUD's HQS and all applicable local requirements. Participants must allow landlords and MBQ, and landlords must allow MBQ, to conduct inspections of their units at reasonable times and after reasonable notice. Participants who do not cooperate with the scheduling and do not attend an inspection, may be terminated from the Program. Participants must allow the landlord to make repairs to the unit to meet HQS standards. If the participant does not allow the landlord to make required repairs to the unit, the participant may be terminated from the Program.

Landlords and participants must maintain the unit in accordance with Housing Quality Standards, other HUD regulations, and any other requirement established by MBQ. Failure to do so could result in abated HAP payment, termination of the HAP contract, or termination of program assistance.

The MBQ Special Mobility Program utilizes units in several counties. MBQ recognizes that each PHA in a particular county may have differing HQS procedures. MBQ inspection procedures address these differences and delineate how MBQ will manage the differing inspection standards. MBQ retains the right to perform inspections in all areas of the Special Mobility Program jurisdictions in the manner determined most efficient and cost-effective by MBQ.

INITIAL INSPECTIONS

When a participant submits an RTA and before any unit is approved under the Program, MBQ requires, at a minimum, unit compliance with the Section 8 Housing Quality Standards (HQS). Units must pass inspection prior to execution of the lease and HAP contract.

The landlord and/or his/her agent are required to be present at the initial inspection. Providing the unit passes HQS inspection and the rent has been determined by MBQ to be reasonable, the landlord and participant may enter into the Lease on the day the unit passes HQS inspection.

If the landlord/agent does not attend the scheduled inspection, the inspection will not be performed. An inspection will be re-scheduled once.

The participant and landlord will be advised if the unit fails HQS. The landlord will be given 10 business days to correct any violations. The date of re-inspection will be assigned on the date of the first inspection. If the unit fails HQS a second time, the unit will not be considered suitable for the participant and the participant must locate another unit. The participant will then be eligible to submit a RTA for a different unit.

If the voucher expires before the landlord makes the required repairs to the unit, but repairs are made within the required time period of the initial inspection, the voucher will be honored and a HAP contract will be executed on behalf of the participant for that specific unit.

ANNUAL INSPECTIONS

Annual inspections will occur for each program unit. The landlord and/or participant, or an adult (age 18 or over) representative of the landlord or participant, must be present at the inspection so that the Inspector may gain access to the unit. If the participant does not attend the inspection and does not make arrangements for the Inspector to gain access to the unit, the participant may be terminated from the Program. If the participant indicates appropriate extenuating circumstances, a second inspection may be scheduled at the discretion of MBQ.

The Inspection Office schedules inspection appointments. Appointments will be changed or rescheduled only once and only if the participant has a very good reason such as an emergency situation. The reason for the emergency must be documented.

If the unit fails to meet HQS, a re-inspection will occur in 15 business days. If the failed items are of an emergency nature, the landlord or tenant must repair the items within 24 hours. If the unit fails the re-inspection, one of the following actions will occur:

- The rent to owner will be abated or the contract cancelled (owner caused fails)
- The participant will be terminated from the program (participant caused fails)

COMPLAINT/SPECIAL INSPECTIONS

A participant or a landlord may request a Complaint Inspection. Complaint/special inspections will be completed the same as Annual Inspections. Failure to comply with notices of violation resulting from complaint/special inspections will result in sanctions as stated above for annual inspections.

QUALITY CONTROL INSPECTIONS

Quality control inspections will be performed for the number required by SEMAP. The inspection will ascertain that each inspector is conducting accurate and complete inspections and to assure consistency in application of HQS and MBQ requirements.

EMERGENCY FAIL ITEMS

An emergency item includes:

- No electricity
- No running water
- Major plumbing leaks, flooding or sewer backup
- Natural gas leak or fumes from fuel burning appliances/equipment
- No heat as defined by the local code in the appropriate jurisdiction

- No fuel when heating equipment is powered by gas, oil or propane and heat is required to meet local code in the unit's jurisdiction
- No functioning toilet in the unit
- Any electrical fixture or equipment that smokes, sparks, or short circuits creating a fire hazard
- Uninhabitable units due to fire, tornado, flood, hurricane, or destroyed/vandalized units that prevent a tenant from using the bathroom or kitchen
- Any life threatening condition as determined by the Inspector and approved by the Inspector's Supervisor.

If the unit fails HQS because the owner is responsible for the noncompliance and the owner does not make corrections within the allotted 15 business days or 24 hours, the HAP contract will be abated and/or terminated by the end of the month following failure to comply with MBQ notices. Abatement may be retroactive to the date the unit initially failed the HQS inspection.

If the unit does not meet HQS requirements because of an action on the part of the tenant and the actions are not corrected within the allotted 15 business days or 24 hours, MBQ will process the tenant for termination of assistance.

LEAD BASED PAINT

At a minimum, MBQ will comply with HUD requirements 24 CFR Part 35, Subpart M, Tenant-Based Rental Assistance. Compliance with State and local law will apply as described in 24 CFR Part 35, Subpart B, Section 35.150(b).

EXTENSIONS

The landlord may request repair time frame extensions. Requests must be in writing and must demonstrate need for extension (e.g. weather delays, construction delays). Extensions will not be given for failures that are a threat to health and safety. Extensions will be granted at the sole discretion of the Inspection Office.

Participants may only request extensions if the landlord approves the extension in writing.

RENT ABATEMENT AND CONTRACT TERMINATIONS FOR HQS VIOLATIONS

MBQ will send the owner advance written notification, in accordance with the HAP contract, when MBQ plans to abate payments. MBQ will also notify the family of this action and apprise the family of its responsibility, based on applicable State or local law, for the payment of the tenant share of rent to the owner. When an owner fails to correct cited repairs within the specified time frame, housing assistance payments will be abated at the end of the month in which the failed re-inspection occurred, and will continue until the earlier of:

- The owner corrects the deficiencies as documented by an MBQ inspection, in which case the housing assistance payments may be resumed as of the date of the passed inspection.

- The HAP contract expires or is terminated.

MBQ will not resume HAP payments until the owner has corrected the deficiencies.

MBQ will terminate HAP contracts that are under abatement the earlier of:

- The month the family living in the unit has moved.
- Six months after the last payment was made. MBQ retains the right to terminate a HAP contract at any time (See Contract Terminations Section).

HAP contracts will be abated immediately, in cases of owner failure to repair life-threatening conditions within the required 24 hour time period. Immediate contract terminations may also occur.

FAMILY CAUSED HQS FAILURES

The family is responsible for a breach of the HQS that is caused by any of the following:

- The family fails to pay for any utilities that the landlord is not required to pay for, but which are to be paid by the participant by the lease agreement;
- The family fails to provide and maintain any appliances that the landlord is not required to provide, but which are to be provided by the participant lease agreement ; or
- Any member of the household or guest damages the dwelling unit or premises (damages beyond ordinary wear and tear).

If an HQS breach caused by the family is life threatening, the family must correct the defect within 24 hours. For other family-caused defects, the family must correct the defect within no more than 15 business days.

If the family has caused a breach of the HQS, MBQ will take prompt and vigorous action to enforce the family obligations. MBQ may terminate assistance for the family in accordance with HUD regulations.

SECTION FIVE: COLLECTION PROCEDURES

PARTICIPANT REPAYMENT AGREEMENTS

If a participant owes money to MBQ, MBQ may require the participant to enter into a repayment agreement or may require full repayment on demand. If the participant does not comply with the repayment agreement, MBQ may terminate the participant from the program and refer the debt to a Collection Agency.

- MBQ reserves the right to not enter into a repayment agreement at any time for unreported income or willful fraud and may instead terminate the participant from the program.
- MBQ reserves the right to charge the market interest rate on all repayment agreements. A down payment of 30 percent of the total repayment agreement may be required from participants entering into repayment agreements.
- Repayment agreements will have a monthly payment schedule, based on the financial capabilities of the family and the amount owed.
- A late payment of 30 days or longer is considered default of the repayment agreement.
- MBQ reserves the right to turn repayment agreements over to an independent collection agency at any time.

If a participant brings their repayment agreement up to date before the effective date of their Termination for default on a repayment agreement, the participant may be reinstated to the Program.

LANDLORDS

If it is determined that a landlord owes MBQ for overpayment of housing assistance payments, the landlord will be notified in writing of the overpayment amount. If the landlord does not repay the amount due, the HAP contract may be terminated and the landlord may be banned from the Program. MBQ reserves the right to turn landlord debts into a collection agency. If the landlord has current HAP contracts, amounts owed will be collected from amounts due under those contracts.

SECTION SIX: PROJECT BASED ASSISTANCE PROGRAM

Unless stated below, facets of the Project Based Assistance (PBA) Program are the same as listed in other areas of this Administrative Plan.

PROGRAM OBJECTIVES

The Partial Consent Decree provides for up to 646 project-based vouchers to be used to contract with owners of rental units in Non-Impacted areas in Metropolitan Baltimore. The program is subject to the HUD regulations for Project-based Vouchers, except where provisions of the Partial Consent Decree prevail. The Project-based voucher program enables the PHA to enter into a long-term (up to 10 years) Housing Assistance Payments contract with a private owner for one or more rental units. These units must be occupied by eligible households as determined by MBQ under the program regulations and the Plan.

PROGRAM DESCRIPTION

The project-based voucher program is available to owners of existing units and to owners who are constructing or rehabilitating rental property in selected areas of the Baltimore Metropolitan Area. Owners sign a contract agreeing to lease a designated number of their units to program eligible households, and subsidy funds are committed for those units for up to 10 years, subject to appropriations.

KEY ELEMENTS OF THE PROGRAM

- Eligible locations are the Non-Impacted areas as designed in the Partial Consent Decree. They include most areas of Anne Arundel, Baltimore, Carroll, Harford, Howard and Queen Anne's Counties and selected areas in Baltimore City.
- Rents are at least 110% of the applicable FMR in each jurisdiction and/or census tract. Rents must be comparable with units in the surrounding community. Allowable rents are determined at lease-up.
- Assistance is available for up to 25% of the total units in an apartment community (with a priority for proposals with less than 20%) and up to 100% on a scattered site basis for townhouse and single family units.
- Minimum 1 year Voucher funding commitment for existing units and a minimum of 3 year Voucher funding commitment for units where the owner is constructing them or is spending more than \$1000 per unit in rehabilitation, subject to annual appropriations.
- Priority is given to proposals that have: three-bedroom or larger units, accessible units, scattered sites, single family units located on different streets, and homeownership opportunities (e.g., sale to residents at the end of 15 years), with the highest priority to proposals with the shortest time between development and sale to residents.
- An AHAP (Agreement to Enter into a Housing Assistance Contract) must be executed prior to start of any rehabilitation or new construction. At the successful completion of rehabilitation or construction in accordance with the AHAP, a Housing Assistance Contract (HAP) is executed.

- Developers review and select applicants referred to them by IHI. The referred families will have been determined by MBQ or HABC to be eligible for the Special Mobility Programs and for the Housing Choice Voucher Program.

KEY FEDERAL REQUIREMENTS

The following partial list of federal requirements applies to proposals for Project-based-Voucher funding. A more detailed list should be provided in the Request for Proposals (RFP).

- In certain circumstances, Davis Bacon wage may apply.
- Uniform Relocation Act applies in the event either temporary or permanent displacement occurs as a result of participation in the program.
- Equal Opportunity and related requirements govern accessibility of units.
- Environmental requirements: locality responsible for land use must complete an environmental review and provide a request for release of funds and certification.
- Provisions relating to equal employment opportunity, minority and women-owned business enterprises.
- Provision of job training, employment and resident business opportunities to Housing Authority residents and other low-income households to the greatest extent feasible.
- Some types of units are not eligible, including those already receiving some form of federal, state or local rent subsidy.
- HUD lead-based paint requirements apply.

EXECUTION OF HOUSING ASSISTANCE AGREEMENT AND CONTRACT

For units to be constructed or rehabilitated, an Agreement to enter into a Housing Assistance Payments (AHAP) Contract is executed upon approval of the proposal, after which the developer may start construction or rehabilitation. The developer selects the contractor using whatever method he/she chooses, so long as the contractor is not prohibited from participating in federal contracts, and minority contractors are given an opportunity to participate. The PHA inspects the units both during and upon completion of construction; any changes that alter the design or quality of the work must be pre-approved. Upon completion of successful construction, the owner enters into a Housing Assistance Payments Contract, for up to a maximum term of ten years.

For existing units, once the proposal is approved, the owner, HUD and PHA will execute a Housing Assistance Payments (HAP) Contract guaranteeing subsidy payments to the owner for the specified term.

PROJECT-BASED VOUCHER PROGRAM ADMINISTRATION

The Housing Authority of Baltimore City (HABC) or its agent (MBQ) will be responsible for administering the contract, inspecting the units annually, and adjusting rents based on rent reasonableness tests. When the initial tenants move out after living in the unit at least 12 months, HABC must offer them continued assistance in the form of a Voucher or comparable aid.

ONGOING MANAGEMENT AND MAINTENANCE

The owner provides all standard maintenance and management functions, including reporting required by HUD. Owners are required to have written tenant selection policies, provide rejected applicants written notice of the reasons for rejections, and to provide the MBQ copies of all tenant termination notices. MBQ can provide sample tenant selection policies and form letters for applicant rejections.

COUNSELING PROGRAM

IHI will provide training and counseling for the participants in the Project-based Program, including follow-up counseling for the initial year of occupancy.

SECTION SEVEN: HOMEOWNERSHIP PROGRAM

PROGRAM OBJECTIVES

The Partial Consent Decree stipulated (to the extent practicable, lawful, feasible and affordable), the creation of homeownership units in Non-Impacted areas identified in the Partial Consent Decree. The Innovative Housing Institute (IHI) is the HABC contracted agency for implementing and administering this program. IHI has developed a proposed Homeownership Plan consisting of three parts that can be developed in stages:

- Section 8 homeownership program
- Second mortgage program for direct purchase
- Lease-purchase program

HOPE VI funds, Section 8 homeownership vouchers and project based vouchers will be used to create the IHI homeownership opportunities.

PROGRAM ELIGIBILITY

MBQ will determine applicants' eligibility for the Special Homeownership Program, per the pertinent Sections of this Plan.

PROGRAM COUNSELING

Participants in the IHI Homeownership Program must complete the IHI counseling program requirements. IHI will provide all family counseling for the Homeownership Program.

PROGRAM DESCRIPTION

The IHI Homeownership Program will use second and third mortgages in addition to Section 8 Homeownership Vouchers to assist those who qualify for a mortgage but have a very -low or extremely-low incomes of no less than \$10,200/year. The disabled and elderly are exempt from this minimum income requirement.

The IHI Section 8 Homeownership Program will differ from the HABC Section 8 Homeownership Program in the following respects:

- Under the IHI Section 8 Homeownership Program, there will not be preference for Family Self Sufficiency (FSS) participants.
- HABC excludes from its Section 8 Homeownership Program, a unit receiving Section 8 project based assistance. Under the IHI Section 8 Homeownership Program, the lease purchase units will be receiving project based assistance. If an IHI participant successfully completes the lease period and makes the transition to homeownership, that unit will then be eligible for a Section 8 homeownership voucher even though up until the purchase, it was a project-based unit.

- The HABC Section 8 Homeownership Plan prohibits balloon payment mortgages. Under the IHI Section 8 Homeownership Program, if the IHI participant sells or leases the homeownership unit, the participant will be required to pay the entire amount remaining on the soft second mortgage (Note: For each of IHI Homeownership programs, the first \$20,000 of the second mortgage is reduced by 20% each year from year six to year ten of occupancy until a maximum reduction of \$20,000 is reached).
- The HABC Section 8 Homeownership Plan requires a “minimum cash down payment of 5% of purchase price to be paid from the family’s own resources.” The IHI Section 8 Homeownership Program will require only a cash down payment of 1% of the purchase price to be paid from the family’s own resources.

DIRECT PURCHASE PROGRAM

The direct purchase program will be for applicants with incomes of no less than \$18,000 per year. Participants in this initiative may or may not receive a Section 8 homeownership voucher, depending on their financial need. A soft second mortgage of HOME VI funds will be available through this program.

LEASE-PURCHASE PROGRAM

The lease-purchase program is for those with extremely-low incomes, reaching to incomes at a minimum of \$10,200/year, who would be unable to obtain a mortgage because of credit, insufficient employment history or other issues that have the potential to be resolved during the lease period. Participants in this program will lease a project based unit for up to five (5) years while they address the issues that prevent them from obtaining a mortgage. Once the issues are addressed, the participant will purchase the unit in which he/she has been living. A soft second mortgage of HOPEVI funds will be available through this program. A Section 8 Homeownership Voucher may also be provided. If at the end of five (5) years, the participant is still unable to obtain a mortgage, he/she will be offered a Housing Choice Voucher to be used in another unit.

Because of the unique challenges of developing and managing lease-purchase units, it is anticipated that one lease-purchase developer will be selected for the Metropolitan Baltimore area that will design and implement an acceptable lease-purchase program.

SECTION EIGHT: INFORMAL REVIEW AND HEARING POLICY

INFORMAL REVIEWS

Applicants will receive written notice notifying them that they have been denied from the Program and the reason(s) why. The notice will also advise the review of their right to an informal review. An applicant must request an informal review in writing within 10 business days of the date of the denial notice.

An informal review will be scheduled in a reasonable amount of time from the date of the request from the applicant. If the applicant does not request a review in accordance with the policy, then the disposition of the denial will become final.

Upon the written request of the applicant or MBQ or IHI, the review may be postponed and re-scheduled to the next available regularly scheduled review date. A review may be postponed once. If the applicant fails to appear at the second scheduled review, the disposition of the denial will become final.

An applicant may request an informal review for the following determinations:

- Listing on the waiting list maintained by MBQ
- Issuance of a Voucher
- Participation in any of the Special Mobility Programs
- Any type of preference.

Informal reviews will not be granted to applicants who dispute the following actions:

- The number of bedrooms entered on the Voucher
- A determination that a unit does not meet or comply with Housing Quality Standards
- A determination that a proposed lease is unacceptable
- A decision not to approve a request for an extension of the term of the Voucher
- General policy issues or class grievances

Any informal reviews requested as a result of a denial or participation by MBQ on the basis that the family's name is not included in the documentation provided by HABC for the eligibility/preference category claimed by the family will be conducted by HABC. MBQ will inform the family of the procedure for filing a request for informal review with HABC.

INFORMAL HEARINGS

Participants will receive a written notice notifying them that they will be terminated from the Program and the reason(s) why. The notice will also advise the participant of their right to an informal hearing, that the participant must request the informal hearing in writing within 10 days of the date of the termination notice and where the notice should be sent.

An informal hearing will be scheduled in a reasonable amount of time from the date of the request for an informal hearing. If the participant does not request a hearing in accordance with the policy, then the disposition of the termination will become final.

Upon the written request of the participant or MBQ or IHI, the hearing may be postponed and re-scheduled to the next available regularly scheduled hearing date. A hearing may be postponed once. If the participant fails to appear at the second scheduled hearing, the disposition of the Termination will become final.

Families will be provided an opportunity for an Informal Hearing to consider decisions with respect to the family's individual circumstance, in the following situations:

- Determination of the family's annual or adjusted income, and the use of such income to compute the housing assistance payment.
- Determination of the appropriate utility allowance (if any) for tenant-paid utilities from MBQ's utility allowance schedule.
- Determination of the family unit size under the PHA subsidy standards.
- Determination that a program family is residing in a unit with a larger number of bedrooms than appropriate for the family unit size under the PHA subsidy standards, or MBQ's determination to deny the family request for an exception from the standards.
- Determination to terminate assistance for a participant family because of the family's action or failure to act.
- Determination to terminate assistance because the participant family has been absent from the assisted unit for longer than the maximum period permitted under MBQ policy and HUD rules.

An opportunity for an Informal Hearing is not required for the following decisions:

- Discretionary administrative determinations, general policy issues, or class grievances.
- Determination that an assisted housing unit does not meet program HQS, has not been maintained by the owner to those same standards, in order to meet decent, safe, and sanitary guideline interpretations. This provision includes consideration for changes in family composition.
- A determination to exercise or not to exercise any right or remedy against the landlord under the provisions of the HAP contract including the termination of the HAP.
- Determination not to extend or suspend the term of the voucher.
- Establishment of MBQ schedule of utility allowances for families in the program.
- Determination not to approve a unit or lease.
- Determination of the number of bedrooms stipulated on the voucher.

CONDUCTING THE REVIEW/HEARING

The review/hearing will be conducted by a person designated by MBQ or IHI (Review/Hearing Officer), who did not make the initial decision to deny the applicant or cancel the participant, or is not the subordinate of that person. During the review/hearing, MBQ or IHI and the applicant/participant may have present all witnesses and potential witnesses in the matter, and

those persons shall be permitted to observe the entire hearing. The applicant/participant will be afforded a fair review/hearing provided the basic safeguards of due process, which shall include:

- The opportunity to examine before the review/hearing, and at the expense of the applicant/participant, to copy all documents, records and regulations of MBQ or IHI that are relevant to the review/hearing. Any document not so made available after the request of the applicant/participant will not be relied on by MBQ or IHI at the review/hearing.
- The right to be represented by counsel or other person selected as a representative.
- The right to a private review/hearing unless the applicant/participant requests a public review/hearing.
- MBQ or IHI and the applicant/family have the right to present evidence and arguments in support of their positions; to controvert evidence relied on by the other party; and to cross-examine all witnesses on whose testimony or information they rely.
- A decision based solely and exclusively upon the facts presented at the review/hearing.
- Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.
- The applicant/participant must give MBQ or IHI the opportunity to examine, at MBQ or IHI offices, before the review/hearing, any applicant/participant documents that are directly related to the review/hearing. MBQ or IHI must be allowed to copy any such documents. If the applicant/participant does not make the document available to MBQ or IHI upon request, the applicant/participant may not rely on that document in the review/hearing.
- The Review/Hearing Officer will consider only those issues presented in the original notice, and will not consider new issues or evidence of which the participant had no notice.

The Review/Hearing Officer will, within ten working days, give a final written decision to the applicant/participant and MBQ or IHI stating briefly the reasons for the decision. Factual determinations relating to the individual circumstances of the family shall be based on a preponderance of the evidence presented at the review/hearing. The decision will be mailed to the applicant/participant at the address the applicant/participant has on file with MBQ.

If the applicant/participant or MBQ or IHI fails to appear at the scheduled review/hearing, the Review/Hearing Officer may make a determination that the party has waived his right to a hearing. Both MBQ or IHI and the applicant/participant shall be notified in writing of the determination by the Review/Hearing Officer.

The review/hearing will be conducted informally by the Review/Hearing Officer. The Review/Hearing Officer shall require MBQ or IHI, the applicant/participant, counsel, and other participants or spectators to conduct themselves in an orderly fashion. Failure to comply with the directions of the Review/Hearing Officer to maintain order may result in exclusion from the proceedings or in a decision adverse to the interest of the disorderly party, and granting or denial of the relief sought, as appropriate.

APPLICABILITY OF REVIEW/HEARING DECISION

Neither MBQ nor IHI is bound by an Informal Review or a Hearing decision concerning:

- A matter for which MBQ or IHI is not required to provide an opportunity for an informal review/hearing.
- A matter that exceeds the authority of the person conducting the review/hearing under these hearing procedures.
- A determination that is contrary to HUD regulations, requirements, state, federal or local law.

If MBQ or IHI should determine it is not bound by such a review/hearing decision, it will promptly notify the family of the decision in writing and of the reasons for the determination. In these cases, MBQ or IHI may allow the family the opportunity to request another review/hearing.

SECTION NINE: FRAUD POLICY

ALLEGATIONS OF POSSIBLE ABUSE AND FRAUD

All information regarding allegations of possible abuse and fraud will be documented and placed in the applicant/participant file. All allegations, complaints and tips will be evaluated to determine if follow up is warranted.

MBQ will conduct any necessary follow up investigation, which may include:

- Credit Bureau Inquiries
- Verification of Credit
- Employers and Ex-Employers
- Neighbors/Witnesses
- Other Agencies, i.e. Social Services
- Public Records, i.e. real estate, marriage, divorce, judgments, court or police records, state wage records, utility records, postal records, motor vehicle records.
- Applicant/Participant family interviews.

CORRECTIVE ACTION OR TERMINATION ACTION

MBQ will determine if the applicant/family should be denied/terminated based on the supporting documents, or if other corrective action should occur, i.e. repayment agreement.

DISPOSITION OF CASES

In all cases involving monies owed, the Managing Director may elect one or more of the following actions:

- Refer the case to the local or State District Attorney, notify HUD's Office of Inspector General, and terminate rental assistance.
- Terminate assistance and demand payment of restitution in full.
- Terminate assistance and execute a repayment agreement in accordance with the MBQ Repayment Procedure.
- Terminate assistance and pursue restitution through civil litigation, and/or refer the case to a Collection Agency.
- Continue assistance at the correct rent and demand repayment of restitution in full.
- Continue assistance at the correct rent and execute a repayment agreement in accordance with MBQ's Repayment Procedure.

NOTIFICATION TO APPLICANT/PARTICIPANT

MBQ will notify the applicant/participant in writing. The notice will include:

- The action being taken.

- The reason for the action.
- The date the action will take place.
- The participant's right to an informal review/hearing, and the form and date by which the request for such review/hearing must be received.

ATTACHMENT F (2)

HABC Housing Management **Operating Order Index**

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Emergency Evacuation Procedure for Elderly High-Rise Buildings (**M-10-92**)

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Elevator Safety, Maintenance and Repair **(M-159-02)**

HABC Vehicle Inspection Log Report **(M-11-95)**

HABC Vehicles: Maintenance, Repair and Training **(M-8-95)**

Heating & Air Conditioning Instructions **(M-130-01)**

Installation of Experimental Energy Saving Devices **(M-13-90)**

Maintenance of Emergency Generators **(M-8-94)**

Maintenance of Furnace and Air Conditioner Filters **(M-7-92)**

Procedure for Monitoring Compactors **(M-20-92)**

Procedure for Reading and Repairing Electric Submeters at Housing Developments having an Automated Meter Reading System **(M-11-99)**

Procedure for Cleaning HABC Refrigerators Vacancy Renovation **(M-24-02)**

Procedures for Disposal of Ranges **(M-11-92)**

Recording of New Meter Serial Numbers and Readings when Electric Meters are Changed by the Crew **(M-8-90)**

Refrigerators - Procedures for Storage, Repair and Replacement **(M-2-94)**

Safekeeping and Accountability of Tools and Equipment During Vehicle(s) Repairs or Scheduled Maintenance **(M-93-90)**

Smoke Detectors **(M-24-92)**

Sprinkler Heads - Removal of Paint **(M-7-90)**

Supervising Valves and Sprinkle Control Valves **(M-28-93)**

The Operating of HABC Vehicles and Power Equipment by Summer Youth Workers/Employees **(M-28-90)**

Winterizing Water-Cooled Vehicles and Equipment **(M-87-90)**

INVENTORY MANAGEMENT POLICIES AND PROCEDURES

Capital Equipment Inventory Procedure **(M-8-91)**

Charge-Off Requests for Missing Stock/Inventory **(M-7-88)**

City Dump Receipts **(M-35-95)**

Issuance and Receipt of Tools and Equipment **(M-30-90)**

Maintenance Automated Control System **(M-5-95)**

Rotation of Stockroom Materials **((M-6-92)**

Stockroom Audit follow-up **(M-5-01)**

Stockroom Inventory Reduction and Control **(M-10-91)**

Stockroom Procedure **(M-48-95)**

Stockroom Procedures for Eastern Regional Stockroom and Work Order Processing Center **(M-13-96)**

Stock Number on Stock Disbursement Form **(M-39-95)**

The Purchasing and Storing of Chemicals and Materials **((M-29-93)**

CONTRACT MANAGEMENT POLICIES AND PROCEDURES

Alarm System Agreement **(M-8-99)**

Approval Required for All Contract Work (OM&O) Contracts **(M-79-90)**

Contacts with the Central Maintenance Building for Crew Services **(M-43-90)**

Costing Repair Jobs - Fringe Benefit Percentage **(M-37-95)**

Work Performed by HABC Personnel Which is the Responsibility of a Contractor **(M-24-91)**

GENERAL SAFETY POLICIES AND PROCEDURES

Crawl Space Security and Access/Protection of Employees Required to Enter Crawl Spaces **(M-4-88)**

Danger on Use of Hazardous Industrial Materials **(M-20-90 is OBSOLETE AS OF 5/17/02 per S. Mc)**

Fire Prevention Code Concerning Auditorium Safety **(M-117-90)**

Fire Safety Inspection and Maintenance of Fire Extinguishers **(M-23-95)**

Gas Pipe Safety Inspection and Hose Bibb Maintenance (M-120-90)

General Safety Rules for the Division of Housing Management
(M-5-96)

Lead Hazard Procedures for Housing Authority of Baltimore City
Public Housing Developments (M-13-98) **ALSO SEE AMENDMENT M-3-99**

Mold and Moisture Control Operations and Maintenance Plan
Procedures for Housing Authority of Baltimore City Public Housing
Developments (M-241-2003)

Oil Spills or Discharges on or from HABC Property (M-4-92)

Pesticides and Related Chemicals (M-52-95)

Proper Storage of Gasoline (M-1-94)

Repairs Affecting Safety or Security of Residents of HABC Property
(M-3-92)

Safety Inspection Program (M-82-90)

Status Report - Safety Inspections (M-122-90)

Testing Interior Fire Alarms/Fire Prevention Program (M-104-90)

Vehicular Safety and Appearance (M-12-95)

Site Management Operating Orders

General Office Policies and Procedures

Emergency Addresses and Telephone Listing (M-17-96)

Keeping Warranties, Guarantees and Certificates in Full Force and Effect (M-67-90)

Obsolete Operating Orders (M-15-96)

Office Security in the Public Housing Developments (M-23-02)

Periodic Self-Inspections (M-115-90)

Procedure for Receipt of Operating Orders, Bulletins, Important Memoranda and Directives (M-16-02)

Prompt Implementation of Official Operating Instructions (M-94-90)

Reporting Physical or Other Modifications to Communities Surrounding Public Housing Developments (M-14-89)

Use of HABC Funds, Facilities, Materials and Equipment (M-8-85)

Financial Reports, Records and Related Functions -Development Staff Responsibilities (M-69-90)

Communication Policies and Procedures

Ninety (90) Day Notice Request for Services (M-63-01)*ABCD LETTER

Correspondence (M-2-91)

Dissemination of Policy Matters to Residents (M-12-02)

Implementation of "1997" HABC Dwelling Lease, Form No.70-0249-000 A & B (20M-6/97) (M-4-97)

Informing Residents of Interruption of Services (M-64-90)

Maintaining Contact With Staff During Work Hours(M-49-95 REVISED 12/18/95)

Newly Promulgated Tenant Dwelling Lease, Form No.70-0249-0000a&b
(5M-6195) **(M-4-97)**(Same as Implementation of 1997 HABC Dwelling
Lease, Form No. 70-0249-000 A&B (20M-6/97 on previous page)**

Occupancy Data Report, Form 420, Revised 12/86 **(M-20-96)**

Posting of Signs - Community Sponsored Activities **(M-63-90)**

Posting of Warning Notices - Storage of Flammables **(M-4-94)**

Procedure for Posting Signs **(M-2-01)**

Resident Letter Regarding Crime, Violence and Vandalism **(M-38-95)**

Revised Rental Determination and Tenant Data Summary, Form HABC-
50058-A **(M-14-96)**

Revised Tenant Dwelling Lease, Form No. 70-0249-0000 **(M-4-97) ***
SEE PREVIOUS PAGE

Signs on HABC Property **(M-12-86)**

Witness Statement **(M-58-90)**

Human Resource Policies and Procedures

After Hours Activity **(M-1-97)**

Employee Conduct and Telephone Manner **(M-23-94)**

Employees' Traffic Violations **(M-26-95)**

HABC Cellular Telephones and Fax Machine Usage **(M-10-96)**

Interviewing Job Applicants **(M-70-90)**

Motor Vehicle Operator's License Infractions **(M-6-94)**

Payroll Attendance Reporting, Approved Overtime Requests and
Paycheck Procedures **(M-14-93)**

Payroll Pickup **(M-21-02)**

Personal Appearances and Demeanor During Working Hours **(M-8-98
Reissued 7/12/99;)**

Recognizing and Handling Employee Problems; Disciplinary Action
(M-4-99)

Report of Employees Moving from Public Housing (M-60-90)

Use and Care of Maintenance and Crew Uniforms (M-7-99)

Vehicular Abuse (M-6-95)

Continued Occupancy Policies and Procedures

Confidentiality of Information Concerning Applicants/Residents in
Public Housing (M-98-2003)

Control of Active Resident Folders, Records and Summaries of
Interviews (M-196-2003)

Disposition of Residents' Personal Effects (M-27-95)

Eviction Actions - Revised Procedures for Notification of
Termination of Tenancy for Nonpayment of Rent (M-3-93)

Evictions - Amended Policy/Reporting Procedures (M-3-88)

Evictions; Removal of Abandoned Furniture, 15-day Notice - Method
of Reporting (M-51-95)

Handling of 30-Day Notice of Lease Terminations -Illegal
Activity Only (M-16-96)

Lease Termination for Criminal Activity - Handling of 30-Day
Notice of Lease Terminations - Criminal Activity Only (M-242-
2003)

Mailing of 60-day Notice of Lease Termination - Illegal Activity
Only. Request for Grievance/Waiver Hearings from Legal
Representatives. (M-16-96)

Maintenance of Resident Folder - Drug/Criminal Activity
Documentation (M-5-99)

Management Home Visits (M-42-95)

Management/Resident Occupancy and Pretermination Inspections
(M-7-91)

New Resident Grievance Policy and Appeals Procedure (M-5-97)

Occupancy Data Report, Form 420(M-20-96)

Over/Under Occupancy (M-14-86)

Photo Identification of New Applicants/Residents (M-12-98)

Procedure for Verifying Household Circumstances (M-246-2004)

Processing of Relocation Requests Involving Residents Who Are Victims, Witnesses, and/or Participants in a Criminal Investigation, or Involved in Community Disputes (M-14-95)

Recommendation for Rehousing of Former Tenants (M-1-2001)

Reinstatement of the Community Services and Self-Sufficiency Requirement (M-243-2003)

Remaining (Residual) Member of Resident Families (M-18-91)

Resident Evictions and Notices to Vacate (M-5-2000)

Resident Fact Sheet (M-5-89)

Revised Procedure for Issuing Notices to Vacate for Illegal Activity (M-8-89)

Revised Reexamination Procedures for Family and Mixed (Elderly and Family Combination) Developments (M-11-96)

Revised Resident Grievance Policy and Appeals Procedure (M-5-97)
***SEE PREVIOUS PAGE**

Section 504 Resident Notice Compliance (M-18-94)

Showing of Vacant Units to Prospective Residents (M-39-90)

Status of Dwelling Units (M-40-02)

Transfer Policy and Request Procedures M-125-2004)

Transitional Emergency Medical Housing Assistance Program (TEMHA)/Redesign (M-1-96)

Site Management Operating Procedures

Agreement for Use of Development Community Space (M-2-99)

Residents (M-41-90)

Continuous Service **(M-76-90)**

Cooperation with Bureau of Recreation **(M-13-89)**

Entering Tenant Occupied Dwelling Units **(M-22-94)**

Lease Agreements with City and Other Agencies **(M-19-93)**

Maintaining Appearance of Public Housing Developments **(M-13-95)**

Master Key Procedures for Elderly High-Rise Developments **(M-97-90)**

Material Acquisition Committee Form and Product Safety Recall Procedure **(M-22-95)**

Mold and Moisture Control Operations and Maintenance Plan Procedures for Housing Authority of Baltimore City Public Housing Developments **(M-241-2003)**

Motorized Equipment Operation and Travel **(M-33-95)**

Moving Contractors for Evictions **(M-5-98)**

Moving Contractors for Residential Assistance Section **(M-46-95)**

Non-Dwelling Units **(M-38-02)**

Police Rental of Public Housing Properties **(M-20-95)**

Policy on Pets in Public Housing Designed Exclusively for the Elderly and Handicapped **(M-2-90)**

Policy on Smoking in the Housing Authority of Baltimore City - Owned and Leased Properties **(M-22-96)**

Procedure for Processing Work Orders at the Data Operations Processing Center **(M-4-96)**

Procedure for Relocation of Cherry Hill Homes (MD-2011 and McCulloh Homes (MD-2002) Families to Other Developments **(M-10-89)**

Procedure on Reporting and Repair of Fire-Damaged Public Housing Units. **(M-1-95)**

Procedures for Complying with Lead Paint Abatement Notice(s) and Structures Housing Elevated Blood-Lead Level Children **(M-1-98)**

Processing of Property Damage Claims **(M-6-91)**

Providing Residents with Three Dwelling Keys
(M-27-90)

Quick Inspection Procedures For Units Prepared For Re-Rental
(M-240-2003)

Removal of Unauthorized Vehicles (M-17-95)

Report of Dwelling Unit Vacancies (M-72-90)

Requesting Special Police Surveillance (M-80-90)

Resident-Owned Appliances (M-32-90)

Revised Procedure for Response to Notice of Children with High
Blood Lead Levels and Compliance with Lead Paint Abatement
Notice(s) (M-1-98) ***SEE PREVIOUS PAGE**

Spring Beautification Program (M-120-02)

Vandalism Cost Reporting Systems (M-19-91)

Voter Registration Service (M-1-93)

REGULATORY OPERATING ORDERS (ROO)

City Of Baltimore Code Violation Notice and Order (**M-32-95**)

Decrease in DSS-AFDC Grant Effective 1/1/93 (**M-25-92 Superseded by M-32-93 & M-17-94**)

Definition of Income Final Rule and Federally Mandated Exclusions from Income (**M-1-88**)

Form HUD - 9886 (4/91), Authorization for the Release of Information (**M-11-91**) **Reissued 7/30/92**

HUD Form 52951, "Watch Out for Lead Paint Poisoning" (**M-3-91**)

Increase in DSS-AFDC, AFDC-UP and GPA Grants Effective July 1, 1994. (**M-15-94**)

Increase in SSI and OASI Benefits Effective 1/1/00 (**M-239-02**)

Increase in SSI and OASI Benefits Effective 1/1/2002 (**M-239-02**)

Instructions for Completion of the HABC Development Public Housing Assessment System (PHAS) Certification (M-12-99)

Instructions for Completion of the HABC Development Public Housing Management Assessment Program (PHMAP) Certification (**M-12-99**)

Revised Income Limits for Admission (**M-21-93**)

Voluntary Vendor Payment Program (**M-9-99**)

ATTACHMENT G

HABC Criteria for Determining Substantial Deviation and Significant Amendment or Modification

HOUSING AUTHORITY OF BALTIMORE CITY
2002-2006 5-Year Plan
FY 2002 Annual Plan

24 C.F.R. Part 903.7

The criteria for a substantial deviation from 5 Year Plan:

- A change in HABC's stated mission which would result in a decrease in services to residents; or
- The elimination of any of the stated goals or objectives, or
- Additions of non-emergency work items when dollar amounts exceed 10% of the Capital Fund Budget or the amount of replacement reserve funds that exceed 10% of the annual Capital Fund Budget.

The criteria for a significant amendment or modification to 5 Year Plan or Annual Plan:

- The elimination of or reduction in programs or services to residents due to the administrative convenience of HABC; or
- The elimination of or reduction in funding due to the results of an authorized assessment of HABC's performance; or
- A material change in an approved policy that affect services to residents; or
- The adoption of a new policy pursuant to HUD authorized programs or regulations, or
- Additions of non-emergency work items when dollar amounts exceed 10% of the Capital Fund Budget or the amount of replacement reserve funds that exceed 10% of the annual Capital Fund Budget.

The criteria for a substantial deviation and significant amendment or modification DO NOT include:

- A change in funding or other resources due to factors beyond the control of HABC;
- A change in programs, services or methods of administration or operation required by court order, regulatory or legislative changes, or directives from the funding sources; or
- A supplement to existing policies, programs or services.

ATTACHMENT H

Responses to Comments from Public Hearing on the Annual Plan

HOUSING AUTHORITY OF BALTIMORE CITY
PUBLIC MEETING ON THE
PHA ANNUAL PLAN 2004:

March 11, 2004

Minutes

The HABC Board of Commissioners conducted a public meeting at 6:00 p.m. at Pleasant View Gardens, to invite public comment on the Draft 2004 PHA Annual Plan.

Present were Executive Director of HABC, Mr. Paul Graziano, Chairman of the Board of Commissioners, Mr. Thomas D'Alesandro III, and Joyce Stewart, Chair of the Annual Plan Committee and Special Assistant to the Deputy Director, as well as numerous HABC division directors.

Joyce Stewart gave an overview of the process that had occurred to develop the Plan, and the procedures that would be followed during the meeting.

Commissioner Graziano thanked everyone for attending. He gave an overview of the nature of the Annual Plan, and thanked the staff and resident members of the committee for their good efforts over the last many months in formulating this complex document. It relates to all aspects of the operation of the Housing Authority of Baltimore City. He stated that this document has been available for public scrutiny and review for the past 45 days, and he invited comments from the attendees. In addition to comments received at the public meeting, all written comments regarding the Plan would be reviewed and considered in preparing the final version.

Mr. Graziano then introduced Chairman D'Alesandro. Mr. D'Alesandro thanked everyone for being here and being part of the process in review of the Annual Plan. He assured everyone that all comments would be recorded, reviewed, and will be made part of the Plan.

Ms. Joyce Stewart then began calling the commentators.

See the following pages for comments

The meeting adjourned at 7:20 p.m.

COMMENTS ON DRAFT PHA ANNUAL PLAN 2004:
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Mr. Ronald Jackson, McCulloh Homes

He said that Ms. Stewart had come to McCulloh to discuss the capital plan for 2004-2008. He thought that last year there was supposed to be \$4,000 for an intercom and card entry system. It is not there this year, and he is very concerned that it is not in the plan. This system is vital to the safety of McCulloh residents. He lives there and they do not have security. Anyone can come in. People cannot contact the front desk. He had heard that they had started working on it and then stopped.

Mr. Graziano replied that we are going to have a contractor, a consultant, come in and look at all the security devices throughout the entire system, especially the high-rises. He believes that within the next few weeks, they will be mapping out a strategy for all security systems. He then referred Mr. Jackson to Mr. Patrick Pat of the Engineering Division who would have specifics on that part of the Plan. They are doing a general review of all capital work that relates to security, and we will look at the best possible solution.

Mr. Jackson said that he will be following the progress on this. He also asked if all the issues in the five-year capital plan are going to be moved out.

Mr. D'Alesandro replied that all would be prioritized according to different years. Not everything can be done in the next year, so work is given different priorities in different time frames.

[RESPONSE: Mr. Patrick Pat spoke with Mr. Jackson at the meeting, and indicated to him that the intercom is budgeted in 2007. Funding priority on this item was determined at the Capital Planning meetings with resident representatives and HABC staff. The priority for this item was reached by a consensus of all parties attending.]

Mr. Curtis Wooden, Allendale

His concern is maintenance. He hears that you will be looking at the high-rise security systems, and we will wait on that, as we wait for everything else. But the maintenance problems have existed for about a year. People are becoming upset, because the building is dirty, and we are trying to understand why. He would like to know why it is taking so long to get someone in there to clean the building.

Mr. Graziano referred him to Ms. Anita McCoy-Muhammad, who is present here. She is responsible for the upkeep at the developments.

[RESPONSE: Richard Aull responded that new janitorial contracts will begin July 1st for all mixed population buildings. Until then, the development staff will continue with the cleaning.]

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March 11, 2004

Ms. Mary E. Battle, Chase House

She is here to ask about an intercom system in her building. They need it, because most of the residents are not as young as they used to be, and they do forget. The intercom would be essential to remind us of meetings, of visitors, etc. So we really need the intercom.

[RESPONSE: Ms. Mae Cumberbatch states that approval has been given for Management and Security Monitors to make resident announcements on the Fire Management System at Chase House. The regular intercom requires replacement parts, which are being located.]

Ms. Beverly Holland, Chase House

She receives a Social Security check and relies on this check to pay her rent. Her check arrives on the second Wednesday of the month. However, the rent is due on the fifth of the month. So she is always late, through no fault of her own. Can something be done to help her be current with her rent?

Mr. Graziano said that Ms. McCoy-Muhammad would be able to advise her.

[RESPONSE: Ms. McCoy-Muhammad said that Ms. Holland simply needs to communicate her situation to the Manager. HABC does not charge late fees and does not assess court costs unless an action has to be filed after the 15th day of the month. If Ms Holland wants to get current with her rent she would need to pay something extra based on what she could afford until she is essentially one month prepaid. The Housing Manager will contact Ms. Holland.]

Mr. Larry Wright, Twenty West

He said, in the Twenty West building, they have had one murder too many, one rape too many. The security system there needs to be overhauled. We ask that you come to the building, just to see how much access you have. We also have elevators that go to the basement, and that's where a lot of our drug activity and crime comes in. This is true of all the buildings in HABC. The Twenty West has had one man murdered. When that happened the housing police were there 24/7. We have had monitors who sleep on the job.

He feels that if you had to live in this building, it would be different. We have poor to no screening of people coming into the building. We have young people with drug problems hanging out. People need to be screened. We have a large number of elderly females living there. Imagine if it was your mother, or sister, or grandmother. We have had promises, but no action. We don't see anything happening.

Mr. Graziano said that he would take a visit to West Twenty. Also, Chief Bunch is here this evening, and can let you know what is being done.

[RESPONSE: Ms. Cumberbatch addressed his security issues. She explained in the Tenant Council Meeting that the garage could not be closed down due to handicap accessibility issues. Also, cameras have been positioned differently; however people

COMMENTS ON DRAFT PHA ANNUAL PLAN 2004:
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still get in. (Access cards are being shared; people sneak on elevator and up the stairs.) Mr. Wright, a Security Guard for the State, has been invited to volunteer for Tenants on Patrol when the new selection process starts.

Mr. Wright has also been advised that in the event he observes a Monitor Sleeping on the post on any other unacceptable behavior he is to call (410) 244-1115 immediately and ask to speak to the supervisor. He is not to have a confrontation with the monitor. People are screened just as he was. However, the monitoring of building visitors/guests staying in the building has become an enormous task.]

[RESPONSE: Chief Bunch of the HAPF also addressed Mr. Wright's concerns. Security of our Multi-Population Buildings has always been a concern of HABC. We agree with Mr. Wright that any crime is too many. The HABC is currently in the process of looking at ways of enhancing the security at all of our Multi-Population Buildings. The Housing Authority Policy Force (HAPF) recently conducted a security survey of all our Multi-Population Buildings to evaluate the access and monitoring controls to our buildings. As a result of this survey, we are currently verifying the results. Senior management will begin meeting with experts in the area of current technology to enhance and further develop HABC's security strategy of our buildings with Multi-Population communities.

Chief Bunch and Major Hairston of the HAPF met briefly with Mr. Wright to discuss his concerns and exchange telephone numbers. Chief Bunch will ensure that his supervisors will conduct random visits to the West Twenty building at all hours of the day and night to ensure that our employees are performing their duties as building monitors. Major Hairston will coordinate with the tenant council at all our Multi-Population communities to provide crime prevention techniques.

Chief Bunch and the Commissioner will be visiting the building in the very near future.]

Mr. Don Norwood, West Twenty

He is a care provider for his mother who lives at 11 West 20th St. He came here with a complaint about the elevators, the intercom and also the ID problem. There are approximately 360 apartments in this building; there may be 500 people in and out of the building during the day. There are many days that there is delayed elevator availability. They are sometimes broken. They can be down as long as two hours in a day. He has had some days where he has had to wait 10 minutes or more to get an elevator. He has also been there when the regular elevators have been used as freight elevators for people moving in and out. For the past 2 years, one of the elevators has been in a constant state of repair. This creates a great strain on the residents. In fact, in coming to this meeting, it was announced at 4 pm that the elevators would not be working for the next hour. So people who had planned to take the bus to this meeting were left behind on their floors. Only those people who could walk down the stairs are here tonight.

Also, the intercom seems to be for security people, but it would be a good to have residents be allowed to use it for their activities. Right now there is a limit on what can be broadcast.

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Another problem is the ID. They take your ID at the door. He knows of no other security situation – not federal buildings, not the airlines – that will take your ID. There must be some other method. Someone may come from out of town who does not have a picture ID. They still need to be allowed to visit people in the building.

Also, many times he has come in late at night and found the attendant asleep on the job.

Mr. Graziano said that we would check into all this. Note in the Plan that there is a fair amount of work scheduled for West 20, related to security matters. We will come out in the meantime, and will bring Chief Bunch along, as well.

[RESPONSE: Ms. Mae Cumberbatch explained that the elevators are under renovation, and special parts have to be ordered causing delay for repairs. Mr. Norwood's mother and many others in the building are wheelchair bound and this slows up the process. Our elevator contract has a 24 hour- repair clause. One elevator has to remain in operation at all times. Currently the freight elevator is not in use at all due to an overhaul. In the event of any future major shut down on elevators (two or more hours) a request has been made by the Manager to Engineering that it be worked on between the hours of 12 Midnight or as late as possible at night.

Approval has been given only to Management and Security Monitors to make announcements on the Fire Management System (HABC reserves the right to determine who has access and usage of it's equipment).

Mr. Norwood, who is requesting permission to become a Live-In Aide, has indicated that because his mother needs 24 hour care, it will be necessary for other family members to stay in the unit (possibly at night). Two extra people are already staying in unit causing an over crowded situation. She advised Mr. Norwood that the Manager is to be notified of people staying overnight in the unit, and he and family members have no resident privileges. Therefore, they are required to leave their photo ID cards in the Security Booth (HABC Requirement). All building guests/visitors must do this while on the premises. She also advised him that if another family member is to be considered as a helper to the Live-In Aide, that person must also be screened.]

[RESPONSE: Chief Bunch of the HAPF also addressed Mr. Norwood's concerns. The HAPF, in partnership with the Resident Advisory Board (RAB) Security Chair, the Tenant Councils at our Multi-Population communities and housing managers had many discussions on how to enhance control access to their buildings. These discussions took place several years ago and the West Twenty Tenant Council was one of the first buildings to recommend that we implement a practice of requiring visitors to leave an ID to deter those who had other than legitimate reasons to be in their building.

During the year of 2003, the HABC Multi-Population Community had over 501,000 visitors. The West Twenty community had 32,931 visitors during the year 2003. HABC believes that any crime is too many; however, even with the high number of visitors, the West Twenty had only 17 crimes. Of the 17 crimes relatives, friends or acquaintances committed over 75% or 12 of the 17.

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We believe that because of the location of this building, if it were not for the foresight of the West Twenty Tenant Council to require visitors to their building to leave an ID card upon entering, more residents of the building would have been victims of crime. The practice also allows for persons legitimately visiting without ID to enter the building after the tenant takes responsibility by signing in and escorting the visitor.

The HABC/HAPF will continue to work in partnership with our community leaders to ensure that the best possible security is provided to our residents.

Major Hairston will coordinate with the tenant council at all our Multi-Populations communities to provide crime prevention techniques.

Chief Bunch and the Commissioner will be visiting the building in the very near future.]

Ms. Evelyn Coleman, Cherry Hill

She mentioned that they do not have a manager, and they are having a hard time getting things done.

She said we are spending money on contractors that do not do the job; they do not finish them. For jobs you are supposed to have a warranty to cover two or three years on the work. When you complain about something that was just fixed but broke again, these contractors do not show up. They have many excuses for why it is not their problem – call your development maintenance; it happened before my time, etc.

These kinds of things are an extra problem, because we do not have a manager to look out for us right now. She did mention some problems to Paula Hutchinson who said she would take care of them.

Another problem is that a roof blew off in the hurricane. This is the second time a roof blew off in the new part. And the pieces are still there. No one has come to fix it yet.

Also, we have houses that have been boarded up since 1992. I know you have pulled money from this place to put somewhere else. We want that money back; we want it to stay where it belongs. We want our houses fixed up. The new section we just fixed up looks nice, but you have to keep it fixed. You put money into this place, and now the walls are falling down.

She is trying to keep you from being sued.

And the landscapers who are supposed to cut grass - they do not cut it. They flatten it down. One day it looks okay and the next day is up again.

We have underground springs in Cherry Hill and we have sinkholes. That's another problem.

One more problem is maintenance. There was a senior citizen who had an electric stove with wires sticking out all around. Three times she asked for a gas

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stove. Miss Magwood had to finally get involved. And it took six weeks to get a stove. This is wrong. Cherry Hill has no place to store things like refrigerators, stoves and air conditioners. We were promised extra appliances. We have to wait a long time on stuff like that.

Cherry Hill is the largest public housing development in Baltimore City. They should have stuff there and not have to special order each thing.

People are trapped in their houses because of the crime. There's a cul-de-sac where cars are dumped. She has to call all the time to get them towed.

Also, the place is dirty. There are supposedly three men assigned to keep the halls clean, but none of them are doing the job.

Mr. Graziano thanked her for bringing all this to our attention. They will get the manager situation straightened out. He knows there is more to be done.

[RESPONSE: Paula Hutchinson asked Floyd Henson, Maintenance Supervisor, to check on Ms. Coleman's complaints, which he did the day after the meeting. He reported some light outages to DPW and repaired a railing. Ms. Hutchinson has met with tenant council members and has established a standing meeting to discuss development problems, to take place every other Friday at 2:00 p.m.]

Deborah Flownoy (sp?), Somerset

She wrote to Mr. Graziano in October. She wanted to do some work in her apartment, and she wanted to know what was in the plan for Somerset. Should she do the work, or were they going to close it down? He had replied that there were no plans to close Somerset. But there are rumors that it will close. What are the plans?

Mr. Graziano responded that there are a number of serious problems we know about, a whole range of issues. They are all costly items. We are looking at what has been done, what needs to be done, top to bottom. If there were to be a decision to make any major changes at Somerset, we would need to communicate that with all the residents, have all the appropriate notifications, and you would have a very long lead time. Those problems are going to have to be confronted in some way. We are still looking at all the options.

William Major McGlocklin, McCulloh Homes

He said that the staff and the security at McCulloh Homes, 501 building is excellent. Whenever he has called for service, the response has been very good. There are some small things that he would like to see done.

He asks that we put some signs up in front so that children do not play on the grass. It is killing the grass, and we do want to keep the building looking nice.

The second thing is why are you putting people who are handicapped and in wheelchairs on the 10th floor in a high-rise? This is not wise. He does not

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believe that handicapped people should be on a floor higher than what a fire truck ladder can reach. This is not wise at all. He is one of those people who have been asked to move so they can renovate his unit for a wheelchair person, and he is on the 10th floor.

Mr. Graziano said that the Board is looking at exactly that issue. There are certain concerns about the issue of where and when we can place handicapped people in high-rises. The Chairman and the Board are very concerned about this.

[RESPONSE: Ms. McCoy-Muhammad said that the issue of posting a sign needs to go before the tenant council for approval. The Manager will put the subject on the agenda for the next Team meeting in April.]

Ms. Hattie Rhames, Dukeland Homes

She said that Dukeland is home to seniors, adults and children. But it is not much fun for the children, because everyday they are watching the drug excitement. They cannot play without seeing shootings and stabbings. We need a safer and a healthier environment for everyone, but most of all for our children. This is the time in their lives when they are learning from what goes on around them.

She has been asking for playground equipment since 1998. Last year when she was here, all the staff listened very nicely. But this year she is speaking to our Commissioner, Mr. Paul Graziano, because he was the one who told Mr. Aull to talk to me and to "give her what she's asking for,"

But nothing has changed. Where is it now? She spoke to Ron Coleman a few weeks ago. He said "as soon as the weather breaks" they will be out there. We have waited and waited. How long do we have to wait?

Mr. D'Alesandro asked, in reference to the drug traffic, do you ever see any of the housing authority police?

Ms. Rhames said that they visit us whenever somebody gets killed. Then they're everywhere. But for a regular call, they will not come. They say you have to call the city police. She calls everybody when somebody's life is in danger. We are taxpayers. We do not know what happens to the money, who is supposed to do what. They tell us one thing and they do another.

Mr. D'Alesandro asked, how often do you see a policeman?

If they actually come out and take someone away, then it might be two or three times a day.

Joyce Stewart added that Ms. Chavis indicated that she would like to speak to her about the playground equipment.

Ms. Rhames said that she's already spoken to her, but it does not help.

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Ms. Chavis came to the microphone to confirm – at last – that groundbreaking is due to take place in the Spring of this year. It really does depend on the weather. Mr. Graziano said that you all heard it here. It will happen.

Ms Ruth Crystal, Housing Advocate

She has been an active advocate for affordable housing in Maryland for the last 15 plus years. Her comments on HABC's voucher program are based on six years of directing relocation programs for HABC Section 8 applicants and participants operated by a local non-profit organization, and a study of the region's Section 8 programs that she co-authored for CPHA last year.

She recommends that in addition to the priority given persons being displaced due to public action, priority be given to persons being dislocated by any revitalization program in a designated revitalization area, if the revitalization program agrees to provide preferential employment opportunities for participants in HABC's housing choice voucher and public housing programs.

She believes that meaningful employment, at a livable wage, is the key to success for voucher participants (other than the elderly and disabled) and that HABC can enter agreements with non-governmental entities that will simultaneously help their relocation efforts and HABC's residents.

(Her remarks were submitted in writing.)

Mr. Graziano thanked her and said we would look into that.

[RESPONSE: Mr. Michael Kramer, Associate Deputy Director, replies that the existing preferences are sufficient to the needs of the families of Baltimore City.]

Mr. Dale McArdle, Baltimore Resident

HABC has traditionally given priority for relocation assistance to Baltimore City residents being displaced by government action. Among this group, he recommends that the highest priority for assistance be given to persons being displaced by a government sponsored revitalization program operating in a revitalization area designated as such by law.

Further, he recommends that highest priority for allocating relocation assistance be to those families displaced by a government sponsored revitalization program providing preferential employment opportunities to participants in the HAC Section 8 and public housing programs.

He wants to emphasize once again, that in addition to the priority afforded Baltimore City residents for relocation assistance equal consideration should be given to persons being displaced by revitalization programs providing preferential employment opportunities to participants in the HABC Section 8 and public housing programs.

(His remarks were submitted in writing.)

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[RESPONSE: See response to Ms. Ruth Crystal]

Ms. Shirley Foulkes, Cherry Hill

She would like to know what part of MD-17 is Rent-To-Own. She would also like to know what are the plans for the Charles K., and whatever they are, she would like to discuss them before any deals are made with anyone.

Also, there were funds for MD-12. Where are they? We would like to know that.

Whatever contracts have been proposed in Cherry Hill, we would like to see and discuss. She is the new tenant council president; she needs to know what is going on. She wants to talk to any developers, any engineers, and anybody that does work at Cherry Hill.

Mr. Graziano said he does not know if she has met Chris Shea yet. He is our ADA for Planning & Development, and he is here this evening. We will be sitting down with you to talk about the range of issues you just described. There are obviously a lot of things that we need to bring you up to speed on in terms of what we are thinking about in Cherry Hill.

[RESPONSE: Christopher Shea stated that he is scheduled to meet with Ms. Foulkes on March 22nd. Also attending will be Commissioner D'Alesandro, Paul T. Graziano and Lyle Schumann.]

Ms. Lauren Siegel, Healthcare for the Homeless

(Ms. Siegel submitted her comments in writing, as follows:)

Mr. J., 45, is homeless and living with serious multiple medical problems. He has been homeless for 2 years and on the HABC waiting list for 3 years. The first week of November 2003, Mr. J. received a letter on a Monday informing him of an interview appointment for the previous Friday. Mr. J. and his social worker contacted the applications office and, after many attempts, reached a staff member and explained the problem. The worker promised to send out a new application. Two weeks later, the same situation occurs. Mr. J. and the social worker call again, but are told that no new appointments are being scheduled. Since mid-November, the client and social worker have been calling weekly with no resolution.

Unfortunately, Mr. J.'s case is not a unique situation for clients of Health Care for the Homeless (HCH). For the past 19 years, Health Care for the Homeless (HCH) has provided health-related services, education and advocacy to people experiencing homelessness in Maryland. We offer a full range of health services to nearly 8,000 different individuals each year; 5,000 are served at our Baltimore clinic.

HCH clients have little or no income and are financially eligible for the public housing or Section 8 programs. The majority is diagnosed with one or more

medical disabilities. Due to a variety of factors, including HABC communication and eligibility determination problems similar to those described above, very few of our clients ever receive housing assistance from HABC. We believe that this can and must change, and we are committed to working with the HABC to facilitate positive adjustments to the current process.

Community communication and accessibility: The HABC has historically had few formal connections with public or private service providers. It is also difficult to reach HABC staff by phone or email, and there is no voicemail or other means to leave messages. Consequently, staff of many public and nonprofit agencies are simply unable to achieve regular communication with HABC staff.

HCH has many strong partnerships with coalitions and other organizations. We are willing to partner with HABC in order to increase communication between HABC and the homeless service provider community. We would be glad to arrange for representatives to attend service provider meetings and/or organize periodic forums to provide HABC information; this could benefit all involved.

Complexity and lengthy eligibility process: After 2-4 years on the waiting list, an applicant should not have to wait an additional 4-6 months after being interviewed by HABC staff to move in to an apartment. The current eligibility determination process is inefficient and backlogged, with only one supervisor approving the completed applications. Although appointment letters direct recipients to call and reschedule if they miss an appointment or receive the letter after the appointment date, this does not occur often in practice due to the communication complexities listed above. A streamlined eligibility determination process would assist HABC in approving new cases in a timely manner.

HCH is willing to collaborate with the HABC by assisting with trying to locate missing clients, pursuing the documentation needed for housing appointments, and keeping a running "log" of all client-specific communication with HABC.

Opportunities for low-income families with disabilities in Section 8 and Public Housing programs: In April 2003, the Office of Homeless Services (OHS) conducted a "homeless census" of 2,681 people. Of those, 63% identified housing as their greatest need; many of these individuals identified the presence of a major medical condition or serious disability. Unfortunately, there is no way to gauge HABC's effectiveness in the area of housing provision for individuals with disabilities. The lack of public data on HABC's waiting list or housing placement productivity prevents adequate analysis. In order to improve services to this vulnerable population, HABC must be publicly accountable for the number of families with disability they have housed per month.

HCH can support HABC in its efforts to improve by also documenting the frequency of our staff's efforts to help with applications, documentation, mailing or rescheduling issues, and sharing these numbers with the HABC. We would be pleased to collaborate in service to this vulnerable population.

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Mr. Graziano thanked Ms. Siegel. He said if she would like to discuss specific problems with the Housing Applications Office, Ms. Anita McCoy-Muhammad is here this evening, and would be glad to assist you.

[RESPONSE: Mr. Michael Kramer, Associate Deputy Director, reviewed the inquiry log and found no instances where her calls were received and not returned. Preferences have been implemented in 2003 to provide opportunities for families with emergency situations and families who are disabled. Ms. McCoy-Muhammad said that a meeting is being arranged with the Housing Applications staff to discuss issues and solutions on a quarterly basis.]

Ms. Renee Douglas, Rosemont

She is the newly elected tenant council president. She has looked at the capital plan. There seems to be no money under some of the things that you want to do. She sees nothing for 2004 up until 2008. She would like to know what is going on.

She would like to see speed bumps in the drive so we can protect our children. She is not sure what underpinning is. You have landscaping here, and she does not know why. They don't have any grass around. About the vacancy renovations, she is not sure what's going on with that. They seem to have stopped. We also need our lighting upgraded. We have so many cubbyholes where people can hide and grab you.

She believes that you may be lumping Rosemont and Dukeland together. She would like to know how much money is actually going to Rosemont.

Ms. Graziano pointed out Ms. Anita Chavis. He said she would be glad to go over the details of that with you.

[RESPONSE: Ms. Chavis met with Ms. Douglass and Ms. Haynes of Rosemont/Dukeland and reviewed each of the line items in the 5-year Plan for Rosemont/Dukeland. All questions have been answered and issues have been resolved.]

Loretta Johnson, Cherry Hill (2912 Carver Rd. 410-354-3336)

She asked if this is the Plan that is going to HUD.

Mr. Graziano said that what we have before you is the draft plan. We will review all comments, oral and written, and will make modifications as appropriate and then submit the plan to HUD. The plan before you, barring any significant commentary to the contrary, is the one that will be submitted.

She then asked if we would have another meeting before the Plan goes to HUD. Will the residents know what's in the Plan that's going in?

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Mr. Graziano said that once the changes are made and approved by the Board, submitted to HUD, and upon approval by HUD, it would be fully disseminated at that time.

She wants to know why Cherry Hill was moved out of the 5-Year Plan. She cannot find it in the book. She knows that as long as your development is in the Plan, then you are due some funding. But once your development is out of the Plan, then there's a question of whether you will get funding or not.

Mr. Graziano again referred to Anita Chavis. She is here this evening to answer any questions you have about the capital portion of the Plan.

[RESPONSE: Ms. Johnson did not speak with Anita Chavis. However, for clarification, Capital funding for demolition and redevelopment of Cherry Hill has been deferred at this time. Funds have been reallocated. Other capital work items for Cherry Hill are detailed in the 5-year Plan.]

Ms. Lilita Pope, Douglass Homes

She had never had a screen door. Finally a year after requesting one, she got it. It took 4 men 2 days to put up the door. The door stayed up 1 week. The wind blew it down. They came and took the door off the rest of the way. And she has not seen the door since. When it snows or rains, all that water is coming in her door. It really is vital that she gets a screen door.

Mr. Graziano said that he would have Richard Aull speak to you before you leave this evening, and he will see that you get that screen door installed properly.

[RESPONSE: Richard Aull reports that a new storm door has been installed.]

Ms. Pope said that her next concern is that she knows we are not supposed to have dogs on the premises. However, there are pit bulls everywhere, and run at you when you come to the door. Something needs to be done. There are lots of children there.

Mr. Graziano said we will look into the dog situation also.

[RESPONSE: Ms. McCoy-Muhammad said that Management will send out a notice reminding residents of the pet policies. Specific addresses with dogs not allowed under the policy will receive lease violation notices resulting in eviction if the pet is not removed from the household.]

Ms. Mary Disharoom (sp?), Somerset Homes

She heard what was said earlier about Somerset. Does that mean that you will not maintain it?

Mr. Graziano said that we will come up with a more comprehensive plan, and we do not know what that plan will be. There are some serious problems there, and we have to do a thorough assessment.

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Her concern is we are dealing with mold in the walls, there's a horrible sewer smell – so will nothing be done about any of it? When you call maintenance, they say put in a work order. We have been told that it would take 5 years to fix all of it. So what are we supposed to do? Keep living in deplorable conditions while you decide?

Mr. D'Alesandro asked how many people live in Somerset. Ms. Disharoom said probably about 300. Also the windows are broken. Where it was boarded up, people have moved in.

Mr. Graziano said he would be speaking to his management department on this as soon as possible. We need to look at what we can tighten up on; what we can do to make conditions more livable until the decisions are made. He knows that they moved a resident out of an apartment that had some serious problems.

Ms. Disharoom asked when. And yes, they moved someone – out of one apartment that had mold in it to another apartment that had mold. That's all they did.

Mr. Graziano assured her that he will be looking into that much more closely.

[RESPONSE: Commissioner D'Alesandro, Mr. Graziano and Mr. Lyle Schumann are planning a tour of Somerset on Monday, March 22.]

Ms. Loretta Blackledges, Somerset Homes

She lives in what was supposed to be a new unit. She has had major leakage from the shower. It has been patched but not enough to stop the problem. She doubts that you would tolerate the conditions they live in. Something needs to be done. She has a 7-month-old grandchild and she had furniture for that child. But that all got ruined. Does she have to pay to replace all that when it was HABC's fault?

Mr. Graziano agreed with her, something does have to be done. They will look at all the options – and none of them are cheap. They may simply close it down, he does not know. One way or another, we will address the conditions you have to live in, and he apologized for that.

She added that she has to live next to a dumpster which smells terrible all the time. She wants a new home. She does not want to move from one bad unit to another. She wants a new place.

Joyce Stewart added that, as far as reimbursement for the ruined furniture, she should see Ms. Anita McCoy-Muhammad, who is here tonight.

[RESPONSE: Ms. McCoy-Muhammad said that Ms. Blackledges has been visited by the maintenance supervisor and regional director for Somerset Homes to resolve the situation. The Manager has received the documentation for the damages and is processing the claim.]

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Ms. Linda Moy, Gilmor

She is here today, because Gilmore has not been represented in almost 3 years now. She has taken it upon herself to get the community together, to start community meetings to find out what we can do to make a difference in our community. She has started going to RAB meetings and will continue to do so. Already they have had 3 meetings, and we are planning to have another on March 17. She is here today just to ask for help and support to make Gilmor a safer place for our children, for our seniors, and for people with disabilities.

Ms. Jacqueline Knight, Douglass Homes

In all of Douglass Homes there is a problem with the lights. We have been told that it's not our maintenance's problem, that it's someone else's responsibility. We want to know why, in the 1400 through 1600 blocks of Fayette Street, the lights are out. The 200 block of Bond, the lights are out. The other side street lights are out. She has called 4 times in the last month, and the lights are not on. It is unsafe for people getting off the bus and walking through Douglass. These are lights installed on the buildings. The city streetlights are out as well, so there is a real safety problem.

Besides that they have a serious rat problem. There are tree branches that have fallen and more look like they are coming down. These all have been reported and nothing done. We have maintenance that is supposed to be keeping the area clean, and they are not doing that. We need all these things addressed.

[RESPONSE: Richard Aull reports that the lighting fixtures on the buildings have been repaired and DPW has been notified about the streetlight deficiency. Also, rat abatement has been done over the entire site.]

Tonja Harris, Somerset Homes

She has lived at Somerset for about 2 ½ years, and she has 4 children. Two of the children have had reconstructive surgery. In our development there is a sewage problem. My 10-year-old son contracted meningitis when I moved into Somerset. I never had any problems before that with getting this illness. To me it seems as if the sewage and the smell is the cause of this bacteria. She thinks that this needs to be addressed. When she took her son to the Hopkins Emergency Room, he was very sick. One of the physicians said that I need to move. He said you need to get out.

As far as dealing with management, they are not repairing anything. She also worked for the Maryland Transit Administration and was illegally fired from her job in December. She has had financial problems and has had to file for social services, and is behind on her rent. She has much to worry about. She did come forth and explained what was going on. Instead of talking to her in a professional manner, they were extremely rude. They were supposed to readjust her rent, and it was not done.

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Mr. Graziano said he does apologize for the delay in the rent adjustment and the condition of the development. He does recommend that she speak to Ms. McCoy-Muhammad who is here tonight. She is in charge of all property management operations. She can also look at your children's health situation and whether a reasonable accommodation can be made. I feel certain we can help with some of these serious problems.

[RESPONSE: Ms. McCoy-Muhammad said that Ms. Harris' rent adjustment is complete. Maintenance is working on the sewage smell.]

Mr. D'Alesandro thanked everyone for their comments and assured them that they would be reviewed. He will personally take a trip down to Somerset. He wants to see for himself.

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RESOLUTION OF MAINTENANCE REQUESTS
SUBMITTED AT THE PUBLIC MEETING
THE PHA ANNUAL PLAN 2004:
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Mattie Hilliard Monument East 633 N. Aisquith St., Apt. 16B 410-732-9427	Holes in bedroom and bath. Also needs painting <i>Scheduled for completion by Tuesday, 3/23</i>
Nath. Green (?) Douglass 225 Douglass Ct. 410-342-8241	Screen door and screen in front window <i>Scheduled for completion by Friday, 3/19</i>
Jacqueline Knight Douglass 202 Beale Ct. 410-276-6731	The community needs better lighting and rats are present – <i>Building light fixtures have been repaired, and DPW notified about streetlights. Rat abatement completed over the entire site.</i>
Rosie Richardson Douglass 216 N. Spring Court 410-327-2008	Replace step pads on steps leading into apartment. <i>Development staff scheduled for completion by Friday, 3/19</i>
Lilita Pope Douglass 215 Silver Court 410-732-8447	Repair or replace screen door <i>Storm door installed.</i>
Eleanor Wimbish Allendale 3600 W. Franklin St., #6C 410-362-2549	Building is dirty <i>New janitorial contracts will begin July 1st in all mixed population buildings. Staff will continue to clean until then.</i>
Arlene McCain McCulloh 437 Manse Ct. (?) 410-462-1866	Dumpsters <i>Dumpsters have been in a fixed location since the development was built and cannot be moved. They will need to remain where they are.</i>
June Johnson McCulloh 441 Watty Ct. (410-523-8171)	Intercom systems needed in high rise building <i>Intercom system is in the capital plan for 2007</i>
Mary Disharoom Somerset 1224 Young Court 410-522-4846	Roof leaking in unit; replace doors on closets; odor from basement mold; windows off the tracks; shower faucet; rain leaks into the bathroom. <i>Development staff is scheduling a PM inspection of the unit between 3/22-3/26. They will make repairs according to their findings.</i>
Mary E. Battle Chase House Cathedral Street 410-539-6155	Need intercom system <i>Chase House has an intercom system. R. Aull checking code requirements to find out why the system was turned off.</i>

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Renee Douglas Rosemont 1015 Ellamont St. 410-362-4186	Low water pressure; rodent infestation <i>Low water pressure is an overall city problem. Exterminators are scheduled to bait for rodents on 3/24.</i>
Hattie Rhames Dukeland 1711 Gertrude St. 410-233-6112	Need better lighting in back; rodent problems <i>Lighting comments are noted; funds are not available for an upgrade. Exterminators are scheduled to bait for rodents on 3/24.</i>

ATTACHMENT I

Deconcentration and Income Mixing Chart

HABC AVERAGE MONTHLY RENT FOR
ALL SITES

DEVELOPMENTS	MD. #	TOTAL UNITS	OCCUPIED UNITS	RENT BILLED FY 2003	AVERAGE MONTHLY RENT	REMARKS
LATROBE	2001	701	656	\$ 1,361,851.16	\$173.00	
McCULLOH/EXT. & SPENCER	2002	970	902	\$ 2,178,923.88	\$201.30	
PERKINS	2003	688	643	\$ 1,337,796.00	\$173.38	
DOUGLASS	2005	393	380	\$ 925,368.82	\$202.93	
GILMOR & ROSEMONT/DUKELAND	2006	707	594	\$ 1,335,831.92	\$187.41	
O'DONNELL	2009	900	570	\$ 1,278,462.00	\$186.91	
SOMERSET/EXT.	2010	317	274	\$ 698,014.04	\$212.29	
CHERRY HILL HOMES	2011	1394	1243	\$ 3,138,194.06	\$210.39	
WESTPORT/EXT. & MT. WINAN	2013	572	387	\$ 870,383.08	\$187.42	
CLAREMONT HOMES	2014	444	250	\$ 635,375.48	\$211.79	
BROOKLYN	2021	500	487	\$ 1,078,064.00	\$184.47	
LAKEVIEW TOWERS/EXT. & OSWEGO	2033	340	322	\$ 727,242.42	\$188.21	
REHAB. HOUSING	2059	2821	802	\$ 2,727,808.00	\$283.44	*ABOVE 115%
CAHELA	2060	360	294	\$ 941,022.36	\$266.73	*ABOVE 115%
POE HOMES	2004	298	295	\$ 637,964.76	\$180.22	
TOTAL HABC		11405	8099	\$ 19,872,301.98	\$204.47	

Average Rent \$204 x100 = \$20,400 divided by 30% = \$680 monthly income x12 mos, = \$8,160 average yearly income.

\$8,160 average yearly income x 85% = \$6,936 x 30% = \$2,080.8 divided 12mos. = \$ 173.40 average monthly rent.

\$8,160 average yearly income x 115% = \$9,384 x 30% = \$2,815.2 = divided 12 mos. = \$234.60 average monthly rent.

ATTACHMENT J (1)

Pet Policy for General Resident Population

**HOUSING AUTHORITY OF BALTIMORE CITY
PET POLICY**

INTRODUCTION

This Public Housing Policy for Pet Ownership (“**Pet Policy**”) sets forth the requirements of the Housing Authority of Baltimore City (“**HABC**”) to permit ownership of certain pets by residents of public housing (Residents) in accordance with the Quality Housing and Work Responsibility Act of 1998 (“**QHWRA**”), and its regulations.

APPLICABILITY

This Pet Policy, and any amendments thereto, shall apply to all Residents of public housing. This Pet Policy, as it may be amended from time to time, shall be incorporated into and made a part of the Resident’s current lease, as Attachment No. 7.

Exclusion from Applicability. This Pet Policy does not apply to animals that assist, support, or provide service to persons with disabilities. HABC shall not apply nor enforce this Pet Policy against animals that are necessary as a reasonable accommodation to assist, support, or provide service to persons with disabilities. This exclusion applies to such animals that reside in public housing, as such term is defined herein, and such animals that visit public housing developments.

Section I. Definitions.

1. The term “**Pet**” is defined as a domesticated small animal limited to dogs, cats, gerbils, hamsters, guinea pigs, birds, (parakeet, canary, finches, cockatoo, small parrot) and fish. **The following breeds are excluded from the definition of Pet, and shall be expressly prohibited from being kept owned or harbored in, on or about the Premises as that term is defined in the Lease by any Resident or any member of the Resident’s household: PIT BULLS, ROTTWEILERS, CHOW-CHOWS, BULL MASTIFFS, DOBERMAN PINSCHERS, AND ANY CROSS-BREED THEREOF, AND ANY WOLF OR PART WOLF.**
2. The term “**public housing**” is defined as housing assisted under the 1937 Act, other than Section 8. Public housing includes dwelling units in a mixed finance project that are assisted by a public housing authority with capital or operating assistance, but does not include public housing developments for the elderly or persons with disabilities.

Section II. Requirements

1. **NUMBER LIMITATIONS** - No more than one domesticated Pet, and/or one 20 gallon tank of fish will be kept in a Dwelling Unit. Heads of household shall be responsible for their Pet. The Resident must maintain the Pet responsibly and in accordance with applicable State and local public health, animal control, and animal anti-cruelty laws and regulations.
2. **SIZE OF PET** - Dogs or cats or others defined in paragraph 1 shall weigh no more than twenty-five (25) pounds at maturity. Fish are limited to a single bowl or steel framed glass fish tank having a capacity of not more than twenty (20) gallons. Birds can be no larger than one (1) pound.
3. **RESPONSIBILITY FOR CARE-** A Pet owner is solely responsible for assuring the proper care of the Pet.
4. **SECURITY DEPOSIT** - A refundable Pet security deposit of twenty-five dollars (\$25.00) shall be required for each Pet. The Pet security deposit can be paid over a three (3) month consecutive period, and will be held in the manner required for applicable security deposits under Maryland law. **THE PET SECURITY DEPOSIT WILL BE RETURNED WITHIN 45 DAYS OF MOVE-OUT OR IF A PET IS REMOVED BEFORE RESIDENT MOVES FROM THE DWELLING UNIT, WITHIN 45 DAYS OF PET REMOVAL.**
5. Upon move-out or Pet removal the cost to de-flea, deodorize, and clean the carpet and/or floor tile will be deducted from the Pet security deposit if deemed necessary by Management. The Dwelling Unit will be inspected and the remainder of the Pet security deposit will be refunded, if the Dwelling Unit is free of damage. The move-out inspection will be performed by the Resident and Management.

The Pet security deposit may only be applied to damages caused by the Pet.
6. **HOLD HARMLESS** – The HABC, its agent and staff are in no way responsible for any actions or injuries or damages caused by the Resident’s Pet. A Pet is the sole responsibility of the Resident.
7. **VACCINATIONS** – Every Pet, if required by law, must wear a current City Animal license and be vaccinated. Resident must submit registration papers to the Management Office. A copy of the Pet’s (dog or cat) current inoculation and treatment is to be furnished and verified annually by a licensed veterinarian which must indicate dates of most recent shots and treatment against disease and parasites as follows:
 - (a) Dogs – rabies, parvo-virus, para-influenza, distemper, hepatitis, leptospirosis (D.H.L.), hookworm, heartworm, roundworm, tapeworm, and other internal and other parasites, fleas, ticks and other external parasites and other diseases of the skin including eczemas.

- (b) Cats – rabies, rhinotracheitis, calici virus, pnemonitis, tapeworms, hookworms, heartworms, and other internal parasites, fleas, lice, ticks and other external parasites.

Female cats and dogs over six months of age must be spayed and males over eight months must be neutered, unless a licensed veterinarian gives medical reasons why such is detrimental to the Pet’s health.

8. **HOUSEKEEPING** – The Dwelling Unit must be kept free of odors and maintained in a clean and sanitary condition. Cats must be litter box trained and dogs must be able to exercise outside the Dwelling Unit. Litter boxes must be changed a minimum of once a week and scooped once a day. Kitty litter is to be bagged securely in a heavy plastic trash bag, tied, and disposed of in an approved trash receptacle. **DO NOT FLUSH LITTER INTO COMMODE.**

- (a) Birds must be maintained in a cage and never allowed to fly free within the Dwelling Unit.
- (b) Dog and cat bedding and the Dwelling Unit are to be kept free of and treated regularly on an ongoing basis against infestations by fleas, ticks, lice, pet worms, mites, and other parasites. If infestation of any such parasites or vermin occur which shall be determined by Management to have occurred due to inattentive care by the Pet owner and/or if such infestation shall spread to other Dwelling Units, Management shall have the right to eradicate in all affected areas at Pets owner’s expense.
- (c) Pet owners must control excessive noise and odor caused by their Pets.

9. **PET CONTROL IN PUBLIC AREA** – Pets must be on a leash outside of the Dwelling Unit and in all public areas. Under no circumstances may any Pet of any kind be taken into, or permitted to be in, the recreation/community rooms, or any other “common” room.

10. **WASTE CONTROL** – Pet owners shall be responsible for immediate clean up of Pet feces in accordance with applicable law. Resident must insure that their yard is kept clear

of Pet feces. Resident will not place any animal fecal waste, kitty litter, etc., or other articles in the sinks, plumbing fixtures or on the grounds. Residents must place all Pet waste in a heavy plastic trash bag, tied and disposed of in an approved trash receptacle. If a toilet has to be unclogged or a sink unstopped because of animal waste, kitty litter, and/or stones from a fish bowl, the Resident will pay all associated cost.

11. **NUISANCE** – If, in the judgement of Management, any Pet becomes a threat to the safety and comfort or quiet enjoyment of the Premises to any other Resident, employee, or visitor to the Premises, or if such Pet causes substantial damage to any part of the building or grounds or the furnishings and fixtures thereof, then, upon the written request of Management, such Pet shall be permanently removed from the Premises by the Pet’s owner within five (5) days.

If the Resident files a grievance the Pet shall be allowed to remain until the grievance process is exhausted. In the case of a Pet biting a person, the Pet must be immediately removed to an area for surveillance for a period designated by a Health Officer and must then be examined by a licensed Veterinarian. Animal bites must also be reported to the local Health Department and/or the Police. A bite victim or parent of a child bitten by an animal can swear out a complaint against the owner of the Pet at the nearest district court.

Refusal by the Pet owner to abide by Management’s request for a Pet’s removal may result in termination of residency.

12. **COMPLAINTS/PROBLEMS** – Any and all complaints about Pets will not be considered valid (or heard) unless they are in writing, dated and signed by the person(s) making the complaint. Management will review complaints and/or problems concerning a Pet/Pet owner. Management will notify in writing the Pet owner of the complaint and the Resident will have 24 hours to answer the complaint. Two or more legitimate complaints will mean the Pet must be removed unless the Pet owner initiates a grievance procedure. Failure to comply may result in termination of residency.

13. **RESIDENT’S ABSENCE** – No dog or cat shall be left alone in any Dwelling Unit over twenty-four (24) hours. Any Resident who is away twenty-four (24) hours or longer for any reason must make arrangements for such Pet to be kept elsewhere during his/her absence.

14. **RESPONSIBILITY FOR PET IN AN EMERGENCY** – The Pet owner shall file with the Management an affidavit of agreement signed by one (1) person who is not - a Resident of the Dwelling Unit who will assume immediate responsibility for the Pet in case of an emergency or in case the Pet owner becomes unable to provide proper care for the Pet. In addition, the Pet owner shall file with Management an affidavit authorizing Management to have the Pet removed in the event that the Pet owner cannot care for the

Pet and the responsible party cannot be reached. Management will contact the SPCA or an appropriate authority for removal of the Pet in such event

15. **FIRE EMERGENCY** – When a fire alarm or smoke detector sounds, Pets are to be placed in the bathroom and the door is to be closed. If evacuation is necessary the fire department will be responsible for the evacuation of Residents first, and then the Pet.
16. **SUBSEQUENT AGREEMENTS** – If a Resident has an approved Pet and that Pet is disposed of, the Resident must notify Management. The Resident and Management will perform an inspection of the apartment. The Pet security deposit will be used towards any damages and the balance, if any, of the Pet security deposit will be returned to the Resident within 45 days. If the Resident determines they want a new Pet, the Pet must be registered with the Management Office and a new Pet security deposit must be collected in accordance with the Pet Policy.
17. **RESIDENT’S SIGNATURE** – All Residents, whether desiring a Pet or not, must sign this Attachment to the Lease, thereby acknowledging agreement and acceptance of the Pet Policy. Those Residents desiring a Pet will have to meet all requirements listed in this Attachment and sign the “Application for Pets” including Section 3 which includes the “Co-Responsibility” section for a non-Resident friend or relative to sign.
18. HABC reserves the right to rescind or change any of the foregoing rules to make such rules and regulations as may be deemed necessary for the safety, care and cleanliness of the Premises, and for the security, comfort and convenience of all Residents. Any changes deemed necessary by HABC will be made in compliance with the Lease Agreement.
19. This Pet Policy is made a part of the HABC Dwelling Lease as Attachment No. 7, and any violation of the terms and conditions contained herein, will be considered a breach of the Lease. If any Court declares a particular provision of this Pet Policy to be invalid or illegal, all other terms of this Pet Policy will remain in effect, and both HABC and the Resident will continue to be bound by all valid, legitimate terms of the Pet Policy.

AGREED AND ACCEPTED BY RESIDENT(S):

DATE:

ADDRESS: _____

MANAGER’S SIGNATURE: _____

DATE: _____

6 Acknowledgment
_____ Resident Initials
_____ Landlord Initials

APPLICATION FOR PETS

Date: _____

SECTION I

I, _____ and _____

Resident(s) of _____, living at _____ verify

I have received, reviewed, understand and accept the Pet Policy Regarding Pets Admittance and Ownership at _____. I am also aware that the Pet Policy is an official part of my Lease, and that I am to abide by all its terms.

Resident Signature:

Date:

SECTION II

Pet Description: Type: _____ Sex: _____

Weight: _____ Age: _____ Name: _____

Color and Markings: _____

Security Deposit Required: _____ Security Deposit Paid: _____

Veterinarian's Name: _____

Address: _____

Telephone Number: _____

SECTION III

I, _____, (non Resident) relative /friend (circle one) of
Resident _____,
(Resident's Name)

live at _____, and I agree
(Non-Resident's Address)

to accept full responsibility of the Pet listed above in the event the said Resident is unable to care
for the Pet in any twenty-four hour period.

Print Name: _____

Date: _____

Signed: _____

Date: _____

Telephone Number: _____

Resident Signature: _____

Date: _____

Telephone Number: _____

Manager Signature: _____

Date: _____

SECTION IV

I, _____
(Name of Housing Manager)

Housing Manager, permit the ownership by Resident of
the Pet described as _____

at the following address:_____.

Manager's Signature:_____

Date:_____

RESIDENT LEASE AGREEMENT

I hereby acknowledge my right as a Resident to keep a household Pet as defined in paragraph 1 of the Pet Policy.

I agree to comply with HABC's Pet Policy (an Attachment to the Lease) with the understanding that violation of this Pet Policy may be grounds for Pet removal or termination of tenancy.

HABC: _____

RESIDENT: _____

By: _____

RESIDENT: _____

Title: _____

Date: _____

Date: _____

ATTACHMENT J (2)

**Pet Policy Exclusively for the Elderly and
Handicapped**

**HOUSING AUTHORITY OF BALTIMORE CITY
PET OWNERSHIP RULES
FOR PROJECTS FOR THE ELDERLY AND PERSONS WITH DISABILITIES**

I. GENERAL.

A. Authority.

The "Pet Ownership Rules" contained herein were promulgated by Housing Authority of Baltimore City (HABC) in accordance with 24 C.F.R. Part 5, Subpart C pertaining to Pet Ownership in Public Housing for the Elderly and Handicapped. HABC has complied with the procedures for promulgating these Rules as stated in 24 C.F.R. 5.312 (Notice to residents) and 5.353 (Consultation with residents on pet rules).

B. Scope.

The Rules contained herein **govern the ownership or keeping of common household pets by residents of HABC buildings designated for occupancy by the elderly or handicapped.** These Rules do not apply to animals that are used to assist the handicapped (such as seeing-eye dogs), although such animals may be subject to other HABC policies as well as State and local laws concerning the ownership or keeping of animals.

C. Definitions.

1. "Common household pet" or "pet" means a domesticated animal, such as a dog, cat, bird, rabbit, hamster, fish, or turtle, that is traditionally kept in the home for pleasure and not for commercial purposes.

2. "Dwelling Unit" means any residence designated for occupancy by one family.

3. "Elderly Family" means a family whose head or spouse or whose sole member is at least sixty-two years of age, a Disabled Person (as defined in Section I.C.2) or a Handicapped Person (as defined in Section I.C.5). An Elderly Family may include two or more Elderly, Disabled or Handicapped persons living together, or one or more such persons living with another person who is determined to be essential to his or her care and well being.

4. "Owner" means any person who keeps, has custody of, possesses, harbors, regularly feeds, exercises control over or has a property right in any animal regulated by these Rules.

5. "Person With Disabilities" means: as defined in 42 U.S.C. §8013 a household composed of one or more persons at least one of whom is an adult who has a disability. A person shall be considered to have a disability if such person is determined, pursuant to regulations issued by the Secretary to have a physical, mental, or emotional impairment which (A) is expected to be of long-continued and indefinite duration, (B) substantially impedes his or her ability to live independently, and (C) is of such a nature that such ability could be improved by more suitable housing conditions. A person shall also be considered to have a disability if such person has a developmental disability as defined in section 15002 of 42 U.S.C.

- An "individual with handicaps", as defined in 24 CFR 8.3, for purposes of reasonable accommodation and program accessibility for persons with disabilities
- Does not exclude persons who have AIDS or conditions arising from AIDS
- Does not include a person whose disability is based solely on any drug or alcohol dependence (for low income housing eligibility purposes)

6. "Restraint" means a state of being secured by a leash or otherwise, or confined within the dwelling unit of its Owner.

7. "Wild Animal" means any such reptile (poisonous or otherwise), non-human primate such as a monkey, raccoon, skunk, opossum, fox, member of the cat family other than domesticated cat, or any other warm-blooded animal which is normally found in the wild state.

8. “Vicious or Dangerous Animal” means:
 - a. Any animal that constitutes a physical threat to human beings or other animals.
 - b. Any animal which, due to its disposition or natural tendency to cause injury or behave in a manner, could reasonably cause injury to human beings or other animals, whether or not such behavior is hostile.
 - c. Any animal which has bitten or attacked a human being or animal.

II. OWNERSHIP.

A. Ownership Right.

Each resident of an HABC dwelling unit in a building designated for use by elderly or handicapped persons may own or keep a common household pet. Such ownership may be restricted by these Rules and any applicable state and local laws. HABC reserves the right, after providing reasonable advance notice to residents, designate certain floors, and/or buildings exclusively for residents who own pets.

B. Number.

Each resident of a project for the elderly and/or person with disabilities may own or keep one common household pet. In no event shall more than one common household pet be permitted in a dwelling unit at any time.

C. Size/Weight.

1. Fully-grown cats and dogs shall not exceed TWENTY-FIVE (25) pounds at any time during the lease term. HABC reserves the right to prohibit ownership of a pet that is likely to outgrow the size/weight limitation.

2. Size/weight of other common household pets shall not exceed FIVE (5) pounds.

D. Type.

1. The following full or mixed breeds of dogs shall not be kept by HABC residents: Afgan Hound, Great Dane, Collie, Retriever (Golden, Labrador), Pointer, Irish Setter, Dalmatian, Boxer, Doberman Pinscher, German Shepherd, Rottweiler, Giant Schnauzer, Siberian Husky and Pit Bull.

2. HABC reserves the right to prohibit resident ownership of other full or mixed breeds of dogs when necessary to protect the health or safety of HABC residents. HABC also reserves the right to prohibit resident ownership of any animal deemed to be vicious or dangerous.

E. Discrimination.

1. HABC shall not, as a condition of tenancy or otherwise, prohibit or prevent any resident of a development for the elderly or handicapped from owning a common household pet or keeping such a pet living in the resident's unit. However, if a resident has been deemed physically or mentally incapable of caring for the pet, management reserves the right to deny same.

2. HABC shall not restrict or discriminate against any person in connection with admission to or continued occupancy of such housing by reason of the person's ownership of a common household pet or the presence of such pet in that person's dwelling unit.

F. Pets Temporarily on the Premises.

1. Pets **only** may be kept “temporarily” if such pets are to be kept in the resident's dwelling unit for **less than 14 consecutive days and nights within a twelve month period.**

2. Elderly or handicapped residents may participate in a visiting pet program sponsored by a humane society or other non-profit organization. Any such resident who desires to participate in such a program shall notify HABC Management in writing at least two weeks before the first visit. This notification shall identify the agency that provides the service and the frequency of the pet visitation. Pets which are a part of this program must be confined to the resident's home, and shall adhere to all provisions of this policy which governs a pet's conduct while on HABC property.

G. Resident's Absence. Resident's Absence.

No dog or cat shall be left alone in any Dwelling Unit over twenty-four (24) hours. Any Resident who is away twenty-four (24) hours or longer for any reason must make arrangements for such Pet to be kept elsewhere during his/her absence.

H. Responsibility for Pet in an Emergency.

The Pet owner shall file with the Management an affidavit of agreement signed by one (1) person who is not a Resident of the Dwelling Unit who will assume immediate responsibility for the Pet in case of an emergency or in case the Pet owner becomes unable to provide proper care for the Pet. In addition, the Owner shall file with Management an affidavit authorizing Management to have the Pet removed in the event that the Pet owner cannot care for the Pet and the responsible party cannot be reached. Management will contact the SPCA or an appropriate authority for removal of the Pet in such event

I. Fire Emergency.

When a fire alarm or smoke detector sounds, Pets are to be placed in the bathroom and the door is to be closed. If evacuation is necessary the fire department will be responsible for the evacuation of Residents first, and then the Pet.

III. REGISTRATION.

A. Registration.

1. Management Office. All pets that may be owned or kept pursuant to these Rules must be registered with the Management Office before being brought onto HABC premises.

2. Annual Review. HABC will review all pet registrations during the Annual Review.

3. Registration requirements. A pet will not be registered unless its Owner complies with the following requirements (where appropriate for type of pet).

a. Dogs, cats and other pets must be vaccinated as indicated in Section IV (A) (2) of these Rules. The Owner shall provide evidence that such vaccinations were administered in the form of certificate signed by a licensed veterinarian.

b. Dogs and cats shall be given a physical examination by a licensed veterinarian once a year. The animal must be certified as healthy or be under the veterinarian's care. Proof of the examination (a certificate signed by a licensed veterinarian) must be submitted to the Management Office before the animal is brought onto HABC premises and during each Annual Review.

c. The Owner shall provide the Management Office with the name, address and telephone number of a responsible person(s) who will care for the pet if the Owner is unable to care for the pet (the owner becomes disabled, hospitalized, or dies).

d. The Owner of any dog four months old or older shall provide the Management Office with a current dog license issued by the City of Baltimore.

IV. PET CARE/HYGIENE.

A. Veterinary Care.

1. Annual Examination. Each dog and cat shall receive an annual physical examination by a licensed veterinarian. Proof of such examination shall consist of a receipt indicating that the examination was conducted.

2. Vaccinations. The following vaccinations are mandatory: Dogs must be vaccinated for distemper, parvo-virus, hepatitis, leptospirosis and rabies. Cats must be vaccinated for distemper (feline 3-way vaccination) and rabies. Proof that these vaccinations were obtained shall consist of a certificate signed by a licensed veterinarian. The certificate shall indicate when the vaccine is no longer effective.

B. Pet Care.

1. Sanitary Conditions. Each Owner shall ensure that the pet is not subjected to unsanitary living conditions. Cat owners shall change the litter box at least twice each week, and more often if necessary to control odor or to ensure sanitary living conditions.

2. Food/Water. Owners shall ensure that the pet has sufficient food and water.

3. Hygiene. Each Owner shall regularly wash the pet as appropriate for the particular type and breed. Each dog should periodically receive de-worming treatment from a licensed veterinarian.

V. PET CONDUCT.

A. Restraint.

1. The Owner shall keep the pet restrained and under Owner's physical control at all times while on HABC premises. All pets must be secured by a leash or cage when they are not in the Owner's dwelling unit. (The leash must be 4 feet or under.)

2. All pets are prohibited from such common areas as lobbies, laundry rooms, elevators, stairwells, hallways, social rooms, parking lots, lawns, shared hallways unless entering or leaving the building.

B. Exercise Areas.

Owners shall use only those areas designated by HABC for pet exercise.

C. Pet Waste.

Owners shall use only those areas designated by HABC for the deposit of pet waste. The Owner will be charged \$5.00 for each incident in which HABC staff must remove pet waste.

D. Noise/Odor.

Any pet noise or odor must be controlled by the Owner so that other HABC residents are not offended. Failure to control the noise or odor of a pet could result in termination of the Owner's right to keep the pet on HABC property.

VI. LIABILTY/SECURITY DEPOSIT.

A. Liability.

1. HABC Property. The Owner is liable for any and all damages caused to HABC property by the pet. The Owner remains liable for such damages even if the amount of damages exceeds the pet security deposit required under Section VI (B) of these Rules.

2. Property or Person of Others. The Owner is liable for any and all harm caused to the person or property of other HABC residents, visitors or other persons who are lawfully on HABC property.

3. Insurance. Although it is not required by these Rules, HABC encourages each pet owner to purchase an appropriate amount of insurance to protect against potential harm a pet could cause to the property or person of other.

B. Pet Security Deposit.

1. A refundable Pet security deposit of twenty-five dollars (\$25.00) shall be required for each Pet. The Pet security deposit can be paid over a three (3) month consecutive period, and will be held in the manner required for applicable security deposits under Maryland law. THE PET SECURITY DEPOSIT WILL BE RETURNED WITHIN 45 DAYS OF MOVE-OUT OR IF A PET IS REMOVED BEFORE RESIDENT MOVES FROM THE DWELLING UNIT, WITHIN 45 DAYS OF PET REMOVAL.

2. Upon move-out or Pet removal the cost to de-flea, deodorize, and clean the carpet and/or floor tile will be deducted from the Pet security deposit if deemed necessary by Management. The Dwelling Unit will be inspected and the remainder of the Pet security deposit will be refunded, if the Dwelling Unit is free of damage. The move-out inspection will be performed by the Resident and Management.

3. The Pet security deposit may only be applied to damages caused by the Pet.

VII. VIOLATIONS.

A. Violations.

1. Owners must keep their pets at all times in conformance with provisions of the dwelling lease and these Pet Ownership Rules. Nothing in these Rules shall prohibit HABC, or any other appropriate representative of state or local government, from requiring the removal of any pet if the pet's conduct or condition is determined to constitute, under provisions of these Rules, state or local law, a nuisance or a threat to the health or safety of other occupants of the building or other persons in the community where the building is located.

2. In particularly deplorable circumstances, violation of the Pet Ownership Rules could result in termination of the tenancy or permanent revocation of the resident's right to own or keep a pet.

B. Pet Violation Notice.

HABC staff will attempt to resolve an alleged problem prior to the issuance of a 60-Day Notice for a lease violation in the following manner:

1. An Owner shall be issued a Written Pet Violation Notice for a violation of these "Pet Ownership Rules".

2. The Owner may request a meeting with HABC management within 15 calendar days of receiving the Pet Violation Notice. The deadline shall be stated on the notice.

3. If it is determined, as a result of the meeting, that corrective action is warranted, a deadline by which the problem must be corrected will be issued.

4. If the problem is not corrected by the deadline, HABC management shall issue a written order to remove the pet within 10 calendar days of the Owner's receipt of the removal order.

5. If the Owner fails to comply with the removal order, HABC management shall issue a 60-Day Notice to Vacate. The Owner may then file an official grievance in accordance with HABC Lease and Grievance Procedures. If HABC management determines that the circumstances warrant immediate action due to a threat in maintaining the housing development in a decent, safe, and sanitary condition; then, HABC management reserves the right to enter the premises and remove the pet.

HOUSING AUTHORITY OF BALTIMORE CITY
PET REGISTRATION FORM

1. **OWNER:**
Name _____
Address _____
Telephone _____

2. **PET:**
Name _____
Breed/Type _____
Age _____
Weight _____
Color _____

3. **VACCINATION** (*Dog and Cats only*):

<u>Type</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____

(Provide certificate indicating date vaccinations given and when next vaccination due.)

4. **DATE OF MOST RECENT PHYSICAL EXAMINATION** (*Dogs and Cats only*):

(Provide proof (Receipt) that indicated physical examination was conducted.)

5. **VETERINARIAN** (*Provide name, address and telephone number of veterinarian who provides regular care.*):

6. **BALTIMORE CITY LICENSE NUMBER:** _____
DATE LICENSE (*Dogs only*): _____
(Provide actual license for inspection by HABC Management.)

7. **RESPONSIBLE PERSON** (*provide name, address and telephone number of person who will care for pet in the event that the Owner is unable to do so.*):

I, the undersigned pet Owner, state that the information supplied on this Pet Registration Form is true and complete, and acknowledge that I have read and am able to comply with the current Pet Ownership Rules.

DATE: _____

Signature of Pet Owner

ATTACHMENT K

RASS Implementation Plan

RASS FOLLOW-UP FOR PLAN 2004

In accordance with Public Housing Assessment System (PHAS) regulations, the Housing Authority of Baltimore City (HABC) was required to submit a follow-up plan because the HABC score was less than 75% in the following areas for the :

Communication – 65%

Safety – 64%

Housing Development Appearance – 56%

HABC is to address each deficiency in accordance with the following guidelines:

1. Actions to be taken in the next fiscal year.
2. Target date of Completion.
3. Funding source to be utilized.

Communication –

The Office of Resident Services, Division of Employment and Empowerment, established a Resident Academy which operates as a vehicle to provide ongoing training to the resident population, including leaders of local tenant councils and delegates to the Resident Advisory Board (RAB). The Academy is the result of financial and developmental support from the PEW Foundation's Leadership Plenty Program. RAB, in partnership with the Office of Resident Services, submitted an application to PEW to be trained under their train-the-trainer model, a core component of the Leadership Plenty concept that has national acceptance and recognition. Specifically, the program trains HABC residents to be leaders, to take effective civic action in their communities, and to engage with various stakeholders interested in the general welfare of families living in public housing developments.

The model calls for resident leaders to be trained as part of this process to support the implementation of the Resident Academy. HABC was selected as PEW's partner to implement Leadership Plenty with our resident leadership body and to help grow new leaders within the community. An estimated 200 resident leaders and 200 youth are scheduled to be train using this model during this calendar year. The first class is currently underway with 23 participants. RAB will work closely with the Division of Employment and Empowerment to provide the leadership training, structure and support needed to help improve communication and strengthen the leadership ability of tenant councils and members of the Executive Committee of RAB. The overarching goal is to expand the resident leadership pool and equip them with the tools and skills to perform effective action with HABC and within their communities..

In addition to the Leadership Plenty training, quarterly retreats will be ongoing to provide resident feedback and input into program development and operations within the Office of Resident Services. This process will help to strengthen the communication between staff and resident leaders and help improve service delivery and program coordination.

These efforts have resulted in raising HABC's PHAS score in the area of Resident Services from 60% for FY 2002 to 90% for FY 2003.

Safety-

HABC is aware of the safety concerns voiced by the residents at community meetings, HABC Board of Commissioner meetings and as delineated in the RASS survey. HABC Police and Baltimore City Police Department (BCPD) continue to work together to reduce crime throughout the City of Baltimore. Overall, there has been documented reduction in certain crimes in the Baltimore area.

HABC also reviews weekly police reports to determine where criminal activity is occurring in an effort to counter increased activity. Joint police action is also undertaken with BCPD and other law enforcement agencies as required.

The Housing Authority Risk Retention Group (HARRG) inspects HABC properties and makes safety recommendations. HABC has received a 15% rebate on insurance premiums for the past four years, as a result of a positive safety record and has also received the Outstanding Risk Control Award for two (2) consecutive years for implementing nine Housing Authority Insurance risk control standards.

The target date for completion is June 30th of each year when assessments are made, in concert with anticipated funding, to determine what actions will be required in the future.

The funding sources vary to include operating budget and capital program dollars.

Housing Development Appearance –

HABC is working closely with staff regarding improvements in the appearance of each development. April 1st of each year, HABC undertakes its annual spring beautification efforts. Contracts are issued to improve the landscaping and physical appearance.

Also, HABC is examining the possibility of partnering with the City of Baltimore to target graffiti removal. HABC staff is responsible for site work and Baltimore City takes action within the surrounding communities. With regard to the mixed population buildings, efforts are continuing to complete the beautification of remaining sites (funded under Capital Plan).

HABC has hired new staff (Regional Directors) who are charged with monitoring the physical appearance of each development for which they are responsible. HABC is considering the hiring of a landscape architect to develop site-specific landscape plans to be funded in the future.

Our efforts do not have a target date, as this is an on-going process. The funding sources vary to include operating budget and capital dollars.

ATTACHMENT L

Community Service Requirement

NEIGHBOR-TO-NEIGHBOR CARE
The Housing Authority of Baltimore City
Community Service Model

Premises on which the Neighbor-to-Neighbor Care Model is Built

- Community Service activities should fit the current life style of residents.
- Community Service should assist residents to become economically self-sufficient.
- Community Service should be of benefit to the residents and strengthen the community at large.

Eligibility

- Every able bodied head of household over 18 years of age is required to perform eight (8) hours of community service per month, for a total of 96 hours per year.

Exemptions from Community Service Participation

- 62 years of age or older
- a disability that prevents him/her from being gainfully employed
- is the caretaker of a disabled person
- is working at least 20 hours per week
- is participating in a welfare to work program
- is in compliance with work activities requirement under the welfare reform legislation
- is participating in an economic self-sufficiency program through the Office of Resident Services.

Neighbor-to-Neighbor Care Qualifying Activities
Community Building and Resident Empowerment

First Choice—these are activities that are organized and initiated by residents to the benefit of the specific housing development; i.e. service on the tenant Council; supervised youth activities, etc.

Self-Selected Activities—any activities within the community with which residents have been involved.

Time Dollar—Volunteer activities for which residents earn service hours in exchange.

Internships and Volunteers—activities for which credit is accrued for high school and college. Volunteers and interns may also be involved in monitoring the program status.

QUALITY HOUSING AND WORK RESPONSIBILITY ACT
(QHWRA)

PLANNING AND IMPLEMENTATION COMMITTEE

GENERAL IMPLEMENTATION SHEET

General Committee Charge—the QHWRA Planning and Implementation Committee was charged with designing program models and procedures for the following provisions of the law:

1. ***Income Disallowance***—for newly employed tenants, rents will increase incrementally over a three-year period. The first year, there will be no increase; the second year, rents will increase by 50% of the adjusted rent; and the third year, rents will increase to the full amount.

2. ***Sanctions for Temporary Cash Assistance (TCA) recipients***—for tenants who have been sanctioned for failure to participate in work activities under the welfare reform legislation, rents cannot be reduced due to the reductions of the TCA cash benefits.

3. ***Community Service***—for adult heads of households who are not exempt from participation, the performance of eight hours of community service is mandatory.

Housing Authority of Baltimore City Community Service Policy

The Quality Housing and Work Responsibility Act (QHWRA) was enacted in 1998 to encourage public housing residents to become self-sufficient. QHWRA requires adult residents of public housing to perform community service on a monthly basis or participate in an economic self-sufficiency or job-training program.

Below is an outline of the guidelines HABC will follow in implementing the community service requirements of QHWRA.

I. Community Service Requirements

Each adult resident of HABC's housing developments and privately-managed sites shall complete a minimum of eight (8) hours of a community service activity per month or a minimum of ninety-six (96) hours of a community service activity per year, unless the individual is exempt from the community service requirement. The status of the household will be determined at the time of the annual review. The twelve (12) month period to complete the community service requirement will commence on the effective date of the annual review. Residents will be required to provide HABC staff and/or designee with the Community Service Agency Name, Contact Person, Number of Hours Completed, and the Type of Service Provided. The information will be verified and kept in the resident file.

An individual may provide documentation to verify that he/she is no longer required to complete the community service requirement at any time between annual review dates. The individual's status will be changed to exempt immediately upon receiving proper documentation to verify the change.

II. Exemptions

Individuals in the following categories are exempt from the community service requirement:

- a. Elderly (62 years old and older);
- b. Blind and disabled as defined by the Social Security Act and who certifies that he/she is unable to comply with the requirements;
- c. Caretakers of such individuals listed above in (a) or (b);
- d. Meets the requirements for being exempt due to participation in a "work activity".
 - Work activity includes involvement in at least one of the following: unsubsidized employment; subsidized private or public sector employment; on-the-job-training; job search and job readiness assistance; community service programs; vocational educational training; job skills training related directly to employment; education directly related to employment for someone without a high school diploma or equivalent; satisfactory attendance at a secondary school; a course of study leading to a certificate or equivalent; and providing child care services to an individual performing community service or participating in a work activity.
- e. In a family receiving TANF and the family is in compliance with the requirements.
- f. If the head of the household is exempt because he/she falls into one of the exemption categories listed above, then all the members of the household are exempt.

III. Definition of Community Service

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

Residents may choose to participate in an approved community service activity of their choice.

IV. Definition of Community

Community is defined broadly to incorporate the resident's lifestyle i.e. Church, School, Workshops, etc., thus creating a broad range of community service activities.

V. Income Changes resulting from TANF Program Requirements

- **Rent Reductions**

Families whose TANF benefits are reduced because of fraud or failure to participate in an economic self-sufficiency program or failure to comply with the community service requirement will not be entitled to a rent reduction. However, if the reduction is the result of the expiration of the time limit for receiving benefits, or a situation where the family has complied with TANF program requirements but cannot obtain employment, HABC will follow the established guidelines for granting rent reductions.

- **Income Disregards**

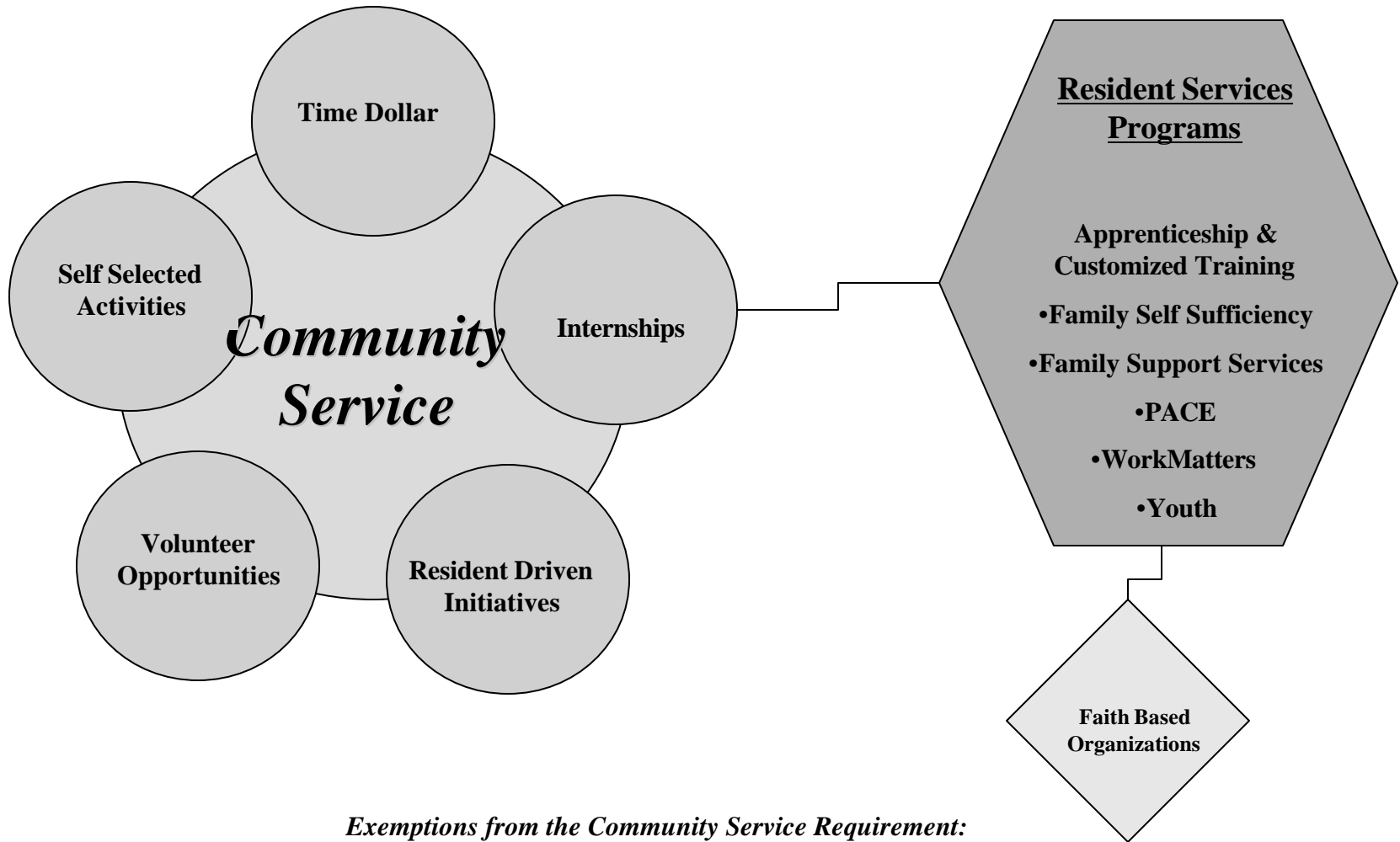
A portion of an individual's earnings obtained from employment as a result of participating in a self-sufficiency program or community service activity will be excluded in the rent calculation for the household. To qualify for the income disregard, an individual must have been unemployed for at least twelve (12) months prior to gaining employment. The income to be included in the rent calculation will be phased in at 0% for first year, at 50% for the second year and at 100% for the third year.

VI. Sanctions

The head of household's lease shall be renewed automatically, unless the family fails to comply with the community service requirement. Violations of the community service requirement is grounds for non-renewal of the lease at the end of the twelve (12) month lease term, but not for termination of tenancy during the twelve month period.

A designee of HABC will monitor the household's compliance on a monthly basis. Residents who appear to be off target in meeting the monthly hour or yearly hour total will be notified no less than thirty (30) days before the end of the twelve (12) month period. Quarterly status reports will be sent to residents in an effort to prevent lease violations for non-compliance with the community service requirements of QHWRA.

Neighbor-to-Neighbor: HABC Community Service Model



Exemptions from the Community Service Requirement:

Elderly; Disabled; Working; Exempt from work requirements under welfare reform; participating in an economic self-sufficiency program through Resident Services.

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

Housing Authority Of Baltimore City

PHA Plans

5 Year Plan for Fiscal Years 2004 - 2008

Annual Plan for Fiscal Year 2004

VOLUME II ADMINISTRATIVE PLAN FOR THE HOUSING CHOICE VOUCHER PROGRAM

**Re-Submitted For Approval to the
US Depart. of Housing & Urban Dev.
June 29, 2004**

**Approved by HABC Board of Commissioners March 23, 2004
First Submission to HUD April 2, 2004
HUD Revised June 15, 2004**

**NOTE: THIS PHA PLANS TEMPLATE (HUD 50075) IS TO BE COMPLETED IN
ACCORDANCE WITH INSTRUCTIONS LOCATED IN APPLICABLE PIH NOTICES**

**ADMINISTRATIVE PLAN
FOR THE
HOUSING CHOICE VOUCHER PROGRAM**

Approved by the HABC Board of Commissioners:
Approved by HUD:

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Chapter 1

STATEMENT OF POLICIES AND OBJECTIVES

INTRODUCTION

The Section 8 Program was enacted as part of the Housing and Community Development Act of 1974, which re-codified the U.S. Housing Act of 1937. The Act has been amended from time to time, and its requirements, as they apply to the Section 8 Tenant-Based Assistance Program, is described in and implemented throughout this Administrative Plan. The Section 8 tenant-based assistance programs are federally funded and administered for the city of Baltimore by the Housing Authority of Baltimore City through its Section 8 housing office.

Administration of the Section 8 Program and the functions and responsibilities of the Housing Authority staff shall be in compliance with the HABC Personnel Policy and the Department of Housing and Urban Development's (HUD) Section 8 Regulations as well as all Federal, State and local Fair Housing Laws and Regulations.

Jurisdiction

The jurisdiction of the HABC is primarily within the City of Baltimore's territorial boundary. However, the authority will administer rent subsidy payments and assistance programs in adjacent jurisdictions, as permitted by State Law, if that jurisdiction does not administer assistance programs and/or accept Housing Choice Vouchers from Baltimore City.

A. HABC MISSION STATEMENT

Through participation of HABC's many stakeholders – especially staff and residents- provide quality housing and related service in a professional manner, emphasizing self-sufficiency within safe, caring, and affordable environments.

B. GOALS [24 CFR 982.1]

HUD Strategic Goal: Increase the availability of decent, safe and affordable housing.

HABC Goal: Expand the supply of assisted housing

Objectives:

- Apply for additional vouchers to serve special purpose needs
- Leverage private or other public funds to create additional housing opportunities

HABC Goal: Improve the quality of assisted housing

Objectives:

- Improve voucher management: (SEMAP score)

HABC Goal: Increase customer satisfaction:

Objectives:

- Concentrate on efforts to improve specific management functions:
 - *Voucher Unit Inspection*
 - *Conduct mobility counseling and offer housing search assistance;*
 - *Coordinate with communities to ensure housing quality standards of Section 8 properties;*

- *Adequately fund and staff MIS;*
- *Expanding housing opportunities with Section 8.*
- Provide Replacement Vouchers

HABC Goal: Increase Assisted Housing Choices

Objectives:

- Provide voucher mobility counseling
- Conduct outreach efforts to potential voucher landlords
- Increase voucher payment standards
- Implement voucher homeownership program

HUD Strategic Goal: Promote self-sufficiency and asset development of families and individuals

HABC Goal: Promote self-sufficiency and asset development of assisted households

Objectives:

- Increase the number and percentage of employed persons in assisted families:
- Provide or attract supportive services to improve recipients' employment opportunities.
- Provide or attract supportive services to increase independence for the elderly or families with disabilities.

HUD Strategic Goal: Ensure Equal Opportunity in Housing for all Americans

HABC Goal: Ensure equal opportunity and affirmatively further fair housing

Objectives:

- Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability
- Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability
- Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required.

Other HABC Goals

Consistent with Baltimore City Consolidated Plan (July 1, 2000 – June 2005), this plan is organized around the following goals:

- Expand housing opportunities for low and moderate income households
- Expand homeownership opportunities
- Cooperate with Community Development Corporations (CDC) to revitalize communities
- Support families making the transition from welfare to work
- Raise performance standards for Section 8 programs

C. _____ PURPOSE OF THE PLAN [24 CFR 982.54]

The purpose of the Administrative Plan is to establish policies for carrying out the programs in a manner consistent with HUD requirements and local goals and objectives contained in the

Agency Plan. The Housing Choice Voucher Program was implemented on 10/1/99, and premerger Housing Voucher tenancies and Over Fair Market Rent tenancies converted automatically to Housing Choice Voucher tenancies on that date. However, all existing contracts will remain in effect until the family's second reexamination after the merger date or when a new lease is executed, whichever comes first.

The HABC is responsible for complying with all changes in HUD regulations pertaining to these programs. If such changes conflict with this Plan, HUD regulations will have precedence. The HABC will revise this Administrative Plan as needed to comply with changes in HUD regulations.

In accordance with 24 CFR 903.21, the HABC after submitting its 5 Year Plan or Annual Plan to HUD, may amend or modify any HABC policy, rule or regulation or other aspect of the plan. If the amendment or modification is a significant amendment or modification, the HABC:

- (a) May not adopt the amendment or modification until the HABC has duly called a meeting of its Board of Directors and the meeting, at which the amendment or modification is adopted, is open to the public; and
- (b) May not implement the amendment or modification, until notification of the amendment or modification is provided to HUD and approved by HUD in accordance with HUD's plan review procedures, as provided in 903.23.

Similarly, there are cases in which an amendment or modification to the Administrative Plan also constitutes an amendment, modification or substantial deviation from the HABC Agency Plan. These types of modifications are subject to the same public comment, review and approval requirements of 24 CFR 903.7 and 903.21 and should be included in this section of the Administrative Plan. However, the HABC is under no obligation to present changes in the Administrative Plan that are not specifically addressed in the Agency Plan (see 24 CFR 903.7) for public comment or HUD approval.

Applicable regulations include:

- 24 CFR Part 1: Nondiscrimination in Federally Assisted Programs of HUD –Effectuation of Title VI of the Civil Rights Act of 1964
- 24 CFR Part 5: General Program Requirements; Waivers (Subparts A through H)
- 24 CFR Part 8: Nondiscrimination Based on Handicap in Federally Assisted Programs
- 24 CFR Part 35: Lead-Based Paint Poisoning Prevention in Certain Residential Structure (Subpart A, B and M)
- 24 CFR Part 100 Discriminatory Conduct under the Fair Housing Act
- 24 CFR Part 792: Public Housing Agency Section 8 Fraud Recoveries (Subparts A & B)
- 24 CFR Part 888: Section 8 Housing Assistance Payment Program – Fair Market Rents and Contract Rent Annual Adjustment Factors (Subparts A & B)

24 CFR Part 908: Electronic Transmission of Required Family Data for Public Housing, Indian Housing, and the Section 8 Rental Certificate, rental Voucher, and Moderate Rehabilitation Programs

24 CFR Part 982: Section 8 Tenant-Based Assistance: Housing Choice Voucher Program 24

CFR Part 983: Section 8 Project-Based Certificate Program

24 CFR Part 984: Section 8 and Public Housing Family Self-Sufficiency Program 24

CFR Part 985: Section 8 Management Assessment Program (SEMAP)

HUD Notice Revisions to HABC Project-Based Assistance Program; Initial Guidance January 16th 2001

Note Re: Partial Consent Decree (Thompson v. HABC/HUD)

This Administrative Plan provides the policies and procedures necessary for managing the Housing Choice Voucher Program (tenant and project based vouchers).

The Administrative Plan does not provide policies and procedures for the management of the Special Admissions Vouchers issued by HUD in order to ensure compliance with the Partial Consent Decree entered into on behalf of the plaintiffs in the case of Thompson v. HABC/HUD):

Tenant Based (Mobility Vouchers) -	1342
Homeownership/Project Based	- 496
Flexible Vouchers	- 150
Total	- 1988

The administration of the Partial Consent Decree Special Admissions Vouchers will be addressed in a separate document. However, that document will reference the Housing Choice Voucher Program Administrative Plan for specific policies regarding the general administration of the Housing Choice Voucher Program by the HABC.

D. _____ ADMINISTRATIVE FEE RESERVE [24 CFR 982.54(d)(21)]

Expenditures from the Administrative Reserve (Operating Reserve) for other housing purposes shall not exceed \$10,000.00 per occurrence or more than \$50,000.00 in the aggregate for each fiscal year without the prior approval of the HABC Board of Commissioners.

E. _____ RULES AND REGULATIONS [24 CFR 982.52]

This Administrative Plan is set forth to define the HABC local policies for operation of the housing programs in the context of Federal laws and Regulations. All issues related to the Section 8 Program that are not addressed in this document, are governed by these Federal Regulations, or HUD Memos, or HUD Notices and guidelines, or other applicable laws. The policies in this Administrative Plan have been designed to ensure compliance with the consolidated ACC and all HUD-approved applications for program funding.

F. — TERMINOLOGY

The Housing Authority of Baltimore City is referred to as “HABC” or "Housing Authority" throughout this document.

"Family" is used interchangeably with "Applicant" or "Participant" and can refer to a single person family.

"Tenant" is used to refer to participants in terms of their relation to landlords.

"Landlord" and "owner" are used interchangeably. "Disability" is used where "handicap" was formerly used.

The Non-Citizen Rule refers to 24 CFR Part 5 Subpart E Restricting Assistance to US Citizens and Eligible Immigrants.

The Housing Choice Voucher Program refers to the merged Certificate and Voucher program effective as of October 1st 1999.

"HQS" means the Housing Quality Standards required by regulations as enhanced by the HABC.

"Failure to Provide" refers to all requirements in the first Family Obligation. See "Denial or Termination of Assistance" chapter.

"Merger date" refers to October 1, 1999, which is the effective date of the merging of the Section 8 Certificate and Voucher programs into the Housing Choice Voucher Program.

See Glossary for other terminology.

G. — FAIR HOUSING POLICY [24 CFR 982.54(d)(6)]

It is the policy of the Housing Authority to comply fully with all Federal, State, and local nondiscrimination laws and with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment.

The HABC shall not deny any family or individual the equal opportunity to apply for or receive assistance under the Section 8 Programs on the basis of race, color, sex, religion, national origin, ancestry, age, familial status, marital status, handicap or disability or sexual orientation.

To further its commitment to full compliance with applicable Civil Rights laws, the HABC will provide Federal/State/local information to Voucher holders regarding unlawful discrimination in housing and the recourse available to families who believe they are victims of such discrimination. Such information will be made available during the family briefing session, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made a part of the Voucher holder's briefing packet and available upon request at the front desk.

Housing Authority staff will be required to attend fair housing training and informed of the importance of affirmatively furthering fair housing and providing equal opportunity to all families, including providing reasonable accommodations to persons with disabilities, as a part of the overall commitment to quality customer service. Fair Housing posters are posted throughout the Housing Authority office/s, including in the lobby and interview rooms and the equal opportunity logo will be used on all outreach materials. Appropriate staff will attend local “fair housing” update training programs sponsored by HUD and local organizations to keep current with new developments.

Except as otherwise provided in 24 CFR 8.21(c)(1), 8.24(a), 8.25, and 8.31, no individual with disabilities shall be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination because the HABC facilities are inaccessible to or unusable by persons with disabilities. Posters and housing information are displayed in locations throughout the HABC office in such a manner as to be easily readable from a wheelchair.

The HABC office is accessible to persons with disabilities. Accessibility for the hearing impaired is provided through the Maryland Relay System.

H. REASONABLE ACCOMMODATIONS POLICY [24 CFR 100.202]

It is the policy of the HABC to be service-directed in the administration of our housing programs, and to exercise and demonstrate a high level of professionalism while providing housing services to families.

The HABC policies and practices are designed to provide assurances that persons with disabilities will be given reasonable accommodations, upon request, so that they may fully access and utilize the housing program and related services. Written information regarding this policy and the procedures for making a request for a reasonable accommodation is available at the Housing Admissions Office, Public Housing Management Offices, and the HABC Central Office. This policy is intended to afford persons 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. Situations in which this policy applies include, but are not limited to, when a family initiates contact with the HABC, when the HABC initiates contact with a family including when a family applies, and when the HABC schedules or reschedules appointments of any kind.

To be eligible for a reasonable accommodation, a person must have a disability, which is defined as follows:

- A physical or mental impairment that substantially limits one or more of the major life activities of an individual
- A record of such impairment or
- Being regarded as having such an impairment *Note: This is not the same as the HUD*

definition used for purposes of determining allowances.

A person requesting an accommodation due to a disability should submit a Request for Reasonable Accommodation Form (the Request Form). The Request Form will be available in an alternative format to accommodate those needing such a format in order to submit the request. HABC will acknowledge receipt of the request within twenty (20) business days of receiving the request and, using the Request for Information or Verification Form, submit to the requestor a list of any additional information and documentation needed in order to make a decision regarding the request. HABC will make a decision on the request within thirty (30) business days after receiving all needed information and documentation from the requestor. The decision will be communicated in writing or, if required because of the requestor's disability, in an

alternative format. If HABC will be unable to make a decision within thirty (30) business days, it will advise the requestor in writing with the reason(s) for the delay.

If the HABC finds that the requested accommodation creates an undue administrative or financial burden, the HABC will deny the request and/or present an alternate accommodation that will still meet the need of the person.

An undue administrative burden is one that requires a fundamental alteration of the essential functions of the HABC (i.e., waiving a family obligation).

An undue financial burden is one that when considering the available resources of the agency as a whole, the requested accommodation would pose a severe financial hardship on the HABC.

If the requestor disagrees with HABC decision, the requestor may contact the Fair Housing & Equal Opportunity Office, 417 E. Fayette Street, Suite 922, Baltimore, MD 21202 (410) 396-3246 or one of the following agencies:

Baltimore Neighborhoods, Inc.
2217 St. Paul Street
Baltimore, MD 21218
(410) 243-4400

6 St. Paul Street, 9th Floor
Baltimore, MD 21202
(410) 767-8600

US Dept of Housing and Urban Development
10 South Howard Street
Baltimore, MD 21201
(410) 962-2520, ext. 3056
Maryland Commission on Human Rights

Baltimore Community Relations Commission
10 N. Calvert Street, Suite 915
Baltimore, MD 21202
(410) 396-3141

Reasonable accommodation will be made for persons with a disability that requires an advocate or accessible offices. A designee will be allowed to provide some information, but only with the permission of the person with the disability.

All HABC mailings will be made available in an accessible format upon request, as a reasonable accommodation.

Verification of Disability

The HABC may verify a requestor's disability only to the extent necessary to ensure that the requestor is qualified for the housing for which he or she had applied, is qualified for deductions used in determining adjusted income, is entitled to preferences that have been claimed, and that the requested accommodation is needed. The HABC will not require applicants to provide access to confidential medical records in order to verify a disability and will not require specific details about the disability. HABC may require documentation of the manifestation of the disability that causes a specific need for a specific accommodation or accessible unit.

Outreach

Outreach efforts will include notification of the HABC 504 Committee as well as all other media and agencies listed in the HABC Administrative Plan regarding public notices (see section on opening and closing the waiting list in "Applying for admission" chapter.)

Applying for Admission

All persons who wish to apply for any of the HABC programs must submit a written application that is available by phone, at the Section 8 Offices or other agency locations. Accommodation for applications will be made upon request from a person with a disability.

The application is completed at the eligibility appointment in the applicant's own handwriting, unless assistance is needed, or a request for accommodation is requested by a person with a disability. HABC staff will interview Applicants in order to review the information on the application form. Verification of disability as it relates to 504, Fair Housing, or ADA reasonable accommodation will be requested at this time. The application will also include questions asking all applicants whether reasonable accommodations are necessary.

I. TRANSLATION OF DOCUMENTS

In determining whether it is feasible to provide translation of documents written in English into other languages, the HABC will consider the following factors:

- Number of applicants and participants in the jurisdiction who do not speak English and speak the other language.
- Estimated cost to HABC per client of translation of English written documents into the other language.
- The availability of local organizations to provide translation services to non-English speaking families.
- The availability of bilingual staff who can provide translation for non-English speaking families.

J. SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (SEMAP) OBJECTIVES

The HABC operates its housing assistance program with efficiency and can demonstrate to HUD auditors that the HABC is using its resources in a manner that reflects its commitment to quality and service. The HABC policies and practices are consistent with the areas of measurement for the following HUD SEMAP indicators.

- Selection from the Waiting List
- Reasonable Rent
- Determination of Adjusted Income
- Utility Allowance Schedule
- HQS Quality Control Inspections
- HQS Enforcement

- Expanding Housing Opportunities
- Payment Standards
- Annual Re-examinations
- Correct Tenant Rent Calculations
- Pre-Contract HQS Inspections
- Annual HQS Inspections
- Lease-up
- Family Self-Sufficiency Enrollment and Escrow Account Balances
- Bonus Indicator De-concentration

Note: The FSS indicator applies to the HABC, which is required to administer an FSS program and to receive portability families enrolled in the initial PHA FSS Program. As stated in 24 CFR 984.105(b) (3) the FSS program is reduced by one slot for each family that graduates from the FSS program by fulfilling its FSS contract of participation on or after October 21st 1998. The Expanding Housing Indicator applies to the HABC as it operates within a Metropolitan Statistical Area.

An HABC Supervisor, other than the person performing the work, will perform quality control reviews, as required by HUD. The following SEMAP indicators will be reviewed:

- Selection from the waiting list
- Rent reasonableness
- Determination of adjusted income
- HQS Enforcement
- HQS Quality Control

The annual sample of files and records will be drawn in a random manner and provide a clear audit trail. The minimum sample size to be reviewed will relate directly to each indicator. The Internal Audit Unit reporting to the HABC Inspector General shall conduct an annual review to ensure that this process is being followed.

In addition to the required SEMAP documentation, supervisory staff will audit the following functions:

- Not less than 5% of reexaminations

- Not less than 5% of new applications
- Not less than 5% of rent adjustments

K. _____ RECORDS FOR MONITORING HABC PERFORMANCE

In order to demonstrate compliance with HUD and other pertinent regulations, the HABC will maintain records, reports and other documentation in accordance with HUD requirements. This provision is intended to allow the internal auditor to monitor and assess HABC operational procedures to ensure objectivity, accuracy and conformance with SEMAP requirements.

L. _____ PRIVACY RIGHTS [24 CFR 982.551 and 24 CFR 5.212]

Applicants and participants, including all adults (ie.18 years of age) in their households, are required to sign the HUD 9886 Authorization for Release of Information. This document authorizes the HABC to request income information from the State wage information collection agency and other Federal collection agencies in order to verify household income. This document incorporates the Federal Privacy Act Statement and does not provide authorization for the release of family information. Failure to sign the consent form will result in the denial of eligibility or termination of assisted housing benefits.

The HABC policy regarding release of information is in accordance with State and local laws. Information to be supplied to a landlord, upon request, is limited to that specified in Chapter 9, Section 8 of this plan.

The HABC practices and procedures are designed to safeguard the privacy of applicants and program participants. All applicant and participant files will be stored in a secure location that is only accessible by authorized staff.

HABC staff will not discuss family information contained in files unless there is a business reason to do so. Inappropriate discussion of family information, or improper disclosure of family information by staff will result in disciplinary action.

All files must be signed for when removed from the secured file storage area.

Any and all information that would lead one to determine the nature and/or severity of a person's disability, or eligibility based on a criminal background check, must be kept in a separate folder and marked "confidential". The personal information in this folder must not be released except on an "as needed" basis in cases where an accommodation or a criminal eligibility determination is under consideration. All requests for access and the granting of accommodations based on this information must be approved by the Chief of Housing Applications.

M. _____ FAMILY OUTREACH

The HABC will publicize and disseminate information to make known the availability of housing assistance and related services for very low income families on a regular basis. When the HABC waiting list is open, the HABC will publicize the availability and nature of housing assistance for very low income families through the:

- Baltimore Sun
- Afro-American Newspaper

□ City Paper

The Housing Authority will amend outreach subject to determination of any minority group reaching 5% of the total population, based on the most recent census or amendment thereto.

To reach those who cannot read newspapers, the HABC will distribute fact sheets to the broadcasting media, and initiate personal contacts with members of the news media and community service personnel. The HABC will also utilize public service announcements.

The HABC will communicate the status of housing availability to other service providers in the community, and advise them of housing eligibility factors and guidelines in order that they can make proper referrals for housing assistance.

N. _____ OWNER OUTREACH [24 CFR 982.54(d)(5)]

The HABC makes a concerted effort to keep private owners informed of legislative changes in the tenant-based program, which are designed to make the program more attractive to owners. This effort includes informing participant owners of applicable legislative changes in program requirements.

The HABC encourages owners of decent, safe and sanitary housing units to lease to Section 8 families.

The HABC encourages participation by owners of suitable units located outside areas of concentrations of poverty, minorities, and assisted units.

The HABC conducts periodic meetings with participating owners to improve owner relations and to recruit new owners.

The HABC maintains a list of interested landlords and a list of units available for the Section 8 Program and updates this list at least weekly. When listings from owners are received, the HABC staff will compile a list according to bedroom size.

The HABC will maintain lists of available housing submitted by owners in all neighborhoods within the Housing Authority's jurisdiction to ensure greater mobility and housing choice to very low income households. The lists of owners/units will be provided at the front desk, mailed on request, and provided at briefings.

The staff of the HABC initiates personal contact with private property owners and managers by conducting formal and informal discussions and meetings.

Printed material is offered to acquaint owners and managers with the opportunities available under the program.

The HABC actively participates in a community-based organization(s) comprised of private property and apartment owners and managers.

The HABC will actively recruit property owners with property located outside areas of minority and poverty concentration and apply for exception payment standards if the HABC determines it is necessary to make the program more accessible within the jurisdiction of the HABC.

The HABC periodically evaluates the demographic distribution of assisted families to identify areas within the jurisdiction where owner outreach should be targeted. The purpose of these activities is to provide more choice and better housing opportunities to families. Voucher holders are informed of a broad range of areas where they may lease units inside the HABC jurisdiction and given a list of landlords or other parties who are willing to lease units or help families who desire to live outside areas of poverty or minority concentration.

The HABC is participating in the Regional Opportunity Counseling (ROC) program in which families who want to move and have had a Section 8 voucher for at least a year may participate. Families who want to move to low poverty areas receive counseling from the non-profit agency hired to run the ROC program on their prospective moves and about services available in the areas in which the family is interested.

The HABC shall periodically:

- Request the HUD Field Office to furnish a list of HUD-held properties available for rent.
- Develop working relationships with owners and real estate broker associations.
- Establish contact with civic, charitable and neighborhood organizations that have an interest in housing for low-income families and public agencies concerned with obtaining housing for displacements.
- Explain the program, including equal opportunity requirements and nondiscrimination requirements, as set forth in the Fair Housing Act, the Americans with Disabilities Act, and other housing-related civil rights laws, to real estate agents, landlords, and other groups that have dealings with low-income families or are interested in housing such families.

Chapter 2 ELIGIBILITY FOR ADMISSION

[24 CFR Part 5, Subparts B, D & E; Part 982, Subpart E]

INTRODUCTION

This Chapter defines both HUD and the HABC criteria for admission and denial of admission to the program. The policy of this HABC is to strive for objectivity and consistency in applying these criteria to evaluate the eligibility of families who apply. The HABC staff will review all information provided by the family carefully and without regard to factors other than those defined in this Chapter. Families will be provided the opportunity to explain their circumstances, to furnish additional information, if needed, and to receive an explanation of the basis for any decision made by the HABC pertaining to their eligibility.

A. ELIGIBILITY FACTORS [982.201(b)]

The HABC accepts applications only from families whose head or spouse is at least 18 years of age or emancipated minors under State law.

To be eligible for participation, an applicant must meet HUD criteria, as well as any permissible additional criteria established by the HABC.

The HUD eligibility criteria are:

- An applicant must be a "family"
- An applicant must be a very low income family (i.e., below 50% of the jurisdictions median family income for the designated family size), or a low income family within the parameters described in Section C of this chapter
- An applicant must furnish Social Security numbers for all family members age six and older
- At least one member of the applicant family must be either an U.S. citizen or have eligible immigration status before the HABC may provide financial assistance.
- No family member has committed a drug related or violent criminal activity within the last three years.
- No family member is registered in the State sex offender registration program.

Initial admissions eligibility is determined based on the information supplied by the applicant during the application process. The application will be reviewed for completeness and the data contained in the application will be reviewed for consistency (i.e., response on the application are compatible with the definitions of the criteria used to determine program eligibility). Key information supplied by the applicant (i.e., identification of the head of the household, citizenship or legal immigration status, and social security information) will be validated.

The Authority emphasizes the fact that the initial application review is made only to place and rank the applicant on the waiting list. Eligibility factors will not be reviewed before the applicant is placed on the waiting list.

Final determination of eligibility is made after verification of the information provided on the application, as updated to reflect the current status of the applicant. The final determination that is required prior to program admission must be conducted within 60 days of voucher issuance. The HABC may elect not to affirmatively establish and verify citizenship eligibility before providing financial assistance to a family. However, the HABC will verify and establish eligibility no later than the date of the family's annual reexamination.

Reasons for denial of admission are addressed in the "Denial or Termination of Assistance" chapter. These reasons for denial constitute additional admission criteria.

B. ____ FAMILY COMPOSITION [24 CFR 982.201(c)]

The applicant must qualify as a Family. A Family may be a single person or a group of persons. A "family" includes:

- A family with or without a child or children.
- Two or more persons who intend to share residency whose income and resources are available to meet the family's needs and who have a history as a family unit or show evidence of a stable family relationship.
- A group of persons consisting of two or more elderly persons or disabled persons living together, or one or more elderly or disabled persons living with one or more live-in aides is a family.

The HABC determines if any other group of persons qualifies as a "family". A

single person family may be:

- An elderly person
- A displaced person
- A person with a disability

Individuals may not be considered disabled for eligibility purposes solely on the basis of any drug or alcohol dependence.

- Any other single person

A child who is temporarily away from home because of placement in foster care is considered a member of the family. This provision only pertains to the foster child's temporary absence from the home, and is not intended to artificially enlarge the space available for other family members.

Head of Household

The head of household is the adult member of the household who is designated by the family as head, is wholly or partly responsible for paying the rent, and has the legal capacity to enter into a lease under State/local law. Emancipated minors who qualify under State law will be recognized as head of household.

Spouse of Head

Spouse means the husband or wife of the head.

For proper application of the Non-Citizen Rule, the definition of spouse is: the marriage partner who, in order to dissolve the relationship, would have to be divorced. It includes the partner in a common law marriage. The term "spouse" does not apply to boyfriends, girlfriends, significant others, or co-heads.

Co-Head

A "co-head" is an individual in the household who is equally responsible for the lease with the Head of Household. A family may have a spouse or co-head, but not both. A co-head never qualifies as a dependent.

Live-in Attendants

A Family may include a live-in aide provided that such live-in aide:

- Is determined by the HABC to be essential to the care and well being of an elderly person, a near-elderly person, or a person with disabilities,
- Is not obligated for the support of the person(s), and
- Would not be living in the unit except to provide care for the person(s).

A live-in aide is treated differently than family members:

- Income of the live-in aide will not be counted for purposes of determining eligibility or level of benefits.
- Live-in aides are not subject to Non-Citizen Rule requirements.
- Live-in aides may not be considered as a remaining member of the tenant family.

Except under unusual circumstances, a related person cannot be considered as a live-in aide. Such consideration would require the written approval of the Associate Deputy Executive Director.

A Live in Aide may only reside in the unit with the approval of the HABC. Written verification will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or case worker. The verification provider must certify that a live-in aide is needed for the care of the family member who is elderly, near-elderly (50-61) or disabled.

The HABC will approve a live-in aide if needed as a reasonable accommodation to make the program accessible to and usable by the family member with a disability. Approval of a live-in aide for reasonable accommodation will be in accordance with CFR 24 Part 8 and the reasonable accommodation section in Chapter 1 of this administrative plan.

Verification must include the hours the care will be provided.

[24 CFR 982.316] At any time, the HABC will refuse to approve a particular person as a live-in aide or may withdraw such approval if:

- The person commits fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program;
- The person commits drug-related criminal activity or violent criminal activity; or
- The person currently owes rent or other amounts to the HABC or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.

Split Households Prior to Voucher Issuance

When a family on the waiting list splits into two otherwise eligible families due to divorce or legal separation, and the new families both claim the same placement on the waiting list, and there is no court determination, the HABC will make the decision taking into consideration the following factors:

- Which family unit retains the children or any disabled or elderly members.
- Recommendations of Social Service Agencies
- Which family member applied as Head of Household

Multiple Families in the Same Household

When families apply which consist of two families living together, (such as a mother and father, and a daughter with her own husband or children), if they apply as a family unit, they will be treated as a family unit.

Joint Custody of Children

Children who are subject to a joint custody agreement but live with one parent at least 51% of the time will be considered members of the household. "51 % of the time" is defined as 183 days of the year, which do not have to run consecutively.

When both parents are on the Waiting List and both are trying to claim the child, the parent whose address is listed in the school records will be allowed to claim the school-age child as a dependent.

C. INCOME LIMITATIONS [24 CFR 982.201(b), 982.353]

Prior to the 1994 Conforming Rule, income eligibility between certificate and voucher programs varied, and tracking admissions limits was cumbersome to administer. In preparing the Conforming Rule, HUD established categories for admission that would assure the statutory nonvery low income limit of "not more than 15 percent of program admissions" would be preserved. Furthermore, by establishing the non-low income eligibility categories, HUD was able to eliminate the program procedures for restricting and tracking non-very low income occupancies. Effective October 1st 1998, Congress has required that Authorities ensure that at least 75% of an existing program's Housing Choice Vouchers are issued to eligible families with income that does not exceed 30% of the median average income of the Authority's jurisdiction.

To be income eligible the applicant must have an annual income at the time of admission that does not exceed the following income limits established by HUD [24 CFR 982.201(b)]:

- A very low-income family such that the family income does not exceed 50 percent of the median income for the area, adjusted for smaller and larger families, as determined by HUD.
- A low income family such that the family income does not exceed 80 percent of the median income for the area, adjusted for smaller and larger families, as determined by HUD as:
 - "continuously assisted" under the 1937 Housing Act.
 - physically displaced by rental rehabilitation activity under 24 CFR part 511.
 - a non-purchasing family residing in a HOPE 1 or HOPE 2 project.
 - a non-purchasing family residing in a project subject to a home-ownership program under 24 CFR 248.173.
 - displaced as a result of the prepayment of a mortgage or voluntary termination of a mortgage insurance contract under 24 CFR 248.165.

To determine if the family is income-eligible, the HABC compares, at the time of admission, the annual income of the family to the applicable income limit for the family's size.

Families whose annual income exceeds the income limit will be denied admission and offered an informal review.

The applicable income limit used for initial issuance of a voucher is the highest income limit within the jurisdiction where the voucher will be used.

Portability: For initial lease-up at admission, families who exercise portability must be within the applicable income limit for the jurisdiction of the receiving PHA in which they want to live.

D. — MANDATORY SOCIAL SECURITY NUMBERS [24 CFR 5.216, 5.218]

Families are required to provide verification or signed certifications of Social Security numbers for all family members age 6 and older prior to admission, if they have been issued a number by the Social Security Administration. This requirement also applies to persons joining the family after admission to the program.

Persons who have not been issued a Social Security Number must sign a certification that they have never been issued a Social Security number.

Persons who disclose their Social Security number but cannot provide verification must sign a certification and provide verification within 60 days. Elderly persons must provide verification within 120 days.

Failure to furnish verification of social security numbers is grounds for denial or termination of assistance.

E. — CITIZENSHIP/ELIGIBLE IMMIGRATION STATUS [24 CFR Part 5, Subpart E]

In order to receive assistance, a family member must be a U.S. citizen or eligible immigrant. Individuals who are neither, may elect not to contend their status. Eligible immigrants are persons who are in one of the immigrant categories as specified by HUD.

For the Citizenship/Eligible Immigration requirement, the status of each member of the family is considered individually before the family's status is defined.

Mixed Families. A family is eligible for assistance as long as at least one member is a citizen or eligible immigrant. Families that include eligible and ineligible individuals are called "mixed." Such applicant families will be given notice that their assistance will be pro-rated and that they may request a hearing if they contest this determination.

All members ineligible. Applicant families that include no eligible members are ineligible for assistance. Such families will be denied admission and offered an opportunity for a hearing.

Non-citizen students. Defined by HUD in the non-citizen regulations at 24 CFR 5.522. Not eligible for assistance.

Appeals. For this eligibility requirement only, the applicant is entitled to a hearing exactly like those provided for participants.

Verification of Status Before Admission

The HABC will not provide assistance to families prior to the verification of eligibility for the individual or at least one member of the family pursuant to this section.

F. OTHER CRITERIA FOR ADMISSIONS [24 CFR 982.552(b)]

A family will not be admitted to the program if any member of the family has been evicted from federally assisted housing for serious violation of the lease within the past five years.

A family will be denied admission to the program if any member of the family fails to sign and submit consent forms for obtaining information required by the HABC, including Form HUD-9886.

The HABC will apply the following criteria, in addition to the HUD eligibility criteria, as grounds for denial of admission to the program:

- The family must not have violated any family obligation during a previous participation in the Section 8 program for three years prior to final eligibility determination.
- The family must pay any outstanding debt owed the HABC or another PHA as a result of prior participation in any federal housing program within 30 days of HABC notice to repay.
- The family must be in good standing regarding any current payment agreement made with another PHA for a previous debt incurred, before this HABC will allow participation in its Section 8 program.

The HABC will check criminal history for all adults in the household to determine whether any member of the family has violated any of the prohibited behaviors as described in the "Denial or Termination of Assistance" chapter.

If any applicant deliberately misrepresents the information on which eligibility or tenant rent is established, the HABC will deny assistance and may refer the family file/record to the proper authorities for appropriate disposition. (See Program Integrity Addendum).

G. TENANT SCREENING [24 CFR 982.307)]

The HABC will take into consideration any of the criteria for admission described in the "Denial or Termination of Assistance" chapter.

The HABC will not screen family behavior or suitability for tenancy. The HABC will not be liable or responsible to the owner or other persons for the family's behavior or the family's conduct in tenancy.

The owner is responsible for screening and selection of the family to occupy the owner's unit. At

or before HABC approval of the tenancy, the HABC will inform the owner that screening and

selection for tenancy is the responsibility of the owner.

The owner is responsible for screening families based on their tenancy histories, including such factors as:[24 CFR 982.307(a)(3)]

- Payment of rent and utility bills
- Caring for a unit and premises
- Respecting the rights of other residents to the peaceful enjoyment of their housing
- Compliance with all other conditions of tenancy.

The HABC will give the owner upon request:

- The family's current and prior address as shown in the HABC records; and
- The name and address (if known by the HABC) of the landlord at the family's current and prior address.

The HABC will advise families how to file a complaint if they claim that an owner has discriminated against them. The HABC will advise the family to make a Fair Housing complaint. The HABC may also report the owner to HUD (Fair Housing/Equal Opportunity) or the local Fair Housing Organization.

H. CHANGES IN ELIGIBILITY PRIOR TO EFFECTIVE DATE OF THE CONTRACT

Changes that occur during the period between issuance of a voucher and lease up may affect the family's eligibility or share of the rental payment.

I. INELIGIBLE FAMILIES

Families who are determined to be ineligible will be notified in writing of the reason for denial and given an opportunity to request an informal review, or an informal hearing if they were denied due to Non-Citizen status. See "Complaints and Appeals" chapter for additional information about informal reviews and informal hearings.

J. PROHIBITED ADMISSIONS CRITERIA [982.202(b)]

Admission to the program may not be based on where the family lives before admission to the program.

Admission to the program may not be based on:

- Where a family lives prior to admission to the program.
- Where the family will live with assistance under the program.
- Discrimination because members of the family are unwed parents, recipients of public assistance, or children born out of wedlock. 2-8

- Discrimination because a family includes children.
- Whether a family decides to participate in a family self sufficiency program; or
- Other reasons as listed in the "Statement of Policies and Objectives" chapter under the Fair Housing and Reasonable Accommodations sections.

Chapter 3

APPLYING FOR ADMISSION

[24 CFR 982.204]

INTRODUCTION

The policy of the HABC is to ensure that all families who express an interest in housing assistance are given an equal opportunity to apply, and are treated in a fair and consistent manner. This Chapter describes the policies and procedures for completing an initial application for assistance, placement and denial of placement on the waiting list, and limitations on who may apply. The primary purpose of the intake function is to gather information about the family, but the HABC will also utilize this process to provide information to the family so that an accurate and timely decision of eligibility can be made. Applicants will be placed on the waiting list in accordance with this Plan.

A. OVERVIEW OF THE APPLICATION TAKING PROCESS

The purpose of application taking is to permit the HABC to gather information and determine placement on the waiting list. The application will contain questions designed to obtain pertinent program information.

Families who wish to apply for any one of the HABC programs must complete a written application form when the waiting list is open. When the waiting list is open, any family asking to be placed on the waiting list for Housing Choice Voucher Program assistance will be given the opportunity to complete an application at the 300 Cathedral Street office or applications will be mailed to interested families upon request. Applications will be made available in an accessible format upon request from a person with a disability.

The 300 Cathedral Street office will receive applications during regular business hours (between 8:30 AM and 4:30 PM) Monday through Friday.

The application will be dated and time-stamped on the day in which it is delivered to 300 Cathedral Street.

The application process will involve two phases. The first is the initial application for assistance. The purpose of this phase is to permit the HABC to preliminarily assess family eligibility or ineligibility and to determine placement on the waiting list. Therefore, the applicant must provide the following information:

- Applicant name that is the same as the designated head of household
- Family unit size and composition in order to determine the number of bedrooms for which the family qualifies under the Authority's occupancy standards.
- Assigned date and time of application.

- Local preference (i.e., residency, rent burden, special need).
- Racial and Ethnic designation of the head of household.
- Family Income
- Special Accommodation Needs
- Qualification for any Local Preferences

To provide specific accommodation for persons with disabilities, the information may be taken by a staff person over the telephone. It may also be mailed to the applicant and, if requested, it will be mailed in an accessible format.

Initial applications will not require an interview. The information on the application will not be verified until the applicant has been selected for final eligibility determination. Final eligibility will be determined during the second phase when the full application process is completed and all information is verified.

The second phase is eligibility determination. The eligibility determination process takes place when the family reaches the top of the waiting list. At this time the HABC ensures that verification of all HUD and HABC eligibility factors is current in order to determine the family's eligibility for the issuance of a voucher.

B. _____ OPENING/CLOSING OF THE WAITING LIST [24 CFR 982.206, 982.54(d)(1)]

The HABC will utilize the following procedures for opening the waiting list:

When the HABC opens the waiting list, the HABC will advertise through public notice as described in Chapter 1. Section M. of this plan. The notice will contain:

- The dates, times, and the locations where families may apply.
- The duration of time for which the Waiting List will remain open.
- The programs (e.g., Housing Choice Vouchers, Project-Based) and purposes (e.g., income targeting, special categories) for which applications will be taken.
- A brief description of the individual programs and purposes.
- A statement that public housing residents must submit a separate application if they want to apply for section 8.
- Limitations, if any, on those families who may apply.
- Procedure for special accommodation applicants

The notices will be made in an accessible format if requested. They will provide potential applicants with information that includes the HABC address and telephone number, and how to submit an application. If applicable, additional information on eligibility requirements, and the availability of local preferences will be identified.

Upon request from a person with a disability, the HABC will identify one of the following agencies that can provide appropriate accommodation service:

- Baltimore Neighborhoods Incorporated
- Community Housing Association
- First Call for Help
- Governors Office for Individuals with Disabilities
- HABC Division of Family Support Services
- Hearing and Speech Agency
- Making Choice for Independent Living
- Maryland Center for Community Development
- Maryland Disability Law Center
- Maryland Mental Health Partners
- Maryland Public Mental Health System
- Maryland Relay Center
- Maryland Technical Assistance Program
- Mayor's Commission of Disabilities
- Medical Rehabilitation Services
- MTA Bus/Metro/Call-a-lift
- MTA Mobility
- National Federation of the Blind
- Volunteers for Medical Engineering

Additional time will be given as an accommodation for submission of an application after the closing deadline. This accommodation (i.e., applications taken after the closing deadline) is to allow persons with disabilities the opportunity to submit an application in cases when a social service organization provides inaccurate or untimely information about the closing date.

The open period shall be long enough to achieve a waiting list adequate to cover projected turnover and new allocations over the next 12 months. When the period for accepting applications is over, the HABC will add the new applicants to the list by separating the new applicants into groups based on preferences and ranking applicants within each group by date and time of application.

The HABC will accept applications from eligible families unless there is good cause for not accepting the application. Good cause includes denial of assistance because of action or inaction by members of the family for the grounds stated in the "Denial or Termination of Assistance" chapter of this Administrative Plan [24 CFR 982.206(b)(2)].

Closing the Waiting List

Except for emergency preferences, as defined in this plan, the HABC may close the waiting list (i.e., stop applications) if there are enough applicants to fill anticipated openings for the next 12 months. The waiting list will not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws.

The HABC may keep the waiting list open for particular preferences other than the emergency preferences, while the waiting list is closed. The decision to keep the waiting list open for particular preferences will be made by the Executive Director without the approval of the Board of Commissioners and advertised in accordance with Chapter 1 of this Administrative Plan. The HABC will announce the closing of the waiting list by public notice as described in Chapter 1. Section M. of this plan.

C. — APPLICANT STATUS WHILE ON WAITING LIST [CFR 982.204]

During the initial phase period, applicants are required to inform the HABC [in writing] of changes in address. Applicants are also required to respond to requests from the HABC to update information on their application and to determine their interest in assistance.

If after a review of the application the family is determined to be preliminarily eligible, they will be notified in writing or in an accessible format upon request, as a reasonable accommodation.

The notice will contain the approximate date that assistance may be offered, and will further explain that the estimated date is subject to factors such as turnover and available funding.

This written notification of preliminary eligibility will be mailed to the applicant by first class mail.

If the family is determined to be ineligible based on the information provided in the application, the HABC will notify the family in writing (in an accessible format upon request as a reasonable

accommodation), state the reason(s), and inform them of their right to an informal review. Persons with disabilities may request to have an advocate attend the informal review as an accommodation. See "Complaints and Appeals" chapter.

D. ___ TIME OF SELECTION [24 CFR 982.204]

When funding is available, families will be selected from the waiting list in their determined sequence, regardless of family size, subject to income targeting requirements, and special purpose voucher categories.

When there is insufficient funding available for the family at the top of the list, the HABC will not admit any other applicant until funding is available for the first applicant.

E. ___ APPLICATION COMPLETION AND INTERVIEW

All preferences claimed on the application or while the family is on the waiting list will be verified during the application completion and interview process. The qualification for a preference must exist at the time the preference is claimed and at the time of verification, because claim of a preference determines placement on the waiting list. If a preference is denied, the applicant will be re-sequenced on the waiting list in accordance with their verified preference status.

After the preference is verified, the applicant will be required to:

- Complete a Personal Declaration Form prior to the full application interview.
- Complete and sign the full application. The applicants must complete the application in their own handwriting unless assistance is needed. Applicants may request a reasonable accommodation for completion of an application. The HABC staff will interview the applicant to review the information on the full application form.

Requirement to Attend Interview

The HABC conducts application interviews to discuss family circumstances in greater detail, to clarify information that has been provided by the family, and to ensure that the information is complete. The interviews are also used to meet the informational needs of the family by providing information about the application and verification process, as well as to advise the family of other HABC services or programs that may be available.

All adult family members are required to attend the interview and sign the housing application.

Exceptions may be made for verified students attending school out of state and for whom attendance would be a hardship.

If an applicant fails to appear for a pre-scheduled appointment, the HABC will automatically schedule a second appointment. If the applicant misses the second appointment without prior approval, the application is denied.

Reasonable accommodation will be made for persons with a disability. A designee will be allowed to participate in the interview process, but only with permission of the person with a disability.

If an application is denied due to failure to attend the interview, the applicant will be notified in writing and offered an opportunity to request an informal review. (See "Complaints and Appeals" chapter.)

All adult members must sign the HUD Form 9886, Release of Information, the application and all supplemental forms required by the HABC, the declarations and consent forms related to citizenship/immigration status and any other documents required by the HABC. Applicants will be required to sign specific verification forms for information not covered by the HUD form 9886. Failure to do so will be cause for denial of the application for failure to provide necessary certifications and release as required by the HABC.

Every adult household member must sign a consent form to release criminal conviction records and to allow the HABC to receive records and use them in accordance with HUD regulations.

If the HABC determines at or after the interview that additional information or documentation is needed, the HABC will request the documentation or information in writing. The family will be given 7 days to supply the information.

If the information is not supplied in this time period (subject to reasonable accommodation), the HABC will send the family notification of denial for assistance (See "Complaints and Appeals" chapter).

F. VERIFICATION [24 CFR 982.201(e)]

Information provided by the applicant will be verified, using the verification procedures in the "Verification Procedures" chapter. Family composition, income, allowances and deductions, assets, full-time student status, eligibility and rent calculation factors, and other pertinent information will be verified. Verifications may not be more than 60 days old at the time of issuance of the Voucher.

G. FINAL DETERMINATION AND NOTIFICATION OF ELIGIBILITY [24 CFR 982.201]

After the verification process is completed, the HABC will make a final determination of eligibility. This decision is based upon information provided by the family, the verification of the information by the HABC, and the current eligibility criteria in effect. If the family is determined to be eligible, the HABC will mail a notification of eligibility. A briefing will be scheduled for the issuance of a voucher and the family's orientation to the housing program.

Applicants will be denied assistance and removed from the list for the following reasons:

- Determined ineligible as a result of the initial phase of determination.
- The applicant does not respond to the requested information or cannot provide the information necessary for the Authority to verify the applicant's status for program selection within a 7 day period. The HABC may grant an exception where the applicant's failure to respond is not caused by the applicant's disability, any circumstances beyond the applicant's control, or other good cause as determined by the Authority.
- The applicant is no longer eligible for the tenant-based program as a result of program selection verification that is conducted within 60 days of anticipated voucher issuance. (Note: The applicant is not removed from the waiting list based on preference change).
- The Authority determines that fraud has been committed in completing the application.
- The applicant has refused offers of tenant-based assistance under the voucher program.
- The applicant has been admitted into the voucher program.

The Authority may not take any of the following actions because an applicant has applied for, received, or refused other housing assistance:

- Refuse to list the applicant on the Authority's waiting list for the remaining type of housing assistance.
- Deny admission preference for which the applicant is otherwise qualified.
- Remove the applicant from another waiting list.

Chapter 4

ESTABLISHING PREFERENCES AND MAINTAINING THE WAITING LIST

[24 CFR Part 5, Subpart D; 982.54(d)(1); 982.204, 982.205, 982.206]

INTRODUCTION

It is the HABC policy and a HUD requirement that families are placed on and selected from the waiting list in the proper order. Following such a practice will ensure that an offer of assistance is not delayed to any family or made to any family prematurely. By maintaining a viable waiting list, the HABC will be able to perform the activities which will ensure that an adequate pool of qualified applicants will be available so that program funds are used in a timely manner. Effective January 1, 1999, documenting proper placement and selection from the waiting list is a SEMAP requirement.

The HABC maintains a single waiting list for admissions to its Housing Choice Voucher program, and a separate waiting list for its low-income public housing program. Therefore, if:

- The Section 8 waiting list is open when an applicant is placed on the low-income public housing program, the Authority will offer to place the applicant on the Section 8 waiting list.
- The low-income public housing waiting list is open when an applicant is placed on the Section 8 waiting list, and the low-income public housing program contains units that are suitable for the applicant, the Authority will offer to place the applicant on its waiting list.

Except under special circumstances (as discussed later in this section), admissions are made from the waiting list in accordance with the criteria and process described in Chapter 7 of this Administrative Plan.

For the purpose of this discussion, it is important to keep in mind three underlying concepts for managing the waiting list:

- The waiting list uses a preference system for ranking applicants selected from the waiting list.
- Preferences are local criteria approved by the Board to give priority to certain special need populations. A preference is not a right and may be changed upon Board action. Any such change in preference criteria will result in immediate change in the waiting list order.
- Only certified eligible applicants are selected from the waiting list based on applicant ranking. It is possible that a lower ranked applicant may be issued a voucher if the higher ranked applicants are not yet certified eligible (i.e., awaiting third party verification, or rescheduled after missing an interview appointment).

A. _____ WAITING LIST [24 CFR 982.204]

The HABC uses a single waiting list for admission to its Housing Choice Voucher tenant-based assistance program. Except for Special Admissions, applicants will be selected from the HABC waiting list in accordance with policies, preferences and income targeting requirements defined in this Administrative Plan. The HABC will maintain information that permits proper selection from the waiting list. The waiting list contains the following information for each applicant listed:

- Applicant name
- Family size
- Family unit size (number of bedrooms family qualifies for under HABC subsidy standards)
- Date and time of application
- Qualification for any local preference
- Racial or ethnic designation of the head of household
- Annual (gross) family income
- Targeted program qualifications

B. _____ ORDER OF SELECTION [24 CFR 982.207(e)]

The HABC method for selecting applicants from a preference category provides a clear audit trail that can be used to verify that each applicant has been selected in accordance with the method specified in the Administrative Plan.

Local Preferences

Local preferences will be used to select families from the waiting list. The waiting list will be organized by local preference. Each local preference category will be organized according to date and time.

HUD Notice PIH 98-64 eliminated the requirement for public notice and a period for public comment when changing the HABC preference system. However, the HABC must inform all applicants about available preferences and must give applicants an opportunity to show that they qualify for available preferences. If it is impracticable to do so because of the length of the waiting list, the HABC may provide notification to fewer than all applicants at any given time.

An applicant will not be granted any local preference if:

- Any member of the family has been evicted from housing assisted under a 1937 Housing Act program during the past three years because of drug-related criminal activity.

- If an applicant makes a false statement in order to qualify for a local preference

Local preferences will be numerically ranked, with number 1 being the highest preference, in the following order:

1) Emergency Preferences

- (a) Any family displaced due to Natural Disaster
- (b) Intimidated Crime Victims and Intimidated Witnesses of Crime Referred by the Maryland Office of the State's Attorney and/or Police Agencies
- (c) Families displaced due to Public Action
- (d) Families currently in a HABC Public Housing unit, where the head of household, spouse, or other family member has a disability for which they request a reasonable accommodation.

2) State Rental Allowance Program (RAP) Participants

3) Rent Hardship Preference for applicant families paying rent greater than 50% of the applicant's adjusted gross income

4) Working Family Preference defined as the head, spouse or sole member of the family is:

- (a) Employed
- (b) Age 62 or older
- (c) Person with Disabilities
- (d) Enrolled in an approved Job Training Program

5) Families where the Head of Household, spouse or any family member have a Disability

6) Veterans Preference: Families where the Head of Household has received an honorable discharge from the United States Armed Services, and received combat incentive pay.

Residency Preference: The HABC will grant priority for the five preference categories to families who live or work in Baltimore City. Families who do not live or work or have been hired to work in Baltimore City will only be considered for assistance after the waiting list is exhausted of families who live or work in the City, or have been hired to work in the City, regardless of priority. An elderly or disabled family who is unable to work and live outside of Baltimore City will be offered the residency preference.

At the time of application, an applicant's certification that they qualify for a preference will be accepted without verification at the initial application. When the family is selected from the waiting list for the final determination of eligibility, the preference will be verified.

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list without the local preference and given an opportunity for an informal review.

If, at the time the family applied, the preference claim was the only reason for placement of the family on the list and the family does not verify their eligibility for the preference as of the date of application, the family will be removed from the list.

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to notify the HABC in writing when their circumstances change.

When an applicant claims an additional preference, s/he will be placed on the waiting list in the appropriate order determined by the newly claimed preference, if that preference is of a higher ranking.

The exception to this is, if at the time the family applied, the waiting list was only open to families who claimed that preference. In such case, the applicant must verify that they were eligible for the first preference before they are returned to the waiting list with the new preference.

If the HABC denies a preference, the HABC will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for an informal review. If the preference denial is upheld as a result of the informal review, or the applicant does not request an informal review, the applicant will be placed on the waiting list without benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

If the applicant falsifies documents or makes false statements in order to qualify for any preference, they will be removed from the waiting list. Applicants making false statements to claim a preference will be ineligible for assistance for three (3) years, from the date of their selection from the waiting list.

C. Set-Aside of Vouchers for Families with Disabilities

850 Housing Choice Vouchers will be set-aside for issuance to non-elderly disabled families where a family member has a disability. These vouchers will be offered to non-elderly disabled families on the waiting list who have been found eligible for the HCVP with a disability preference, in order by date and time, until the 850 vouchers are exhausted. As vouchers expire, they will be offered to the next eligible family with the disability preference..

HABC plans to create the Enhanced Leasing Assistance Program (the "ELA Program"), which will provide assistance to non-elderly persons with disabilities who seek a unit using one of the 850 tenant based vouchers made available or seek one of the 500 project based voucher units created in accordance with the *Bailey* consent decree.

The following are the elements of the Program:

1. The ELA Program will be administered either by an outside contractor or by HABC staff hired specifically to administer it.
2. Services provided through the ELA Program will include:
 - a. Administration of a funding stream for reasonable application fees, security deposits, utility hook-up fees and necessary reasonable accommodations/modifications for Program participants;
 - b. Housing search assistance;
 - c. Landlord/tenant negotiations and facilitating implementation of requests on behalf of the Program participants for reasonable accommodations, including retrofitting units to make them accessible or to add accessibility features in an amount not to exceed \$5000 per unit;
 - d. Referrals to service providers and non-profit organizations to assist the voucher holder in obtaining long-term housing stability (no guarantees will be made regarding the ability of the service providers to provide the requested services or in being able to identify appropriate service providers for all ELA Program participants).

D _____ INCOME TARGETING

In accordance with the Quality Housing and Work Responsibility Act of 1998, for each fiscal year the HABC will reserve a minimum of 75% of its Section 8 new admissions for families whose income does not exceed 30% of the area median income. HUD refers to these families as "extremely low-income families." The HABC will admit families who qualify under the extremely low-income limit in order to meet this requirement, regardless of preference. This practice shall be referred to as income targeting. Where necessary to meet this requirement, we will skip applicants on the waiting list until the first extremely low-income family is reached.

The HABC income targeting requirement does not apply to low-income families who are continuously assisted as defined in the 1937 Housing Act.

The HABC is also exempted from this requirement where the HABC is providing assistance to low-income or moderate income families entitled to preservation assistance under the tenant-based program as a result of a mortgage prepayment or opt-out.

If the family's verified annual income, at final eligibility determination, does not fall under the Extremely Low-income limit and the family was selected for income targeting purposes before a family with a higher preference, the family will be returned to the waiting list.

E _____ SPECIAL PROGRAM CATEGORIES [24 CFR 982.203]

When HUD awards special funding for certain family types, families who qualify are placed on the regular waiting list. When a specific type of funding becomes available, the waiting list is searched for the first available family meeting the special funding criteria.

The HABC has the following special program categories:

Family Unification Program (50 Vouchers)

Welfare to Work (700 Vouchers)

G. SPECIAL ADMISSIONS [24 CFR 982.54(d)(e), 982.203]

Admission of a family that is not on the HABC waiting list or without considering the applicant's waiting list position is called a special admission. Special admissions occur when HUD gives the HABC program funding for families living in specified units as opposed to a special category of persons on the waiting list. Examples are funding for families displaced because of demolition or disposition of federally assisted property, or displacement from a federally assisted project due to termination of assistance or other event.

The tenant-based assistance program rules provide that when HUD awards the HABC program funding that is targeted for families that live in specified units, the HABC must use the assistance for families living in these units. The HABC may admit a family that is not on the HABC waiting list, or without considering the family's waiting list position; and, in accordance with Section 982.203(a). The HABC must maintain records showing the family was admitted with HUD targeted assistance.

The HABC does not use (nor is it permitted to use) this special method of admissions for any purpose other than when HUD gives an HABC program funds for families living in specified units. For example, the HABC does not use special admissions to solve over-or under-crowded situations, for persons that require terminal ill care, rehabilitation purposes, etc. However, the HABC may use its system of local preferences (approved by the Board) to address these situations.

If HUD awards funding that is targeted for families living in specific units, the HABC is to use the funding for that purpose. The HABC will use the targeted funding in accordance with the conditions imposed when the funds are awarded to and accepted by the HABC.

In most instances, funding for special admissions is only restricted on initial use for a particular family. If HUD does not require continued use of the funding for a special purpose, the funding is released from special requirements upon turnover. At such time, funding becomes available for general use in the HABC Housing Choice Voucher Program. Re-issuance of these vouchers will be made in accordance with waiting list procedures.

The HABC is to maintain documentation of each special purpose funding increment describing the special purpose, the units and families associated with the units, and information on requirements regarding continued use. The HABC must also maintain an accounting of each voucher issuance, turnover and placement in the general voucher program.

H. **PROJECT BASED PROGRAM (24 CFR 983)**

(See Chapter 20)

I. **HOMEOWNERSHIP**

(See Chapter 19)

Chapter 5

SUBSIDY STANDARDS

[24 CFR 982.54(d)(9)] **INTRODUCTION**

HUD guidelines require that HABC establish subsidy standards for the determination of family unit size, and that such standards provide for a minimum commitment of subsidy while avoiding overcrowding. The standards used for the unit size selected by the family must be within the minimum unit size requirements of HUD's Housing Quality Standards. This Chapter explains the subsidy standard that will be used to determine the voucher size (family unit size) for a family upon selection from the waiting list. It will also explain the HABC procedures when a family's size changes, or a family selects a unit size that is different from the Voucher.

A. DETERMINING FAMILY UNIT (VOUCHER) SIZE [24 CFR 982.402]

The HABC does not determine who shares a bedroom/sleeping room, but there must be at least one person per bedroom on the Voucher. The HABC subsidy standards for determining voucher size shall be applied in a manner consistent with Fair Housing guidelines. For subsidy standards, an adult is a person 18 years old or older.

All standards in this section relate to the number of bedrooms on the Voucher, not the family's actual living arrangements. The unit size on the Voucher remains the same as long as the family composition remains the same, regardless of the actual unit size rented.

The HABC will consider factors such as family characteristics including sex, age, or relationship. Consideration will also be given for medical reasons and the presence of a live-in aide.

Generally, the HABC assigns one bedroom to two people within the following guidelines:

- Persons of different generations, persons of the opposite sex (other than spouses), and unrelated adults should be allocated a separate bedroom.
- Children 10 years of age or older will be assigned a separate bedroom.
- Foster children, appropriately documented, will be included in determining unit size only if they will be in the unit for more than 180 days per year.
- Live-in attendants will generally be provided a separate bedroom. No additional bedrooms are provided for the attendant's family.
- Space may be provided for a child who is away at school but who lives with the family during school recesses provided that it does not result in an otherwise unused room.
- A single pregnant woman with no other family members must be treated as a two-person family.

- Single person families shall be allocated one bedroom.

GUIDELINES FOR DETERMINING VOUCHER SIZE

Voucher Size	Persons in Household	
	Minimum Number	Maximum
0 Bedroom	1	1
1 Bedroom	1	2
2 Bedrooms	2	4
3 Bedrooms	3	6
4 Bedrooms	4	8
5 Bedrooms	6	10
6 Bedrooms	8	12

B. _____ EXCEPTIONS TO SUBSIDY STANDARDS [24 CFR 982.403(a) & (b)]

The HABC shall grant exceptions from the subsidy standards if the family requests and the HABC determines the exceptions are justified by the relationship, age, sex, health or disability of family members, or other individual circumstances.

The HABC will grant an exception upon request as an accommodation for persons with disabilities. Circumstances may dictate a larger size than the subsidy standards permit when persons cannot share a bedroom because of a verified medical or health reason.

Request for Exceptions to Subsidy Standards

The HABC will not issue a larger voucher due to additions of family members other than by birth, adoption, marriage, or court-awarded custody. Requests based on health related reasons must be verified by a medical doctor. If the HABC errs in the bedroom size designation, the family will be issued a voucher of the appropriate size.

The HABC will also notify the family of the circumstances under which an exception will be granted, such as:

- A family with a disability is “under-housed” in an accessible unit.
- A family requires the additional bedroom because of a health problem that has been verified by the HABC.

Changes for Applicants

The voucher size is determined prior to the briefing by comparing the family composition to the HABC subsidy standards. If an applicant requires a change in the voucher size, based on the requirements of the HABC subsidy standards, the above-referenced guidelines will apply.

Changes for Participants

The HABC must approve new members of the family residing in the unit. The family must obtain approval of any additional family member before the new member occupies the unit except for additions by birth, adoption, or court-awarded custody, in which case the family must inform the HABC within 30 days. The above referenced guidelines will apply.

Underhoused and Overhoused Families

If a unit does not meet the HABC subsidy standard due to an increase in family size, (unit too small), the HABC will issue a new voucher of the appropriate size and assist the family in locating a suitable unit.

When a change in family composition requires a larger voucher size and no funds are available, the family will be issued the next available voucher change.

C. ___ UNIT SIZE SELECTED [24 CFR 982.402(c)]

The family may select a different size dwelling unit than that listed on the voucher. There are three criteria to consider:

Subsidy Limitation: The family unit size as determined for a family under the HABC subsidy standard for a family assisted in the voucher program is based on the HABC adopted payment standards. The payment standard for a family shall be the *lower of*:

- The payment standard amount for the family unit size.
- The payment standard amount for the unit size rented by the family.

Utility Allowance: The utility allowance used to calculate the gross rent is based on the actual size of the unit the family selects, regardless of the size authorized on the family's voucher.

Housing Quality Standards: The standards allow two persons per living/sleeping room and permit maximum occupancy levels (assuming a living room is used as a living/sleeping area) as shown in the table below. The levels may be exceeded if a room in addition to bedrooms and living room is used for sleeping.

HQS Guidelines for Unit Size Selected

Unit Size

Maximum Number in Household

0 Bedroom	1
1 Bedroom	4
2 Bedrooms	6
3 Bedrooms	8
4 Bedrooms	10
5 Bedrooms	12
6 Bedrooms	14

Chapter 6

FACTORS RELATED TO TOTAL TENANT PAYMENT AND FAMILY SHARE DETERMINATION

[24 CFR Part 5, Subparts E and F; 982.153, 982.551]

INTRODUCTION

The HABC will use the methods as set forth in this Administrative Plan to verify and determine that family income at admission and at annual reexamination is correct. The accurate calculation of Annual Income and Adjusted Income will ensure that families are not paying more or less money for rent than their obligation under the Regulations.

This Chapter defines the allowable expenses and deductions to be subtracted from Annual Income and how the presence or absence of household members may affect the Total Tenant Payment (TTP). Income and TTP are calculated in accordance with 24 CFR Part 5, Subparts E and F, and further instructions set forth in HUD Notices and Memoranda. The formula for the calculation of TTP is specific and not subject to interpretation. The HABC policies in this Chapter address those areas that allow the HABC discretion to define terms and to develop standards in order to assure consistent application of the various factors that relate to the determination of TTP.

A. INCOME AND ALLOWANCES [24 CFR 5.609]

Income: Includes all monetary amounts that are received on behalf of the family. For purposes of calculating the Total Tenant Payment, HUD defines what is to be calculated and what is to be excluded in the federal regulations. In accordance with this definition, all income that is not specifically excluded in the regulations is counted.

Gross Income is the amount of income prior to any HUD allowable expenses or deductions, and does not include income that has been excluded by HUD.

Annual Income is defined as all amounts, monetary or not, that: (i) go to, or are given on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; (ii) are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and (iii) amounts derived (during a 12-month period) from assets to which any member of the family has access. Annual income is used to determine whether or not applicants are within the applicable income limits. Annual income includes, but is not limited to:

- The full amount, before any payroll deductions, of wages, salaries and other compensation for personal services.
- Net income from operation of a business or profession.
- Interest, dividends and other net income of any kind from real or personal property. 6-1

- The full amount of periodic payments (e.g., social security, annuities, pensions, disability or death benefits) not specifically excluded.
- Payments in lieu of wages, salary or other earnings (e.g., worker's compensation, unemployment) not specifically excluded.
- Welfare assistance.
- Periodic determinable allowances such as alimony and child support payments (i.e., amount awarded by the court unless evidenced by third party documentation to the contrary), and regular contribution from non lease members.
- All pay and allowances from the armed forces, not specifically excluded (e.g., hostile fire allowance).

The annual income derived from the sources identified above must be calculated for the family head of household and the spouse, and for each additional member of the family listed on the lease 18 years or older. Incomes from family members permanently absent are not counted for purposes of family size or income determination. When the Authority is notified of a permanent absence, after unit lease, the event may result in a income re-determination and subsidy standard modification.

Annual income excludes the following:

- Income from the employment of family members under 18 years of age.
- Payments received for the care of foster children or adults.
- Lump sum additions to family assets such as inheritances, insurance payments, etc.
- Payments received by the family for the cost of medical expenses.
- Income of live-in aid.
- Full amount of student financial assistance.
- Special pay of family members serving in the Armed Forces exposed to hostile fire.
- Amounts received under training programs funded by HUD, including stipends that do not exceed \$200 per month.
- Temporary, nonrecurring, or sporadic income.

□ Reparation payments paid pursuant to claims filed under Nazi persecution.

- Full time student earnings in excess of \$480 for each non-head of household or spouse family member.
- Adoption assistance payments in excess of \$480 per child.
- Lump sum payment of deferred periodic payments of supplemental security income.
- Refunds or rebates under state or local law for property taxes paid on the dwelling unit.
- Amounts paid on behalf of developmentally disabled family member to keep member at home.
- Amounts specifically excluded by Federal statute for determination of housing assistance.

Adjusted Income is defined as the determined Annual Income after making the following mandatory deductions:

- Dependent Allowance: \$480 each for family members (other than the head or spouse) who are minors, and for family members who are 18 and older who are full-time students or who are disabled.
- Elderly/Disabled Allowance: \$400 per family for families whose head or spouse is 62 or over or disabled.
- Allowable Medical Expenses: The sum of the following (to the extent that the sum exceeds 3% of annual income):
 - (i) unreimbursed medical expenses of any elderly family or disabled family;
 - (ii) unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed. This allowance may not exceed the earned income received by family members who are 18 years of age and older who are able to work because of such attendant care or auxiliary apparatus.
- Child Care Expenses: Deducted for the care of children under 13 when child care is necessary, reasonable and customary to allow an adult member to work, attend school, or actively seek employment.

B. DISALLOWANCE OF EARNED INCOME FROM RENT DETERMINATIONS FOR PERSONS WITH DISABILITIES [24 CFR 5.617; 982.201(b)(3)]

This section was effective April 20, 2001. Exclusion of income during participation in training programs under 24 CFR 5.609[c][8][v] is still applicable. HUD issued a final rule January 19, 2001 in the Federal Register effective for disabled families who are participants in the Section 8 Housing Choice Voucher Program on or after April 20, 2001. The HABC must take all necessary steps to ensure those disabled families eligible for the mandatory earned income disallowance receive the disallowance.

The annual income for qualified disabled families may not be increased as a result of increases in earned income of a family member who is a person with disabilities beginning on the date on which the increase in earned income begins and continuing for a cumulative 12-month period. After the disabled family receives 12 cumulative months of the full exclusion, annual income will include a phase-in of half the earned income excluded from annual income.

A disabled family qualified for the earned income exclusion is a disabled family that is receiving tenant-based rental assistance under the Housing Choice Voucher Program; and

- Whose annual income increases as a result of employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment;
- Whose annual income increases as a result of increased earnings by a family member who is a person with disabilities during participation in any economic self-sufficiency or other job training program; or
- Whose annual income increases, as a result of new employment, or the increased earnings of a family member who is a person with disabilities, during or within six months after receiving assistance, benefits or services under any State program for TANF. The total amount of the increase over a six-month period must be at least \$500.

The HUD definition of "previously unemployed" includes a person with disabilities who has earned in the previous 12 months no more than the equivalent earnings for working 10 hours per week for 50 weeks at the minimum wage. Minimum wage is the prevailing minimum wage in the State or locality.

The HUD definition of economic self-sufficiency program is: any program designed to encourage, assist, train or facilitate economic independence of assisted families or to provide work for such families. Such programs may include job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as substance abuse or mental health treatment).

Amounts to be excluded are any earned income increases of a family member who is a person with disabilities during participation in an economic self-sufficiency or job training program and not increases that occur after participation, unless the training provides assistance, training or mentoring after employment.

The amount of TANF received in the six-month period includes monthly income and such benefits and services as one-time payments, wage subsidies and transportation assistance.

The amount that is subject to the disallowance is the amount of incremental increase in income of a family member who is a person with disabilities. The incremental increase in income is calculated by comparing the amount of the disabled family member's income before the beginning of qualifying employment or increase in earned income to the amount of such income after the beginning of employment or increase in earned income.

Initial Twelve-Month Exclusion

During the cumulative 12-month period beginning on the date a member who is a person with disabilities of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the HABC will exclude from annual income of a qualified family any increase in income of the family member who is a person with disabilities as a result of employment over the prior income of that family member.

Second Twelve-Month Exclusion and Phase-in

During the second cumulative 12-month period after the expiration of the initial cumulative 12-month period referred to above, the HABC must exclude from annual income of a qualified family 50 percent of any increase in income of a family member who is a person with disabilities as a result of employment over income of that family member prior to the beginning of such employment.

Maximum Four Year Disallowance

The earned income disallowance is limited to a lifetime 48-month period for each family member who is a person with disabilities. For each family member who is a person with disabilities, the disallowance only applies for a maximum of 12 months of full exclusion of incremental increase, and a maximum of 12 months of phase-in exclusion during the 48-month period starting from the date of the initial exclusion.

If the period of increased income does not last for 12 consecutive months, the disallowance period may be resumed at any time within the 48-month period. It may be continued until the disallowance has been applied for a total of 12 months of each disallowance (the initial 12-month full exclusion and the second 12-month phase-in exclusion).

No earned income disallowance will be applied after the 48-month period following the initial date the exclusion was applied.

Applicability to Child Care and Disability Assistance Expense Deductions

The amount deducted for child care and disability assistance expenses necessary to permit employment shall not exceed the amount of employment income that is included in annual income. Therefore, for disabled families entitled to the earned income disallowance, the amounts

of the full and phase-in exclusions from income shall not be used in determining the cap for child care and disability assistance expense deductions.

Tracking the Earned Income Exclusion

The earned income exclusion will be reported on the HUD 50058 form. Documentation will be included in the family's file to show the reason for the reduced increase in rent.

Such documentation will include:

- Date the increase in earned income was reported by the family
- Name of the family member whose earned income increased
- Reason (new employment, participation in job training program, within 6 months after receiving TANF) for the increase in earned income
- Amount of the increase in earned income (amount to be excluded)
- Date the increase in income is first excluded from annual income
- Date(s) earned income ended and resumed during the initial cumulative 12-month * period of exclusion (if any)
- Date the family member has received a total of 12 months of the initial exclusion
- Date the 12-month phase-in period began
- Date(s) earned income ended and resumed during the second cumulative 12-month period (phase-in) of exclusion (if any)
- Date the family member has received a total of 12 months of the phase-in exclusion
- Ending date of the maximum 48-month (four year) disallowance period (48 months from the date of the initial earned income disallowance)

The HABC will maintain a tracking system to ensure correct application of the earned income disallowance.

Inapplicability to Admission

The earned income disallowance is only applied to determine the annual income of disabled families who are participants in the Housing Choice Voucher Program, and therefore does not apply for purposes of admission to the program (including the determination of income eligibility or any income targeting that may be applicable).

C. _____ MINIMUM RENT [24 CFR 5.616]

Minimum rent refers to the Total Tenant Payment and includes the combined amount a family pays towards rent and/or utilities when it is applied. HABC has a \$0 minimum rent policy. However, HABC will for each \$0 rent determined family:

- Assess and assist \$0 rent families in obtaining financial assistance for which they may be eligible.
- Monitor (through quarterly interim certifications) the financial status of such families.
- Report to management on a monthly basis the amount of \$0 rent families.

D. _____ DEFINITION OF TEMPORARILY/PERMANENTLY ABSENT [24 CFR 982.54(d)(10), 982.551]

Permanent and temporary absence has significant impact on a number of Section 8 assistance aspects including family size determination, subsidy standard determination, and split household and remaining tenants. The HABC must account for and compute all applicable income of every family member who is on the lease, including those who are temporarily absent. In addition, the HABC must count the income of the spouse or the head of the household, if that person is temporarily absent, even if that person is not on the lease. Income of persons determined permanently absent will not be counted. It is the responsibility of the head of household to report changes in family composition. The HABC will evaluate absences from the unit using this policy.

Absence of Any Member

Any member of the household will be considered permanently absent if s/he is away from the unit for more than 180 days except as otherwise provided in this Chapter.

Absence due to Medical Reasons

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, the HABC will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent. If the verification indicates that the family member will return in less than 181 consecutive days, the family member will not be considered permanently absent.

If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated in accordance with the HABC "Absence of Entire Family" policy.

Absence Due to Full-time Student Status

Full time students (other than head of household or spouse) who attend school away from the home but lives with the family during school recesses may, at the family's choice, be considered either temporarily or permanently absent. If the family decides that the member is permanently absent, income of that member will not be included in total household income, the member will not be included on the lease, and the member will not be included for determination of Voucher size. A head of household or spouse will be considered temporarily absent while enrolled in school.

Absence due to Incarceration

Any member of the household will be considered permanently absent if s/he is incarcerated for 30 days. The HABC will determine if the reason for incarceration is for drug-related or violent criminal activity and take appropriate action.

Absence of Children due to Placement in Foster Care

If the family includes a child or children temporarily absent from the home due to placement in foster care, the HABC will determine from the appropriate agency when the child/children will be returned to the home.

If the time period is to be greater than 180 days from the date of removal of the child/children, the Voucher size will be reduced. If all children are removed from the home permanently, the voucher size will be reduced in accordance with the HABC subsidy standards.

Absence of Entire Family

These policy guidelines address situations when the family is absent from the unit, but has not moved out of the unit. In cases where the family has moved out of the unit, the HABC will terminate assistance in accordance with appropriate termination procedures contained in this Plan.

"Absence" means that no family member is residing in the unit. In order to determine if the family is absent from the unit, the HABC may write letters to the family at the unit, telephone the family at the unit, interview neighbors, verify if utilities are in service or check with the post office.

Families are required both to notify the HABC before they move out of a unit and to give the HABC information about any family absence from the unit. Families must notify the HABC before leaving the unit if they are going to be absent from the unit for more than 14 consecutive days. If the entire family is absent from the assisted unit for more than 60 consecutive days, the unit will be considered vacated and the assistance will be terminated. If it is determined that the family is absent from the unit, the HABC will contact the landlord to confirm the absence and continue assistance payments through the end of the month following the discovery of family absence and notification of the landlord. HUD regulations require the HABC to terminate assistance if the entire family is determined to have been absent from the unit for a period of

more than 180 consecutive calendar days.

A person with a disability may request an extension of time as an accommodation, provided that the extension does not go beyond the HUD-allowed 180 consecutive calendar days limit.

If the absence which resulted in termination of assistance was due to a person's disability, and the HABC can verify that the person was unable to notify the HABC in accordance with the family's responsibilities, and if funding is available, the HABC may reinstate the family as an accommodation.

Caretaker for Children

If neither parent remains in the household and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, the HABC will treat that adult as a visitor for the first 180 days. If by the end of that period, court-awarded custody or legal guardianship has been awarded to the caretaker, the Voucher will be transferred to the caretaker. If the appropriate agency cannot confirm the guardianship status of the caretaker, the HABC will determine the eligibility of the caretaker for the child/children and count the caretaker's income for TTP determination pending a final disposition. The HABC will work with the appropriate service agencies and the landlord to provide a smooth transition in these cases.

If a member of the household is subject to a court order that restricts him/her from the home for more than 60 days, the person will be considered permanently absent.

Visitors

Any adult not included on the HUD 50058 who has been in the unit more than 14 consecutive days without HABC approval, or a total of 90 days in a 12-month period, will be considered to be living in the unit as an unauthorized household member. Determination of the unauthorized status will include any of the following:

- Absence of evidence of any other address will be considered verification that the visitor is a member of the household.
- Statements from neighbors and/or the landlord will be considered in making the determination.
- Use of the unit address as the visitor's current residence for any purpose that is not explicitly temporary shall be construed as permanent residence.

Reporting Additions to Owner and HABC

Reporting changes in household composition to the HABC is a family responsibility.

The family obligations require the family to request HABC approval to add any other family member as an occupant of the unit and to inform the HABC of the birth, adoption or court-

awarded custody of a child. The family must request prior approval of additional household members in writing. If any new family member is added, the income of the additional member will be included in the family income as applicable under HUD regulations. * If the family does not obtain prior written approval from the HABC, any person the family has permitted to move in will be considered an unauthorized household member.

An interim reexamination will be conducted for any additions to the household.

In addition, the lease may require the family to obtain prior written approval from the owner when there are changes in family composition other than birth, adoption or court awarded custody.

Reporting Absences to the HABC

Reporting changes in household composition is both a family responsibility and a HABC requirement.

If a family member leaves the household, the family must report this change to the HABC, in writing, within 14 days of the change and certify as to whether the member is temporarily absent or permanently absent. The HABC will conduct an interim evaluation for changes that effect the Total Tenant Payment in accordance with the interim policy.

E. — AVERAGING INCOME

When annual income cannot be anticipated for a full twelve months, the HABC will average known sources of income that vary to compute an annual income. If there are bonuses or overtime that the employer cannot anticipate for the next twelve months, bonuses and overtime received the previous year will be used.

F. — MINIMUM INCOME

There is no minimum income requirement. Families who report zero income are required to undergo an interim re-examination every 120 days and will be required to provide information regarding their means of basic subsistence, such as food, utilities, transportation, etc.

G. — INCOME OF PERSON PERMANENTLY CONFINED TO NURSING HOME [24 CFR 982.54(d)(10)]

If a family member is permanently confined to a hospital or nursing home and there is a family member left in the household, the HABC will calculate the income by using the following methodology and use the income figure that would result in a lower payment by the family:

- Exclude the income of the person permanently confined to the nursing home and give the family no deductions for medical expenses of the confined family member.
- Include the income and deductions of the member if his/her income goes to a family member.

H. _____ REGULAR CONTRIBUTIONS AND GIFTS [24 CFR 5.609]

Regular contributions and gifts received from persons outside the household are counted as income for calculation of the Total Tenant Payment.

Any contribution or gift received annually or more frequently will be considered a "regular" contribution or gift, unless the amount is less than \$500 per year. This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis. It does not include casual contributions or sporadic gifts. (See "Verification Procedures" chapter for further definition.)

I. _____ ALIMONY AND CHILD SUPPORT [24 CFR 5.609]

Regular alimony and child support payments are counted as income for calculation of Total Tenant Payment. The HABC will use the amount awarded by the court unless the family can verify that they are not receiving the full amount and verification of item(s) below are provided:

- The HABC receives verification from the agency responsible for enforcement or collection.
- The family furnishes documentation of child support or alimony collection action filed through a child support enforcement/collection agency, or has filed an enforcement or collection action through an attorney.

J. _____ LUMP-SUM RECEIPTS [24 CFR 5.609]

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

Lump-sum payments caused by delays in processing periodic payments such as unemployment or welfare assistance are counted as income. Lump sum payments from Social Security or SSI are excluded from income, but any amount remaining will be considered an asset. Deferred periodic payments which have accumulated due to a dispute will be treated the same as periodic payments which are deferred due to delays in processing.

In order to determine the effect of a lump sum payment, the HABC will calculate prospectively at the time of annual re-examination. At the annual re-examination, the HABC will apply the

percentage balance to the lump sum and add it to the rest of the annual income.

Attorney Fees

The family's attorney fees may be deducted from lump-sum payments when computing annual income if the attorney's efforts have recovered a lump-sum compensation, and the recovery paid to the family does not include an additional amount in full satisfaction of the attorney fees.

K. _____ CONTRIBUTIONS TO RETIREMENT FUNDS - ASSETS [24 CFR 5.603(d)]

Contributions to company retirement/pension funds are handled as follows:

- While an individual is employed, count as assets only amounts the family can withdraw without retiring or terminating employment.
- After retirement or termination of employment, count any amount the employee elects to receive as a lump sum.

L. _____ ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE [24 CFR 5.603(d)(3)]

The HABC must count assets disposed of for less than fair market value during the two years preceding certification or reexamination. The HABC will count the difference between the market value and the actual payment received in calculating total assets.

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

If the total value of assets disposed of within a one-year period is less than \$5000, they will not be considered an asset.

M. _____ CHILD CARE EXPENSES [24 CFR 5.603]

Child care expenses for children under 13 may be deducted from annual income if they enable an adult to work or attend school full time, or to actively seek employment. Child care expenses cannot be allowed as a deduction if there is an adult household member capable of caring for the child who can provide the child care. Examples of those adult members who would be considered *unable* to care for the child include a person with disabilities or older person unable to take care of a small child, as verified by a reliable knowledgeable source.

Allowable deductions for child-care expenses are based on the following guidelines:

- Child care to work: The maximum child care expense allowed must be less than the amount earned by the person enabled to work.
- Child care for school: The number of hours claimed for child care may not exceed the number of hours the family member is attending school, including reasonable travel time to and from school.
- Amount of Expense: The HABC will maintain a child care expense range as a guideline. If the hourly rate materially exceeds the guideline, the HABC may calculate the allowance using the guideline.

N. MEDICAL EXPENSES [24 CFR 5.609(a)(2), 5.603]

When it is unclear in the HUD rules as to whether or not to allow an item as a medical expense, IRS Publication 502 will be used as a guide.

O. PRORATION OF ASSISTANCE FOR "MIXED" FAMILIES [24 CFR 5.520]

Applicability

Pro-ration of assistance must be offered to any "mixed" applicant or participant family. A "mixed" family is one that includes at least one U. S. citizen or eligible immigrant and any number of ineligible members.

Prorated Assistance Calculation

Prorated assistance is calculated by determining the amount of assistance payable if all family members were eligible and multiplying by the percent of the family members who actually are eligible. Calculations for each housing program are performed on the HUD 50058 form.

P. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS

The HABC will not reduce the rental contribution for families whose welfare assistance is reduced specifically because of:

- Fraud by a family member in connection with the welfare program.
- Failure to participate in an economic self-sufficiency program.
- Noncompliance with a work activities requirement

However, the HABC will reduce the rental contribution if the welfare assistance reduction is a result of:

- The expiration of a lifetime time limit on receiving benefits.

- A situation where a family member has not complied with other welfare agency requirements.
- A situation where a family member has complied with welfare agency economic self-sufficiency or work activities requirements but cannot or has not obtained employment, such as the family member has complied with welfare program requirements, but the durational time limit, such as a cap on the length of time a family can receive benefits, causes the family to lose their welfare benefits.

Imputed welfare income is the amount of annual income not actually received by a family as a result of a specified welfare benefit reduction that is included in the family's income for rental contribution. Imputed welfare income is not included in annual income if the family was not an assisted resident at the time of sanction. The amount of imputed welfare income is offset by the amount of additional income a family receives that begins after the sanction was imposed. When additional income is at least equal to the imputed welfare income, the imputed welfare income is reduced to zero.

Verification Before Denying a Request to Reduce Rent

The HABC will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance with economic self-sufficiency or work activities requirements *before* denying the family's request for rent reduction.

The HABC, will obtain from the welfare agency the:

- Amount and term of specified welfare benefit reduction for the family.
- Reason for the reduction.
- Subsequent changes in term or amount of reduction.

Q. _____ UTILITY ALLOWANCE AND UTILITY REIMBURSEMENT PAYMENTS [24 CFR 982.153, 982.517]

The utility allowance is intended to cover the cost of utilities not included in the rent. The allowance is based on the typical cost of utilities and services paid by energy-conservative households that occupy housing of similar size and type in the same locality. Allowances are not based on an individual family's actual energy consumption. The same Utility Allowance Schedule is used for all tenant-based programs.

The HABC utility allowance schedule, and the utility allowance for an individual family, includes the utilities and services that are necessary in the locality to provide housing that complies with the housing quality standards. The HABC does not provide any allowance for non-essential utility costs, such as costs of cable or satellite television.

The HABC classifies utilities in the utility allowance schedule according to the following general categories: space heating, cooking, water heating, refrigerator (for tenant supplied refrigerator), range (cost of tenant-supplied range); and other specified services.

An allowance for tenant-paid air conditioning will be provided in those cases where the majority of housing units in the market have central air conditioning, or are wired for tenant installed air conditioners [24 CFR 982.517].

The HABC will review the utility allowance schedule annually. If the review finds a utility rate has changed by 10 percent or more since the last revision of the utility allowance schedule, the schedule will be revised to reflect the new rate. Revised utility allowances will be applied in a participant family's rent calculation at their next reexamination.

The approved utility allowance schedule is given to families along with their Voucher. The utility allowance is based on the actual unit size selected.

Where the calculation on the HUD 50058 results in a utility reimbursement payment due the family [24 CFR 982.514(b)], the HABC will provide a utility reimbursement payment for the family each month. The check will be made out directly to the tenant.

Chapter 7

VERIFICATION PROCEDURES

[24 CFR Part 5, Subparts B, D, E and F; 24 CFR 982.158; 24 CFR 5.617]

INTRODUCTION

HUD regulations require that eligibility and Total Tenant Payment/Family Share be verified by the HABC. HABC staff will obtain written verification from independent sources whenever possible and will document tenant files whenever third party verifications are not possible and the file entry will explain the reasons for not obtaining the third party verification.

Applicants and program participants must provide true and complete information to the HABC whenever information is requested. The HABC verification requirements are designed to maintain program integrity. This chapter explains the HABC procedures and standards for verification of preferences, income, assets, allowable deductions, family status, and changes in family composition. The HABC will obtain proper authorization from the family before requesting information from independent sources.

A. — RELEASE OF INFORMATION [24 CFR 5.230]

Adult family members will be required to sign the HUD 9886 Release of Information/Privacy Act form.

In addition, family members will be required to sign specific authorization forms when information is needed that is not covered by the HUD form 9886, Authorization for Release of Information/Privacy Act Notice.

Family refusal to cooperate with the HUD prescribed verification system will result in denial of admission or termination of assistance because it is a family obligation to supply any information and to sign consent forms requested by the HABC or HUD.

B. — METHODS OF VERIFICATION AND TIME ALLOWED [24 CFR 982.516]

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

1. Third-Party Written
2. Third-Party Oral
3. Review of Documents
4. Certification/Self-Declaration

The HABC will allow 14 calendar days for the return of written third-party verifications and 7 days (including 3 documented attempts to obtain oral third party verification) and will document

the file as to why third party written verification was not obtained. For applicants, verifications may not be more than 60 days old at the time of Voucher issuance.

Third-Party Written Verification

Third-party verification is used to verify information directly with the source. Third-party written verification forms 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.

Verifications received electronically directly from the source are considered third party written verifications. Third party verification forms from employers will not be hand carried by the family under any circumstances. The HABC will send requests for third party written verifications to the source at all times regardless of whether the family provides a computerized printout.

The HABC will accept verifications in the form of a recent (i.e. 14 days) computerized printouts delivered by the family from the following agencies provided they are followed up by an oral third party verification:

- Social Security Administration
- Veterans Administration
- Welfare Assistance
- Unemployment Compensation Board
- City or County 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 HABC will compare the information to any documents provided by the Family. If provided by telephone, the HABC 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 21 days, the HABC will annotate the file accordingly. The file entry will explain the reasons for not obtaining the third party verification and provide evidence that the request was made. The family will be requested to provide documents as the primary source of information, 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 or document. The HABC will accept the following documents from the family provided that the document is such that tampering would be easily noted:

- Printed wage stubs
- Computer print-outs from the employer
- Signed letters (provided that the information is confirmed by phone)
- Other documents noted in this Chapter as acceptable verification

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

Self-Certification/Self-Declaration

Self-certification means a notarized statement/affidavit/certification/statement under penalty of perjury and must be witnessed. Self-Certification is only used for validating legal status/citizenship when required evidence is otherwise unavailable or delayed. The declaration is only valid for 1 year and if not obtained will result in program termination.

C. ____ ITEMS TO BE VERIFIED [24 CFR 982.516]

All income not specifically excluded by the regulations.

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 for a disabled member of the family, which allow an adult family member to be employed.

Information regarding disability for the determination of preferences, allowances or deductions.

U. S. citizenship/eligible immigrant status

Social security numbers for all family members over 6 years of age or older who have been issued a social security number.

"Preference" status

Marital status when needed for head or spouse definition.

Verification of Reduction in Benefits for Noncompliance from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance before approving the family's \$0 rent status or request for rent reduction.

D. _____ VERIFYING NON-FINANCIAL FACTORS [24 CFR 5.617(b)(2)]

Verification of Legal Identity

In order to prevent program abuse, the HABC will require applicants to furnish verification of legal identity for all family members. The documents listed below, in order of preference, 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
- U. S. passport
- Current, valid Driver's license
- U. S. military discharge (DD 214)
- Voter's registration
- Department of Motor Vehicles Identification Card
- Hospital records

Documents considered acceptable for the verification of legal identity for minors, in order of preference, may be one or more of the following:

- Certificate of Birth

- Adoption papers
- Custody agreement
- Health and Human Services ID

Verification of Marital Status

This would be used to determine spouse for income and deduction, and citizenship determinations.

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

The following verifications will always be required if applicable:

- Verification of relationship: Official identification showing names, Birth Certificates or Baptismal certificates.
- Verification of guardianship is: Court-ordered assignment, affidavit of parent, or verification from social services agency.

Verification of Permanent Absence of Family Member

If an adult member who was formerly a member of the household is reported to be permanently absent by the family, the HABC 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 the adult family member is incarcerated, a document from the Court or correctional facility should be obtained stating how long they will be incarcerated.

Verification of Change in Family Composition

The HABC 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. 6001(7) or verified by appropriate diagnostician such as physician, psychiatrist, or licensed social worker, using the HUD language as the verification format.

Verification of Citizenship/Eligible Immigrant Status [24 CFR 5.508, 5.510, 5.512, 5.514]

In accordance with the Quality Housing and Work Responsibility Act of 1998 individuals must be U.S. citizens or eligible immigrants to be eligible for assistance. Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the six categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS).

Each family member must declare his/her status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while the HABC hearing is pending.

Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury. The HABC requires citizens to provide documentation of citizenship. Acceptable documentation will include at least one of the following original documents:

- United States birth certificate
- United States passport

Eligible Immigrants who were Participants and 62 or over on June 19, 1995, are required to sign a declaration of eligible immigration status and provide proof of age.

Non-citizens with eligible immigration status must sign a declaration of status and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. The HABC verifies the status through the INS SAVE system. If this primary verification fails to verify status, the HABC must request within ten days that the INS conduct a manual search.

Ineligible family members who do not claim to be citizens or eligible immigrants must be listed on a statement of ineligible family members signed by the head of household or spouse.

Non-citizen students on student visas are ineligible members even though they are in the country lawfully. They must provide their student visa but their status will not be verified and they do not sign a declaration but are listed on the statement of ineligible members.

Failure to Provide. If an applicant or participant family member fails to sign required declarations and consent forms or provide documents, as required, they must be listed as an ineligible member. If the entire family fails to provide and sign as required, the family may be denied or terminated for failure to provide required information.

Time of Verification

For applicants, verification of U. S. citizenship/eligible immigrant status occurs at the same time as verification of other factors of eligibility for final eligibility determination. The HABC will not provide assistance to any family prior to the affirmative establishment and verification of the eligibility of the individual or at least one member of the family. The HABC will verify the U. S. citizenship/eligible immigration status of all participants no later than the date of the family's first annual reexamination following the enactment of the Quality Housing and Work Responsibility Act of 1998. For family members added after other members have been verified, the verification occurs at the first re-examination after the new member moves in. Once verification has been completed for any covered program, it need not be repeated except that, in the case of port-in families, if the initial PHA does not supply the documents, the HABC must conduct the determination.

Extensions of Time to Provide Documents

The HABC will grant an extension of not to exceed 30 days for families to submit evidence of eligible immigrant status.

Acceptable Documents of Eligible Immigration

A birth certificate is not acceptable verification of status. The regulations stipulate that only the following documents are acceptable unless changes are published in the Federal Register:

- Resident Alien Card (I-551)
- Alien Registration Receipt Card (I-151)
- Arrival-Departure Record (I-94)
- Temporary Resident Card (I-688)
- Employment Authorization Card (I-688B)

All documents in connection with U. S. citizenship/eligible immigrant status must part of the applicant/participant permanent file.

If the HABC determines that a family member has knowingly permitted another individual who is not eligible for assistance to reside permanently in the family's unit, the family's assistance will be terminated for 24 months, unless the ineligible individual has already been considered in prorating the family's assistance.

Verification of Social Security Numbers [24 CFR 5.216]

Social security numbers must be provided as a condition of eligibility for all family members age six and over if they have been issued a number. Verification of social security numbers will be done through a social security card issued by the Social Security Administration. If a family member cannot produce a social security card, only the documents listed below showing his or her social security number may be used for verification. The family is also required to certify in writing that the document(s) submitted in lieu of the social security card information provided is/are complete and accurate:

- A driver's license
- Identification card issued by a Federal, State or local agency
- Identification card issued by a medical insurance company or provider (including Medicare and Medicaid)
- Earnings statements or payroll stubs
- Benefit award letters from government agencies
- Court records such as real estate, tax notices, marriage and divorce, judgment or bankruptcy records
- Verification of benefits or social security number from Social Security Administration

New family members ages six and older will be required to produce their social security card or provide the substitute documentation described above together with their certification that the substitute information provided is complete and accurate. This information is to be provided at the time the change in family composition is reported to the HABC.

If an applicant or participant is able to disclose the social security number but cannot meet the documentation requirements, the applicant or participant must sign a certification to that effect provided by the HABC. The applicant/participant or family member will have an additional 30 days to provide proof of the social security number. If they fail to provide this documentation, the family's assistance will be terminated.

In the case of an individual at least 62 years of age, the HABC may grant an extension for an additional 120 days. If, at the end of this time, the elderly individual has not provided documentation, the family's assistance will be terminated.

If the family member states they have not been issued a number, the family member will be required to sign a certification to this effect.

Medical Need for Larger Unit

A written certification that a larger unit is necessary must be obtained from a licensed medical professional.

E. _____ VERIFICATION OF WAITING LIST PREFERENCES [24 CFR 982.207]

Emergency Preference

The HABC grants emergency preference status to those families that are displaced due to natural disasters or public action, intimidated crime victims or are referred as an intimidated witness of a crime activity.

Families who claim they are being or have been displaced due to either a disaster or public (i.e., governmental) action must provide written documentation provided by the displacing unit or agency of government, or by the disaster service agency such as the Red Cross or FEMA.

Families that claim a hate crime victim or witness preference must provide referrals and documentation from the appropriate law enforcement agency that has jurisdiction over the case. Families who claim they have been or are about to be displaced to avoid reprisals for providing information to assist police in a criminal investigation are required to provide certification of threat assessment from the law enforcement agency. Families who claim to be displaced by hate crimes are required to provide a written statement from law enforcement agency, HUD, Fair Housing or other agency responsible for non-discrimination advocacy. The statement should contain approximate number of occurrences and date of last occurrence.

State Rental Allowance Program (RAP) Participants

In cooperation with the State of Maryland, the HABC provides a preference for those families who have successfully completed participation in the State funded Rent Allowance Program (RAP) that is designed to provide temporary housing and primary self-sufficiency skills to participants. This preference will be granted by the HABC upon receipt of the program completion and referral form from the RAP Advisor.

Homeownership Preference

A home ownership preference will be granted to families that have been determined eligible for the HABC home ownership program in accordance with 24CFR982.627 and have completed the readiness requirements under the program.

Rent Hardship (Paying more than 50% of income for rent):

The family income, the lease term, and monthly rent and utility payments must be obtained and

verified in order to establish a 50% rent burden preference. If the application is more than 60

days old, the HABC must establish that the preference existed both at the time of declaration and that the burden currently exists.

Family Income

The standard third party verification process can be used to establish and document the existence of a current rent burden. If the application is over 60 days old, the HABC must also establish income at the time of the family's rent burden declaration. This is established by the HABC through third party verification for the month of the preference declaration or, if not timely received, by obtaining appropriate income documentation from the family. If family documentation is provided, the documentation requirement is the same as required to establish income eligibility except it must be during the time frame of the family's burden declaration.

Lease Term.

The HABC must establish the current residency of the applicant, and if the application is over 60 days, the residency of the applicant at the time of preference declaration. An executed lease is the primary document that established residency and should be supported by copies of rental receipts for the period under verification. For purposes of establishing residency at the time of declaration when a lease is not available, the HABC may contact the landlord directly by mail or telephone. If there is no rental agreement, and no other landlord verification, the HABC will require documentation of residency for one month prior to the date of preference declaration on the application.

Monthly Rent and Utility Payments

Families must furnish copies of rental receipts, the lease, canceled checks, money orders, etc. to determine the level of rent burden. In cases where the family pays rent to a co-renter or sublets the unit, the HABC requires a certification from the person who receives the money from the applicant, and verification from the owner that the family resides in the unit. To verify the amount the family actually paid for utilities not included in the rent, the HABC requires one of the following:

- Copies of receipts, canceled checks, bills showing previous utility payments.
- Written verification of consumption costs directly from the utility or service supplier.
- Verification must be provided for a minimum period of two months and for heating a summer and winter month.

At the family's option, the HABC can use either the actual cost of utilities or the HABC Section 8 Existing utility allowance schedule.

Working/Job Training Preference: This preference is available for families with at least one member who is employed (including families whose head or spouse is receiving income based on their inability to work) and for families whose head of household or spouse is enrolled and in good standing in a job-training program. The HABC will require the name of the employer or

from the agency or institution that is providing the job training. The HABC is required to third party verify the accuracy of the information provided by the applicant.

Residency Preference: This preference is for families who live, work or have been hired to work in the jurisdiction of the HABC. Families who are unable to work due to age or disability automatically qualify for this preference.

To verify that an applicant is a resident, the HABC will require in the following order:

- An executed lease and rent receipts rent receipts
- Government agency records and utility bills in the name of the head of household or spouse
- Current drivers license or voters registration card and utility bills in the name of the head of household or spouse

For families who have been hired to work in jurisdiction of the HABC, a statement from the employer will be required.

(Note: This preference has been submitted to and approved by the local HUD Office in conjunction with the approval of the HABC Agency Plan.)

F. VERIFICATION OF INCOME [24 CFR 982.516]

This section defines the methods the HABC will use to verify various types of income.

Employment Income

Verification forms request the employer to specify the:

- Dates of employment
- Amount and frequency of pay
- Date of the last pay increase
- Likelihood of change of employment status and effective date of any known salary increase 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:

1. Written, third party verification form completed by the employer
2. Oral, third party verification provided by the employer (i.e., Human Resource or Payroll Department) accompanied by a HABC document of the name, title and time of the phone conversation.
3. Check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings. A statement of why the third party request was not obtained and appropriate documentation of the third party request attempt (i.e., copy the letter sent) must accompany this form of verification.
4. W-2 forms plus income tax return forms along with the appropriate documentation of the third party attempt. 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 (SSI), Disability Income

Acceptable methods of verification include, in this order:

1. Benefit verification form completed by agency providing the benefits.
2. Award or benefit notification letters prepared and signed by the providing agency.
3. Computer report electronically obtained or in hard copy.

(Note: It is the responsibility of the HABC to obtain this information if not provided by the applicant)

Unemployment Compensation

Acceptable methods of verification include, in this order:

1. Verification form completed by the unemployment compensation agency.
2. Computer report electronically obtained or in hard copy from the Unemployment Office stating payment dates and amounts.
3. Payment receipts.

(Note: It is the responsibility of the HABC to obtain this information if not provided by the applicant)

Welfare Payments or General Assistance

Acceptable methods of verification include, in this order:

1. HABC verification form completed by payment provider.

2. 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.
3. Computer-generated Notice of Action.
4. Computer-generated list of recipients from Welfare Department.

(Note: It is the responsibility of the HABC to obtain this information if not provided by the applicant)

Alimony or Child Support Payments

Acceptable methods of verification include, in this order:

1. Copy of a separation or settlement agreement, or a divorce decree, stating amount and type of support and payment schedules.
2. Copy of latest check and/or payment stubs from Court Trustee. HABC must record the date, amount, and number of the check.
3. Family's self-certification of amount received, and/or family self-certification that support payments are not being received. If payments are irregular, the family must provide:
 - A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.
 - A welfare notice of action showing amounts received by the welfare agency for child support.
 - A 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 HABC 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:

- IRS 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 non-audited) financial statements of the business.
- For the initial year only the family's self-certification as to net income realized from the business during previous years. The family must provide one of the above mentioned forms of verification upon re-examination .

Child Care Business

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

Recurring Gifts

The family must furnish a self-certification that 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, TANF, SSI, etc. are not being received by the household. The HABC will obtain third party verification (written/oral) from the appropriate agencies.

The HABC will run a credit report if information is received that indicates the family has an unreported income source.

Full-time Student Status

Only the first \$480 of the earned income of full time students, other than head, co-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. 7-14

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

G. INCOME FROM ASSETS [24 CFR 982.516]

Savings Account Interest Income and Dividends

Acceptable methods of verification include, in this order:

1. Account statements, passbooks, certificates of deposit, or HABC verification forms completed by the financial institution.
2. 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.
3. IRS Form 1099 from the financial institution, provided that the HABC 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:

1. 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.)
2. Amortization schedule showing interest for the 12 months following the effective date of the certification or re-examination .

Net Rental Income from Property Owned by Family

Acceptable methods of verification include, in this order:

1. IRS Form 1040 with Schedule E (Rental Income).
2. Copies of most recent rent receipts, leases, or other documentation of rent amounts.
3. 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.

H. VERIFICATION OF ASSETS

Family Assets

The HABC will require the information necessary to determine the current cash value of the family's assets, (the net amount the family would receive if the asset were converted to cash).

Acceptable verification may include any of the following:

- 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 assessment.
- 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.

Assets Disposed of for Less than Fair Market Value (FMV) During Two Years Preceding Effective Date of Certification or Re-examination

For all Certifications and Re-examination s, the HABC 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 re-examination .

If the family certifies that they have disposed of assets for less than fair market value, verification 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 wherever possible.

I. _____ VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME [24
CFR 982.516]

Child Care Expenses

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

Verifications must specify the child care provider's name, address, telephone 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 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. Expense claims will always be verified, by using one or more of the methods listed below:

- Written verification by a doctor, hospital or clinic personnel, dentist, pharmacist, 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 or other record of medical expenses incurred during the past 12 months that can be used to anticipate future medical expenses. HABC 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 HABC will use mileage at the IRS, 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 [24 CFR 5.611(c)] 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.

J. _____ COMPUTER MATCHING

The 1988 McKinney Act legislation authorized State wage record keepers to release to both HUD and the HABC information pertaining to wages and unemployment compensation. The HABC will sign an agreement with the appropriate State agency so that they can compare the name and social security number of applicants and participants with the records of the State agency.

For some time, HUD has conducted a computer matching initiative to independently verify resident income. HUD can access income information and compare it to information submitted by the HABC on the 50058 form. HUD can disclose Social Security information to the HABC, but is precluded by law from disclosing Federal tax return data to the HABC. If HUD receives information from Federal tax return data indicating a discrepancy in the income reported by the family, HUD will notify the family of the discrepancy. The family is required to disclose this information to the HABC (24 CFR 5.240). HUD's letter to the family will also notify the family that HUD has notified the HABC in writing that the family has been advised to contact the HABC. HUD will send the HABC a list of families who have received "income discrepancy" letters.

When the HABC receives notification from HUD that a family has been sent an "income discrepancy" letter, the HABC will contact the family by mail and telephone after 40 days following the date of notification. The HABC will request that the family promptly furnish any letter or other notice by HUD concerning the amount or verification of family income. The HABC will fully document the contact in the tenant's file, including a copy of the letter to the family/ written documentation of phone call.

When the family provides the required information, the HABC will verify the accuracy of the income information received from the family. The HABC will review the interim re-examination policy, will identify unreported income, will charge retroactive rent as appropriate, and change the amount of rent or terminate assistance, as appropriate, based on the information. If the amount of rent owed to the HABC exceeds \$3000, the HABC will seek to terminate assistance.

If the tenant fails to respond to the HABC, the HABC will request that HUD send a second letter. After an additional 40 days, the HABC will send a letter to the head of household, warning of the consequences if the family fails to contact the HABC within two weeks.

If the tenant claims a letter from HUD was not received:

- The HABC will ask HUD to send a second letter with a verified address for the tenant.
- After 40 days, the HABC will contact the tenant family.
- If the tenant family still claims they have not received a letter, the HABC will set up a meeting with the family to complete IRS forms 4506 and 8821.

If the tenant family fails to meet with the HABC or will not sign the IRS forms, the HABC will send a warning letter to the head of household. The warning letter will notify the family that termination proceedings will begin within one week, if the tenant fails to meet with the HABC and/or sign forms.

- If tenant does receive a discrepancy letter from HUD, the HABC will set up a meeting with the family.
- If the family fails to attend the meeting, the HABC will reschedule the meeting.
- If the family fails to attend the second meeting, the HABC will send a termination warning.
- The family must bring the original HUD discrepancy letter to the HABC.
- If tenant disagrees with the Federal tax data contained in the HUD discrepancy letter:

- The HABC will ask the tenant to provide documented proof that the tax data information is not correct.
- If the tenant does not provide documented proof, the HABC will obtain proof to verify the Federal tax data using third party verification.

Chapter 8

VOUCHER ISSUANCE AND BRIEFINGS

[24 CFR 982.301, 982.302]

INTRODUCTION

The HABC goals and objectives are designed to ensure that families selected to participate are equipped with the tools necessary to locate an acceptable housing unit. Families are provided sufficient knowledge and information regarding the program and how to achieve maximum benefit while complying with program requirements. When eligibility has been determined, the HABC will conduct a mandatory briefing to ensure that families know how the program works. The briefing will provide a broad description of owner and family responsibilities, HABC procedures, and how to lease a unit. The family will also receive a briefing packet that provides more detailed information about the program including the benefits of moving outside areas of poverty and minority concentration. This chapter describes how briefings will be conducted, the information that will be provided to families, owner and participant responsibilities and the policies for how changes in family composition will be handled.

The information provided to families will also include descriptions of mobility counseling programs established to implement components of the partial consent decree entered in the Thompson v. HUD case.

A. — ISSUANCE OF VOUCHERS [24 CFR 982.204(d), 982.54(d)(2)]

When funding is available, the HABC will issue vouchers to applicants whose eligibility has been determined. The number of vouchers issued must ensure that the HABC stays as close as possible to 100 percent lease-up. The HABC maintains a continuous accounting to determine whether applications can be processed, the number of vouchers that can be issued, and to what extent the HABC can over-issue (issue more vouchers than the budget allows to achieve lease-up).

The HABC may over-issue vouchers to the extent necessary to meet leasing goals. All vouchers that are over-issued must be honored. If the HABC finds it is over-leased, it must adjust future issuance of vouchers in order not to exceed the ACC budget limitations over the fiscal year.

The HABC will not issue a voucher to a family unless the household representative has attended a briefing and signed the voucher. Applicants who provide prior notice of inability to attend a briefing will automatically be scheduled for the next briefing. Applicants who fail to attend 2 scheduled briefings, without prior notification and approval of the HABC, will be denied admission based on failure to supply information needed for certification. The HABC will conduct individual briefings for families with disabilities at their homes, upon request by the family, if required for reasonable accommodation.

B. BRIEFING TYPES AND REQUIRED ATTENDANCE [24 CFR 982.301]

Applicant Briefing

A full HUD-required briefing will be conducted for applicant families who are determined to be eligible for assistance. Group briefings will be conducted. Families who attend group briefings and still have the need for individual assistance will be referred to the appropriate leasing specialist.

Briefings will be conducted in English. The purpose of the briefing is to explain how the program works and to explain the documents in the voucher holder's packet to families so that they are fully informed about the program. This will enable families to utilize the program to their advantage, and it will prepare them for discussions with potential owners and property managers. The Authority will use the briefing to explain the documents included in the voucher information packet, and to discuss relevant issues including, but not limited to, the following:

- A general description of the Section 8 program.
- Family and owner responsibilities.
- Where a household may lease a unit, including renting a unit outside the HABC jurisdiction.
- Explanation of portability.
- Advantages of moving to a census tract with low poverty.
- Descriptions of the following mobility counseling programs: the Affordable Housing Initiative, the Special Mobility Counseling program (upon implementation) and, until it expires, the Baltimore Regional Housing Opportunities Program (BRHOP).
- Special considerations concerning families that may have special needs.
- Exercising choice in residency.
- Choosing a unit carefully and only after due consideration.
- The Family Self Sufficiency Program and its advantages.
- Tenant obligations associated with Welfare to Work Vouchers.
- The benefits and challenges of moving to an opportunity neighborhood
- Tenant Readiness
- Maintenance of a "Search" Log

Applicant Briefing Packet [24 CFR 982.301(b)]

The documents and information provided in the briefing packet for the voucher program will comply with all HUD requirements. The family is provided with the following information and materials

- The term of the voucher, and the HABC policy for requesting extensions or suspensions of the voucher (referred to as tolling).
- A description of the method and a copy of the worksheet used to calculate the housing assistance payment for a family, including how the HABC determines the payment standard for a family; how the HABC determines total tenant payment for a family and information on the payment standard and utility allowance schedule. How the HABC determines the maximum allowable rent for an assisted unit.
- Where the family may lease a unit. For family that qualifies to lease a unit outside the HABC jurisdiction under portability procedures, the information must include an explanation of how portability works.
- The HUD required tenancy addendum, which must be included in the lease.
- The Request for Tenancy Approval (RFTA) form, and a description of the procedure for requesting approval for a tenancy.
- A statement of the HABC policy regarding providing information regarding families to prospective owners.
- The HABC Subsidy Standards including when and how exceptions are made.
- The HUD brochure on how to select a unit and the HUD brochure "A Good Place to Live" on how to select a unit that complies with HQS.
- The HUD pamphlet on lead-based paint entitled *Protect Your Family From Lead in Your Home* and information about where blood level testing is available.
- Information on Federal, State and local equal opportunity laws and a copy of the housing discrimination complaint form. The HABC will also include the pamphlet "Fair Housing: It's Your Right" and other information about fair housing laws and guidelines and the phone numbers of the local fair housing agency and the HUD enforcement office.
- A list of landlords or other parties willing to lease to assisted families or help in the search and known units available for the voucher issued. The list includes landlords or other parties who are willing to lease units or help families find units outside areas of poverty or minority concentration.
- Information about the following mobility counseling programs: the Affordable Housing Initiative, the Special Mobility Counseling Program (upon implementation), and, until it expires, the BRHOP.

- If the family includes a person with disabilities, notice that the HABC will provide a list of available accessible units known to the HABC.
- The family obligations under the program including any obligations of a family participating in the welfare to work voucher program.
- The grounds for which the HABC may terminate assistance for a participant family because of family action or failure to act.
- The HABC informal hearing procedures including when the HABC is required to offer a participant family the opportunity for an informal hearing, and how to request the hearing.
- Information packet including an explanation of how portability works, including a list of neighboring housing agencies with the name, address and telephone number of a portability contact person at each for use by families who move under portability.
- A map showing areas representing various income levels of the jurisdiction and surrounding areas for the purpose of expanding housing opportunities for families.
- Information regarding the HABC outreach program that assists families who may be interested in, or experiencing difficulty in obtaining available housing units in areas outside of minority concentrated locations.
- A list of properties or property management organizations that own or operate housing units outside areas of poverty or minority concentration.
- The family's rights as a tenant and a program participant.
- The requirements for reporting changes between annual re-examinations.
- Information on security deposits and legal referral services.
- The Family Self Sufficiency program and its advantages.
- If the family includes a person with disabilities, the HABC will ensure compliance with CFR 8.6 to ensure effective communication.

Owner Outreach

The following efforts will be undertaken to increase the number of landlords participating in the program and to increase the number of units outside of areas of racial or poverty concentration.

- Attending broker fairs and real estate auctions and meeting with commercial brokers, real estate associations and real estate companies
- Maintaining lists of vacancies, which are updated weekly and are provided to Leasing Team members so that they are always working from a current list.

- Conducting cold calls
- Establishing relationships with real estate companies that will, for a fee, find new landlords in neighborhoods outside of areas of minority and poverty concentrations for HABC families who want to stay in Baltimore City. The identity of landlords in neighborhoods outside of areas of minority and poverty concentrations will be provided to the Special Mobility Counselor
- Holding quarterly open houses for interested landlords to advise them about the Housing Choice Voucher Program. Open houses may include outside speakers.
- Providing incentives to landlords who bring new landlords into the program
- Providing incentive payments to landlords that provide units in neighborhoods in areas outside of poverty and minority concentrations
- Holding annual landlord appreciation ceremony
- Providing assistance to landlords that need help in dealing with voucher holder tenants, have questions or concerns about the program, etc.

Other Steps to Increase Landlord Participation

- Using the HABC web page to market housing choice voucher program to landlords; Providing notice of workshops, etc.
- Airing Public Service Announcements regarding the HABC and the Housing Choice Voucher Program

Owner Briefing

Scheduled briefings may be held during the month for both landlord outreach and for pending HAP landlords.

New and prospective owners will receive a personal invitation. Current owners will be notified via mail or newsletter. The purpose of the briefing is to ensure successful owner participation in the program. The briefing covers the responsibilities and roles of the three parties: HABC staff, owners, and participating families.

C. _____ ENCOURAGING PARTICIPATION IN AREAS WITH LOW POVERTY OR MINORITY CONCENTRATION

The HABC has adopted and implemented a written policy to encourage participation by owners of units located outside areas of poverty or minority concentration. Under this policy, the HABC will inform voucher holders of the full range of areas where they may lease units both inside and outside the HABC jurisdiction. The HABC will supply a list of landlords or other parties who are willing to lease units or help families find units, including units outside areas of poverty or

minority concentrations. The HABC will inform voucher holders about the mobility counseling programs.

At the briefing, families are encouraged to search for housing in neighborhoods in areas outside of minority and poverty concentration and the HABC will provide assistance to families who wish to do so. In addition, the HABC will provide the following tools to assist families move to areas outside poverty and minority concentration:

- The HABC has areas of poverty and minority concentration clearly delineated in order to provide families with information and encouragement in seeking housing opportunities outside highly concentrated areas.
- The HABC has maps that show various areas and information about facilities and services in neighboring areas such as schools, transportation, and supportive and social services.
- The HABC will investigate and analyze when voucher holders are experiencing difficulties locating or obtaining housing units outside areas of concentration.
- The assistance provided to such families includes:
 - Providing families with a search record form to gather and record information.
 - Direct contact with landlords and neighborhood groups.
 - Counseling with the family including formal mobility counseling provided through the Partial Consent Decree.
 - Meeting with fair housing groups or agencies. **D.**

ASSISTANCE TO FAMILIES WHO CLAIM

DISCRIMINATION

The HABC will give participants a copy of HUD Form 903 to file a housing discrimination complaint.

E. _____ SECURITY DEPOSIT REQUIREMENTS [24 CFR 982.313]

The owner is not required to but may collect a security deposit from the tenant. Security deposits charged to families may be any amount the owner wishes to charge, subject to the following conditions:

- Security deposits charged by owners may not exceed those charged to unassisted tenants or the maximum two months rent to owner prescribed by State or local law.
- Responsibility for first and last month's rent is not considered a security deposit issue. In these cases, the owner should settle the issue with the tenant prior to the beginning of assistance.
- Owners requesting first and last months rent and/or security deposit greater than one

months rent to owner must submit documentation evidencing that such payments are

standard and certify that they are not in an amount greater than charged for unassisted units.

Leases Effective Prior to October 2, 1995

There may be limited instances where pre-merger voucher contracts are still in effect. Under the pre-merger voucher program, the owner, at his/her discretion, could have collected a Security Deposit in an amount not to exceed the amount charged to unassisted tenants up to a maximum that may not exceed the amount allowed under Maryland Law.

F. TERM OF VOUCHER [24 CFR 982.303, 982.54(d)(11)]

During the briefing session, each household will be issued a voucher that represents a contractual agreement between the HABC and the family specifying the rights and responsibilities of each party. Receiving and signing a voucher does not constitute admission to the program. Admission to the program occurs when the lease and contract become effective.

Expirations/Extensions

The initial voucher term will be 60 days. Vouchers may be extended by 30 day intervals for a total period not to exceed 90days from the date of issuance.

30 day extensions may be approved by the Leasing Specialist. Extensions will only be granted after the provision of documentation of the family's search efforts. The family must provide a log or listing of the properties which they have attempted to rent and an explanation as to why they were unable to rent each unit.

The HABC will extend the term 30 days if the family needs and request an extension as a reasonable accommodation to make the program accessible to and usable by a family member with a disability. If the family needs an extension in excess of 30 days, the HABC will extend the voucher term for the amount of time reasonably required for said reasonable accommodation.

Extenuating circumstances such as hospitalization may result in an additional extension with the written approval of the Associate Deputy Director or designee.

If the voucher has expired, and has not been extended by the HABC or expires after an extension, the family will be denied assistance. The family will not be entitled to a review or hearing.

Tolling

When a Request for Approval of Tenancy is received, the HABC will deduct the number of days required to process the request from the term of the voucher.

Assistance to Voucher Holders

Families who require additional assistance during their search may call the HABC Leasing and Contracting Office to request assistance. Voucher holders will be notified at their briefing session that the HABC periodically updates the listing of available units and how the updated list may be obtained. The HABC will provide systematic case management to all voucher holders to

provide assistance in locating and renting units. The HABC will assist families with negotiations with owners and provide other assistance related to the families' search for housing.

G. _____ RETENTION OF VOUCHER - SPLIT HOUSEHOLDS [24 CFR 982.315]

In those instances when an applicant family in possession of a voucher becomes divided into two otherwise eligible families due to divorce, legal separation, or the division of the family, and the new families cannot agree as to which new family unit should continue to receive the assistance, and there is no determination by a court, the HABC shall consider, in order, the following factors to determine which of the families will continue to be assisted:

- Which family unit retains the children or any disabled or elderly members.
- Recommendations of Social Service Agencies.
- Which family member applied as head of household.

Documentation of these factors will be the responsibility of the requesting parties.

If documentation is not provided, the HABC will terminate assistance on the basis of failure to provide information necessary for a re-examination.

H. _____ RETENTION OF VOUCHER - REMAINING MEMBER OF TENANT FAMILY
[24 CFR 982.315]

Persons that have been previously approved as family members can be considered the remaining member of the tenant family. A live-in attendant, by definition, is not a member of the family and will not be considered a remaining member of the Family. In order for a minor child to continue to receive assistance as a remaining family member:

- The court has to have awarded emancipated minor status to the minor, or
- The HABC has to have verified that social services and/or the Juvenile Court has arranged for another adult to be brought into the assisted unit to care for the children for an indefinite period.

A reduction in family size may require a reduction in the voucher family unit size.

Chapter 9

REQUEST FOR APPROVAL OF TENANCY AND CONTRACT EXECUTION

[24 CFR 982.302]

INTRODUCTION [24 CFR 982.305(a)]

The HABC program operations are designed to utilize available resources in a manner that is efficient and provides eligible families timely assistance based on the number of units that have been budgeted. The HABC objectives include maximizing HUD funds by providing assistance to as many eligible families and for as many eligible units as the budget will allow.

After families are issued a voucher, they may search for a unit anywhere within the HABC area of jurisdiction, or outside of the HABC jurisdiction if they qualify for portability. The family must find an eligible unit under the program rules, with an owner/landlord who is willing to enter into a Housing Assistance Payments Contract with the HABC. This chapter defines the types of eligible housing, the HABC policies that pertain to initial inspections, lease requirements, owner disapproval, and the processing of Requests For Tenancy Approval (RFTA).

A. REQUEST FOR TENANCY APPROVAL [24 CFR 982.302, 982.305(b)]

The family must submit the completed Request for Tenancy Approval (RFTA) and a copy of the proposed lease, including the HUD prescribed tenancy addendum, during the term of the voucher. The family must submit the Request for Tenancy Approval in the form and manner required by the HABC. The owner and voucher holder must sign the RFTA. The HABC will not permit the family to submit more than one RFTA at a time.

The HABC will review the proposed lease and the RFTA documents to determine whether or not they are approvable. The request will be approved if:

- The unit is an eligible type of housing
- The unit meets HUD's Housing Quality Standards
- The rent is reasonable
- The security deposit is approvable in accordance with any limitations in this plan.
- The proposed lease complies with HUD and HABC requirements (See "Lease Review" section below).
- The owner is approvable, and there are no conflicts of interest (See "Owner Disapproval" section below).
- At the time a family initially receives assistance in a unit (new admissions and moves), if the gross rent for the unit exceeds the applicable payment standard for the family, the family share of rent may not exceed 40 percent of the family monthly

adjusted income (See "Owner Rents, Rent Reasonableness and Payment Standards" chapter of this Administrative Plan).

Disapproval of RFTA

If the HABC determines that the request cannot be approved for any reason, the landlord and the family will be notified in writing. The HABC will instruct the owner and family of the steps that are necessary to approve the request, if applicable. When, for any reason, an RFTA is not approved, the HABC will furnish another RFTA form to the family along with the notice of disapproval so that the family can continue to search for eligible housing.

B. ELIGIBLE AND INELIGIBLE TYPES OF HOUSING [24 CFR 982.352]

Eligible Housing Types

The HABC will approve any of the following types of housing in the voucher program, in accordance with the requirements of the program, and as specified in Chapter 20:

- All dwelling unit structure types can be utilized.
- Manufactured homes where the tenant leases the mobile home and the pad.
- Manufactured homes where the tenant owns the mobile home and leases the pad for [vouchers]
- Group homes
- Congregate facilities (only the shelter rent is assisted)
- Single room occupancy (SRO)
- Units owned (but not subsidized) by the HABC (following HUD-prescribed requirements).
- Cooperative Housing
- Homeownership

A family can own a rental unit but cannot reside in it while being assisted, except in the case when the tenant owns the mobile home and leases the pad. A family may lease in and have an interest in a cooperative housing development.

Ineligible Housing Types

The HABC may not permit a voucher holder to lease a unit

- Which receives project based Section 8 assistance or any duplicative rental subsidies.

- in public housing or Indian housing
- in a Nursing home, board and care home, or a facility providing continual psychiatric, medical or nursing services.
- in Colleges or other school dormitories
- on the grounds of penal, reformatory, medical, mental and similar public or private institutions
- occupied by its owner or by a person with any interest in the unit.

C. **LEASE REVIEW** [24 CFR 982.308]

The HABC will review the lease, particularly noting the compliance of optional charges with program regulations and overall compliance with regulations and state and local law.

The tenant also must have legal capacity to enter a lease under state and local law.

Responsibility for utilities, appliances and optional services must correspond to those provided on the Request for Tenancy Approval.

The family and owner must submit a standard form of lease used in the locality by the owner and that is generally used for other unassisted tenants in the premises. The terms and conditions of the lease must be consistent with state and local law.

The lease must specify the:

- Names of the owner and tenant
- Address of the unit rented (including apartment number, if any)
- Amount of the monthly rent to owner
- Utilities and appliances to be supplied by the owner
- Utilities and appliances to be supplied by the family

The HUD prescribed tenancy addendum must be included in the lease word-for-word before the lease is executed.

Effective September 15, 2000, the owner's lease must include the Lead Warning Statement and disclosure information required by 24 CFR 35.92(b).

The lease must provide that drug-related criminal activity engaged in by the tenant, any household member, or any guest on or near the premises, or any person under the tenant's control on the premises are grounds to terminate tenancy. The lease must also provide that owner may evict family when the owner determines that:

- Any household member is illegally using a drug
- A pattern of illegal use of drug by any household member interferes with the health, safety or right to peaceful enjoyment of the premises by other residents

The lease must provide that the following types of criminal activity by a "covered person" are grounds to terminate tenancy:

- Any criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises by other residents (including property management staff residing on the premises)
- Any criminal activity that threatens the health, safety or right to peaceful enjoyment of their residences by persons residing in the immediate vicinity of the premises
- Any violent criminal activity on or near the premises by a tenant, household member, or guest
- Any violent criminal activity on the premises by any other person under the tenant's control

The lease must provide that the owner may terminate tenancy if a tenant is:

- Fleeing to avoid prosecution or custody or confinement after conviction for a crime, or attempt to commit a crime, that is a felony under the laws of the place from which the individual flees
- Violating a condition of probation or parole imposed under Federal or State law.

House Rules of the owner may be attached to the lease as an addendum, provided they are approved by the HABC to ensure they do not violate any fair housing provisions and do not conflict with the tenancy addendum.

Actions Before Lease Term

All of the following must be completed before the beginning of the initial term of the lease for a unit:

- The HABC has inspected the unit and has determined that the unit satisfies the HQS
- The HABC has determined that the rent charged by the owner is reasonable
- The landlord and the tenant have executed the lease, including the HUD-prescribed tenancy addendum
- The HABC has approved leasing of the unit in accordance with program requirements
- When the gross rent exceeds the applicable payment standard for the family, the HABC must determine that the family share (total family contribution) will not be more than 40% of the family's monthly adjusted income

D. SEPARATE AGREEMENTS

Separate agreements are not necessarily illegal side agreements. Families and owners will be advised of the prohibition of illegal side payments for additional rent, or for items normally included in the rent of unassisted families, or for items not shown on the approved lease. The family is not liable under the lease for unpaid charges for items covered by separate agreements and nonpayment of these agreements cannot be cause for eviction. Owners and families may execute separate agreements for services, appliances (other than range and refrigerator) and other items that are not included in the lease if the agreement is in writing and approved by the HABC.

Any appliances, services or other items that are routinely provided to unassisted families as part of the lease (such as air conditioning, dishwasher or garage) or are permanently installed in the unit, cannot be put under separate agreement and must be included in the lease.

In order to enter into a separate agreement, the family must have the option of not utilizing the service, appliance or other item. If the family and owner have come to a written agreement on the amount of allowable charges for a specific item, so long as those charges are reasonable and not a substitute for higher rent, they will be allowed. All agreements for special items or services must be attached to the lease approved by the HABC. If agreements are entered into at a later date, they must be approved by the HABC and attached to the lease.

E. _____ INITIAL INSPECTIONS [24 CFR 982.305(a) & (b)]

See "Housing Quality Standards and Inspections" chapter of this Administrative Plan. **F.**

_____ RENT LIMITATIONS [24 CFR 982.507]

The HABC will make a determination as to the reasonableness of the proposed rent in relation to comparable units available for lease on the private unassisted market, and the rent charged by the owner for a comparable unassisted unit in the building or premises.

By accepting each monthly housing assistance payment from the HABC, the owner certifies that the rent to owner is not more than rent charged by the owner for comparable unassisted units in the premises. The owner is required to provide the HABC with information requested on rents charged by the owner on the premises or elsewhere.

At all times during the tenancy, the rent to owner may not be more than the most current reasonable rent as determined by the HABC.

G. _____ DISAPPROVAL OF PROPOSED RENT [24 CFR 982.502]

In any of the programs, if the proposed gross rent is not reasonable, at the family's request, the HABC will negotiate with the owner to reduce the rent to a reasonable rent. If, in the voucher program, the rent is not affordable because the family share would be more than 40% of the family's monthly adjusted income, the HABC will negotiate with the owner to reduce the rent to an affordable rent for the family.

If the rent can be approved after negotiations with the owner, the HABC will continue processing the RFTA and lease. The owner must submit a new RFTA when the revised rent involves a change in the provision of utilities. If the owner does not agree on the rent to owner

after the HABC has tried and failed to negotiate a revised rent, the HABC will inform the family and owner that the lease is disapproved.

H. INFORMATION TO OWNERS [24 CFR 982.307(b), 982.54(d)(7)]

In accordance with HUD requirements, the HABC will furnish prospective owners with the family's current address as shown in the HABC records and, if known to the HABC, the name and address of the landlord at the family's current and prior address. The HABC will make an exception to this requirement if the family's whereabouts must be protected due to domestic abuse or witness protection.

The HABC will inform owners that it is the responsibility of the landlord to determine the suitability of prospective tenants. Owners will be encouraged to screen applicants for rent payment history, payment of utility bills, eviction history, respecting the rights of other residents, damage to units, drug-related criminal activity or other criminal activity that is a threat to the health, safety or property of others, and compliance with other essential conditions of tenancy. The HABC will also acknowledge that the family and adult members have been checked for criminal activity.

A statement of the HABC policy on release of information to prospective landlords will be included in the briefing packet that is provided to the family.

Where the HABC is an applicant's prior landlord, the HABC will provide information, based on documentation in the tenant folder that includes eviction history, any record of damage to rental units and other aspects of tenancy history. Only the Public Housing Manager or designee may provide this information. The HABC policy on providing information to owners is included in the briefing packet and will apply uniformly to all families and owners.

I. OWNER DISAPPROVAL [24 CFR 982.306]

See chapter on "Owner Disapproval and Restriction."

J. CHANGE IN TOTAL TENANT PAYMENT (TTP) PRIOR TO HAP EFFECTIVE DATE

When the family reports changes in factors that will affect the total family share prior to the effective date of the HAP contract at admission, the information will be verified and the total family share will be recalculated. If the family does not report any change, the HABC need not obtain new verifications before signing the HAP contract, even if verifications are more than 60 days old.

K. CONTRACT EXECUTION PROCESS [24 CFR 982.305(c)]

The HABC prepares the Housing Assistance Payment contract (HAP) and lease for execution. The family and the owner will execute the lease agreement, and the owner and the HABC will execute the HAP contract. Copies of the documents will be furnished to the parties who signed the respective documents. The HABC will retain a copy of all signed documents.

The HABC makes every effort to execute the HAP contract before the commencement of the lease term. The HAP contract may not be executed more than 60 days after commencement of the lease term and no payments will be made until the contract is executed.

The HABC requires the following information from the landlord to execute the HAP contract:

- An employer identification number or social security number
- A copy of their driver's license or other photo identification
- If ownership cannot be validated through third party verification, owners must submit proof of ownership of the property, such as a grant deed or tax bill.
- A copy of the management agreement if the property is managed by a management agent.
- A home telephone number and business number if applicable
- Proof of registration of the property with the Baltimore City Department of Housing and Community Development
- For properties constructed prior to 1950, proof of registration with the Maryland Department of the Environment, Lead Prevention Program.

Unless their lease was effective prior to June 17, 1998, a family may not lease properties owned by a parent, child, grandparent, grandchild, sister or brother of any family member. The HABC will waive this restriction as a reasonable accommodation for a family member who is a person with a disability.

The following HABC representative(s) is/are authorized to execute a contract on behalf of the HABC: Rental Unit Team Manager, Chief Program Administrator and the Associate Deputy Director.

L. ___ CHANGE IN OWNERSHIP

See "Owner Disapproval and Restriction" chapter.

Chapter 10

PET POLICY –PROJECTS FOR ELDERLY AND PERSONS WITH DISABILITIES [24 CFR Part 5, Subpart C, as amended]

INTRODUCTION

This Chapter incorporates HABC's policy on the keeping of pets and any criteria or standards pertaining to the policy for elderly/disabled projects. The rules adopted are reasonably related to the legitimate interest of HABC to provide a decent, safe and sanitary living environment for all tenants, to protecting and preserving the physical condition of the property, and the financial interest of the HABC.

The purpose of this policy is to establish the HABC's policy and procedures for ownership of pets in elderly and disabled units and to ensure that no applicant or resident is discriminated against regarding admission or continued occupancy because of ownership of pets. It also establishes reasonable rules governing the keeping of common household pets.

ANIMALS THAT ASSIST PERSONS WITH DISABILITIES

Pet rules will not be applied to animals that assist persons with disabilities. To be excluded from the pet policy, the resident/pet owner must certify:

- That there is a person with disabilities in the household;
- That the animal has been trained to assist with the specified disability.

PET OWNERSHIP RULES FOR PROJECTS FOR THE ELDERLY AND PERSONS WITH DISABILITIES

I. GENERAL.

A. Authority.

The "Pet Ownership Rules" contained herein were promulgated by Housing Authority of Baltimore City (HABC) in accordance with 24 C.F.R. Part 5, Subpart C pertaining to Pet Ownership in Public Housing for the Elderly and Handicapped. HABC has complied with the procedures for promulgating these Rules as stated in 24 C.F.R. 5.312 (Notice to residents) and 5.353 (Consultation with residents on pet rules).

B. Scope.

The Rules contained herein **govern the ownership or keeping of common household pets by residents of HABC buildings designated for occupancy by the elderly or handicapped.** These Rules do not apply to animals that are used to assist the handicapped (such as seeing-eye dogs), although such animals may be subject to other HABC policies as well as State and local laws concerning the ownership or keeping of animals.

C. Definitions.

1. "Common household pet" or "pet" means a domesticated animal, such as a dog, cat, bird, rabbit, hamster, fish, or turtle, that is traditionally kept in the home for pleasure and not for commercial purposes.

2. "Dwelling Unit" means any residence designated for occupancy by one family.

3. "Elderly Family" means a family whose head or spouse or whose sole member is at least sixty-two years of age, a Disabled Person (as defined in Section I.C.2) or a Handicapped Person (as defined in Section I.C.5). An Elderly Family may include two or more Elderly, Disabled or Handicapped persons living together, or one or more such persons living with another person who is determined to be essential to his or her care and well being.

4. "Owner" means any person who keeps, has custody of, possesses, harbors, regularly feeds, exercises control over or has a property right in any animal regulated by these Rules.

5. "Person With Disabilities" means: as defined in 42 U.S.C. §8013 a household composed of one or more persons at least one of whom is an adult who has a disability. A person shall be considered to have a disability if such person is determined, pursuant to regulations issued by the Secretary to have a physical, mental, or emotional impairment which (A) is expected to be of long-continued and indefinite duration, (B) substantially impedes his or her ability to live independently, and (C) is of such a nature that such ability could be improved by more suitable housing conditions. A person shall also be considered to have a disability if such person has a developmental disability as defined in section 15002 of 42 U.S.C.

- An "individual with handicaps", as defined in 24 CFR 8.3, for purposes of reasonable accommodation and program accessibility for persons with disabilities
- Does not exclude persons who have AIDS or conditions arising from AIDS
- Does not include a person whose disability is based solely on any drug or alcohol dependence (for low income housing eligibility purposes)

6. "Restraint" means a state of being secured by a leash or otherwise, or confined within the dwelling unit of its Owner.

7. "Wild Animal" means any such reptile (poisonous or otherwise), non-human primate such as a monkey, raccoon, skunk, opossum, fox, member of the cat family other than domesticated cat, or any other warm-blooded animal which is normally found in the wild state.

8. "Vicious or Dangerous Animal" means:

- a. Any animal that constitutes a physical threat to human beings or other animals.

- b. Any animal which, due to its disposition or natural tendency to cause injury or behave in a manner, could reasonably cause injury to human beings or other animals, whether or not such behavior is hostile.
- c. Any animal which has bitten or attacked a human being or animal.

II. OWNERSHIP.

A. Ownership Right.

Each resident of an HABC dwelling unit in a building designated for use by elderly or handicapped persons may own or keep a common household pet. Such ownership may be restricted by these Rules and any applicable state and local laws. HABC reserves the right, after providing reasonable advance notice to residents, designate certain floors, and/or buildings exclusively for residents who own pets.

B. Number.

Each resident of a project for the elderly and/or person with disabilities may own or keep one common household pet. In no event shall more than one common household pet be permitted in a dwelling unit at any time.

C. Size/Weight.

1. Fully-grown cats and dogs shall not exceed TWENTY-FIVE (25) pounds at any time during the lease term. HABC reserves the right to prohibit ownership of a pet that is likely to outgrow the size/weight limitation.

2. Size/weight of other common household pets shall not exceed FIVE (5) pounds.

D. Type.

1. The following full or mixed breeds of dogs shall not be kept by HABC residents: Afghan Hound, Great Dane, Collie, Retriever (Golden, Labrador), Pointer, Irish Setter, Dalmatian, Boxer, Doberman Pinscher, German Shepherd, Rottweiler, Giant Schnauzer, Siberian Husky and Pit Bull.

2. HABC reserves the right to prohibit resident ownership of other full or mixed breeds of dogs when necessary to protect the health or safety of HABC residents. HABC also reserves the right to prohibit resident ownership of any animal deemed to be vicious or dangerous.

E. Discrimination.

1. HABC shall not, as a condition of tenancy or otherwise, prohibit or prevent any resident of a development for the elderly or handicapped from owning a common household pet or keeping such a pet living in the resident's unit. However, if resident has been deemed physically or mentally incapable of caring for the pet, management reserves the right to deny same.

2. HABC shall not restrict or discriminate against any person in connection with admission to or continued occupancy of such housing by reason of the person's ownership of a common household pet or the presence of such pet in that person's dwelling unit.

F. Pets Temporarily on the Premises.

1. Pets **only** may be kept "temporarily" if such pets are to be kept in the resident's dwelling unit for **less than 14 consecutive days and nights within a twelve month period.**

2. Elderly or handicapped residents may participate in a visiting pet program sponsored by a humane society or other non-profit organization. Any such resident who desires to participate in such a program shall notify HABC Management in writing at least two weeks before the first visit. This notification shall identify the agency that provides the service and the frequency of the pet visitation. Pets which are a part of this program must be confined to the resident's home, and shall adhere to all provisions of this policy which governs a pet's conduct while on HABC property.

G. Resident's Absence. Resident's Absence.

No dog or cat shall be left alone in any Dwelling Unit over twenty-four (24) hours. Any Resident who is away twenty-four (24) hours or longer for any reason must make arrangements for such Pet to be kept elsewhere during his/her absence.

H. Responsibility for Pet in an Emergency.

The Pet owner shall file with the Management an affidavit of agreement signed by one (1) person who is not a Resident of the Dwelling Unit who will assume immediate responsibility for the Pet in case of an emergency or in case the Pet owner becomes unable to provide proper care for the Pet. In addition, the Owner shall file with Management an affidavit authorizing Management to have the Pet removed in the event that the Pet owner cannot care for the Pet and the responsible party cannot be reached. Management will contact the SPCA or an appropriate authority for removal of the Pet in such event

I. Fire Emergency.

When a fire alarm or smoke detector sounds, Pets are to be placed in the bathroom and the door is to be closed. If evacuation is necessary the fire department will be responsible for the evacuation of Residents first, and then the Pet.

III. REGISTRATION.

A. Registration.

1. Management Office. All pets that may be owned or kept pursuant to these Rules must be registered with the Management Office before being brought onto HABC premises.

2. Annual Review. HABC will review all pet registrations during the Annual Review.

3. Registration requirements. A pet will not be registered unless its Owner complies with the following requirements (where appropriate for type of pet).

a. Dogs, cats and other pets must be vaccinated as indicated in Section IV (A) (2) of these Rules. The Owner shall provide evidence that such vaccinations were administered in the form of certificate signed by a licensed veterinarian.

b. Dogs and cats shall be given a physical examination by a licensed veterinarian once a year. The animal must be certified as healthy or be under the veterinarian's care. Proof of the examination (a certificate signed by a licensed veterinarian) must be submitted to the Management Office before the animal is brought onto HABC premises and during each Annual Review.

c. The Owner shall provide the Management Office with the name, address and telephone number of a responsible person(s) who will care for the pet if the Owner is unable to care for the pet (the owner becomes disabled, hospitalized, or dies).

d. The Owner of any dog four months old or older shall provide the Management Office with a current dog license issued by the City of Baltimore.

IV. PET CARE/HYGIENE.

A. Veterinary Care.

1. Annual Examination. Each dog and cat shall receive an annual physical examination by a licensed veterinarian. Proof of such examination shall consist of a receipt indicating that the examination was conducted.

2. Vaccinations. The following vaccinations are mandatory: Dogs must be vaccinated for distemper, parvo-virus, hepatitis, leptospirosis and rabies. Cats must be vaccinated for distemper (feline 3-way vaccination) and rabies. Proof that these vaccinations were obtained shall consist of a certificate signed by a licensed veterinarian. The certificate shall indicate when the vaccine is no longer effective.

B. Pet Care.

1. Sanitary Conditions. Each Owner shall ensure that the pet is not subjected to unsanitary living conditions. Cat owners shall change the litter box at least twice each week, and more often if necessary to control odor or to ensure sanitary living conditions.

2. Food/Water. Owners shall ensure that the pet has sufficient food and water.

3. Hygiene. Each Owner shall regularly wash the pet as appropriate for the particular type and breed. Each dog should periodically receive de-worming treatment from a licensed veterinarian.

V. PET CONDUCT.

A. Restraint.

1. The Owner shall keep the pet restrained and under Owner's physical control at all times while on HABC premises. All pets must be secured by a leash or cage when they are not in the Owner's dwelling unit. (The leash must be 4 feet or under.)

2. All pets are prohibited from such common areas as lobbies, laundry rooms, elevators, stairwells, hallways, social rooms, parking lots, lawns, shared hallways unless entering or leaving the building.

B. Exercise Areas.

Owners shall use only those areas designated by HABC for pet exercise.

C. Pet Waste.

Owners shall use only those areas designated by HABC for the deposit of pet waste. The Owner will be charged \$5.00 for each incident in which HABC staff must remove pet waste.

D. Noise/Odor.

Any pet noise or odor must be controlled by the Owner so that other HABC residents are not offended. Failure to control the noise or odor of a pet could result in termination of the Owner's right to keep the pet on HABC property.

VI. LIABILITY/SECURITY DEPOSIT.

A. Liability.

1. HABC Property. The Owner is liable for any and all damages caused to HABC property by the pet. The Owner remains liable for such damages even if the amount of damages exceeds the pet security deposit required under Section VI (B) of these Rules.

2. Property or Person of Others. The Owner is liable for any and all harm caused to the person or property of other HABC residents, visitors or other persons who are lawfully on HABC property.

3. Insurance. Although it is not required by these Rules, HABC encourages each pet owner to purchase an appropriate amount of insurance to protect against potential harm a pet could cause to the property or person of other.

B. Pet Security Deposit.

1. A refundable Pet security deposit of twenty-five dollars (\$25.00) shall be required for each Pet. The Pet security deposit can be paid over a three (3) month consecutive period, and will be held in the manner required for applicable security deposits under Maryland law. **THE PET SECURITY DEPOSIT WILL BE RETURNED WITHIN 45 DAYS OF MOVE-OUT OR IF A PET IS REMOVED BEFORE RESIDENT MOVES FROM THE DWELLING UNIT, WITHIN 45 DAYS OF PET REMOVAL.**

2. Upon move-out or Pet removal the cost to de-flea, deodorize, and clean the carpet and/or floor tile will be deducted from the Pet security deposit if deemed necessary by Management. The Dwelling Unit will be inspected and the remainder of the Pet security deposit will be refunded, if the Dwelling Unit is free of damage. The move-out inspection will be performed by the Resident and Management.

3. The Pet security deposit may only be applied to damages caused by the Pet.

VII. VIOLATIONS.

A. Violations.

1. Owners must keep their pets at all times in conformance with provisions of the dwelling lease and these Pet Ownership Rules. Nothing in these Rules shall prohibit HABC, or any other appropriate representative of state or local government, from requiring the removal of any pet if the pet's conduct or condition is determined to constitute, under provisions of these Rules, state or local law, a nuisance or a threat to the health or safety of other occupants of the building or other persons in the community where the building is located.

2. In particularly deplorable circumstances, violation of the Pet Ownership Rules could result in termination of the tenancy or permanent revocation of the resident's right to own or keep a pet.

B. Pet Violation Notice.

HABC staff will attempt to resolve an alleged problem prior to the issuance of a 60-Day Notice for a lease violation in the following manner:

1. An Owner shall be issued a Written Pet Violation Notice for a violation of these "Pet Ownership Rules".

2. The Owner may request a meeting with HABC management within 15 calendar days of receiving the Pet Violation Notice. The deadline shall be stated on the notice.

3. If it is determined, as a result of the meeting, that corrective action is warranted, a deadline by which the problem must be corrected will be issued.

4. If the problem is not corrected by the deadline, HABC management shall issue a written order to remove the pet within 10 calendar days of the Owner's receipt of the removal order.

5. If the Owner fails to comply with the removal order, HABC management shall issue a 60-Day Notice to Vacate. The Owner may then file an official grievance in accordance with HABC Lease and Grievance Procedures. If HABC management determines that the circumstances warrant immediate action due to a threat in maintaining the housing development in a decent, safe, and sanitary condition; then, HABC management reserves the right to enter the premises and remove the pet.

HOUSING AUTHORITY OF BALTIMORE CITY

PET REGISTRATION FORM

1. **OWNER: Name**
Address _____
Telephone _____

2. **PET:**
Name _____
Breed/Type Age _____
Weight _____
Color _____

3. **VACCINATION** (*Dog and Cats only*):
Type _____

(Provide certificate indicating date vaccinations given and when next vaccination due.)
Date _____

4. **DATE OF MOST RECENT PHYSICAL EXAMINATION** (*Dogs and Cats only*):

(Provide proof (Receipt) that indicated physical examination was conducted.)

5. **VETERINARIAN** (*Provide name, address and telephone number of veterinarian who provides regular care.*):

6. **BALTIMORE CITY LICENSE NUMBER:**
DATE LICENSE (*Dogs only*): _____
(Provide actual license for inspection by HABC Management.)

7. **RESPONSIBLE PERSON** (*provide name, address and telephone number of person who will care for pet in the event that the Owner is unable to do so.*):

I, the undersigned pet Owner, state that the information supplied on this Pet Registration Form is true and complete, and acknowledge that I have read and am able to comply with the current Pet Ownership Rules.

DATE: _____ **Signature of Pet Owner** _____

Chapter 11

OWNER RENTS, RENT REASONABLENESS, AND PAYMENT STANDARDS

[24 CFR 982.502, 982.503, 982.504, 982.505, 982.507]]

INTRODUCTION

The policies in this chapter reflect the amendments to the HUD regulations, which were implemented by the Quality Housing and Work Responsibility Act of 1998 for the Section 8 Tenant-Based Assistance Program. These amendments became effective on October 1, 1999, which is referred to as the "merger date". These amendments complete the merging of the Section 8 Certificate and Voucher Programs into one program, called the Housing Choice Voucher Program.

In accordance with the regulations, effective 10/1/99, for Section 8 participant families where there is a HAP contract in effect entered into prior to October 1, 1999, the HABC will:

- Continue to uphold the rent calculation methods of the pre-merger certificate (regular) tenancies until the 2nd regular reexamination of family income and composition following the "merger date."
- Utilize the Housing Choice Voucher rent calculation methods described at 24 CFR 982.502 and 982.505 for pre-merger voucher [and OFTO] tenancies.

However, all new leases, moves and new admissions taking effect on or after October 1, 1999 will be subject to the regulations of the new Housing Choice Voucher Program.

The HABC will determine rent reasonableness in accordance with 24 CFR 982.507(a). It is the HABC responsibility to ensure that the rents charged by owners are reasonable, based upon unassisted comparable units in the rental market, using the criteria specified in 24 CFR 982.507(b).

This chapter explains the HABC procedures for determination of rent-reasonableness, payments to owners, adjustments to the payment standards, and rent adjustments.

A. _____ RENT TO OWNER IN THE HOUSING CHOICE VOUCHER PROGRAM

The rent to owner is limited by the rent reasonableness determination. The HABC must demonstrate that the rent to owner is reasonable in comparison to rent for other comparable unassisted units.

The only other limitation on rent to owner is the maximum rent standard (i.e., payment standard) at initial occupancy (24 CFR 982.508). At the time a family initially receives tenant-based assistance for occupancy of a dwelling unit, whether it is a new admission or a move to a different unit, if the gross rent for the unit exceeds the applicable payment standard for the family, the family share may not exceed 40 percent of the family's monthly adjusted income.

During the initial term of the lease, the owner rent may not be adjusted.

B. _____ MAKING PAYMENTS TO OWNERS [24 CFR 982.451]

Once the HAP contract is executed, the HABC begins processing payments to the landlord. A HAP Register will be used as a basis for HAP payments and for monitoring the accuracy and timeliness of the payments. The Section 8 Department will submit an approved Payment Register to the Comptrollers office for check distribution each month. Checks are disbursed bimonthly, with the primary check run for the 1st of the month distribution. Owners may schedule to pick up their checks with the Section 8 Department. On occasion the Section 8 Department may require owners to pick up HAP checks as part of a “paymaster” verification function. If initiated the Section 8 Department will notify the landlord in writing 7 calendar days prior to the paymaster distribution. The primary HAP check run is on the 1st of the month. A second run on the 15th is typically run. Checks that are not received will not be replaced until a written request (e.g., mail, e-mail or fax) has been received from the payee and a stop payment has been put on the check.

Excess Payments

The total of rent paid by the tenant plus the HABC housing assistance payment to the owner may not be more than the rent to owner. The owner must immediately return any excess payment to the HABC. Owners who do not return excess payments will be subject to penalties as outlined in the "Owner or Family Debts to the HABC" chapter of this Administrative Plan.

Late Payments to Owners

One of the advantages to the owner to participate in the Section 8 program is the timeliness of the subsidy payment from the HABC. Therefore, in keeping with generally accepted practices in the local housing market, the HABC must make housing assistance payments to the owner promptly and in accordance with the HAP contract. If payments are not issued timely (i.e., by the 5 business day of the month, the HACB will make late fee payment to owner/landlord, in an amount of \$5 per day late, after the initial grace period has elapsed (i.e., payment issued on the 6th of the month will include a (\$30 late fee).

To assist the HABC in its outreach efforts to owners, and to provide better customer service, the HABC will offer to make automatic monthly HAP deposits into the bank account of owners who have 4 or more properties under HAP contract. If the owner agrees to such an arrangement with the HABC, the date the bank shows as the deposit date, will be the official date of record and will be the determining factor in cases involving late payment penalties. The Comptrollers Office will make a determination of properties under contract for the purpose of direct deposit each July 1.

The HABC will not be obligated to pay any late payment penalty if HUD determines that late payment is due to factors beyond the control of the HABC, such as a delay in the receipt of program funds from HUD. The HABC will not use any program funds for the payment of late fee penalties to the owner. The HABC will use administrative fee income or the administrative fee reserve as its only source for late payment penalty.

C. _____ RENT REASONABLENESS DETERMINATIONS [24 CFR 982.507]

The HABC will determine and document on a case-by-case basis that the approved rent is reasonable in comparison to rent for other comparable unassisted units in the market. This applies to all funding categories. The HABC will not approve a lease until the HABC determines that the initial rent to owner is a reasonable rent.

The HABC will re-determine the reasonable rent:

- Before any increase in the rent to owner
- If there is a five percent decrease in the published FMR in effect 60 days before the contract anniversary (for the unit size rented by the family) as compared with the FMR in effect one year before the contract anniversary
- If directed by HUD
- Based on a need identified by the HABC auditing system.

The HABC may elect to re-determine rent reasonableness at any other time. At all times during the assisted tenancy, the rent to owner may not exceed the reasonable rent as most recently determined or re-determined by the HABC. The owner will be advised that by accepting each monthly housing assistance payment s/he will be certifying that the rent to owner is not more than rent charged by the owner for comparable unassisted units in the premises.

The market areas for rent reasonableness are census tracts and/or neighborhoods within the HABC jurisdiction. Subject units within a defined housing market area will be compared to similar units within the same area. The data for other unassisted units will be gathered from newspapers, professional associations, owner inquiries, market surveys, and other available sources. If requested, the owner must give the HABC information on rents charged by the owner for other units in the premises or elsewhere.

Documentation for rent reasonableness determination will include location, size (number of Bedrooms/square footage), quality, amenities (bathrooms, dishwasher, air conditioning, etc.), housing services, age of unit, unit type, maintenance and utilities.

Rent Reasonableness Methodology

The HABC utilizes a rent reasonableness system that corresponds and defines the factors listed above. The system has a total point count that is divided into rating categories. Information is gathered on rental units in the HABC market area, and each unit is rated, using the HABC rent reasonableness system. Using an automated method, the average rents are identified for units of like size and type within the same market area. Each defined factor of the items listed above on the unit to be assisted will be compared, using a point adjustment system, to those factors of comparable unassisted units in the database. The average will be adjusted up or down based on the dollar value of all HUD required comparable items in comparison with the total database.

D. _____ PAYMENT STANDARDS FOR THE VOUCHER PROGRAM [24 CFR 982.503]

The Payment Standard is used to calculate the housing assistance payment for a family. In accordance with HUD regulation, and at the discretion of the HABC, the Voucher Payment Standard amount is set by the HABC between 90 percent and 110 percent of the HUD published FMR. This is considered the basic range. The HABC reviews the appropriateness of the Payment Standard annually when the FMR is published. In determining whether a change is needed, the HABC will ensure that the Payment Standard is always within the range of 90 percent to 110 percent of the new FMR, unless there is an exception payment standard for the area that has been approved by HUD.

The HABC may establish multiple voucher payment standards within its jurisdiction. For each area, the HABC will establish payment standard amounts for each "unit size". This practice will both ensure that the Section 8 program will not artificially inflate market rents within its jurisdiction and provide opportunity to expand housing outside areas of minority or poverty concentration. Payment standards assigned must be within the 90-110% of FMR range. The HABC may approve a higher payment standard within the basic range, if required as a reasonable accommodation for a family that includes a person with disabilities.

E. ADJUSTMENTS TO PAYMENT STANDARDS [24 CFR 982.503]

Payment Standards may be adjusted, within HUD regulatory limitations, to increase Housing Assistance Payments in order to keep families' rents affordable. The HABC will not raise Payment Standards solely to make "high end" units available to Voucher holders.

Adjustment Methodology

The HABC will establish a separate voucher payment standard, within the basic range, for designated parts its jurisdiction. These standards will be established if the HABC determines that a higher payment standard is needed in these areas in order to provide families with quality housing choices and to give families an opportunity to move outside areas of high poverty and low income. If it is determined that particular areas or unit sizes in the HABC jurisdiction have payment standard amounts that are creating rent burdens for unsubsidized families, the HABC will modify its payment standards for those particular locations and unit sizes.

The HABC will utilize a rent burden measurement to objectively make its determination of whether an adjustment should be made to the Payment Standard. The HABC will review its voucher payment standard amounts at least annually to determine the relative range of total tenant payments and if:

- More than 40 percent of families in a particular area, unit size or housing type are paying more than 30% of their annual adjusted income for rent, the payment standard will be adjusted up.
- At least 20 percent of the families are not paying more than 40 percent of their adjusted annual income in a particular area, unit size or housing type the payment standard will be adjusted downwardly. Other factors to be determined when performing the annual assessment and setting the payment standard include:
- Quality of Units Selected. The HABC will review the quality of units selected by

participant families when making the determination of the percent of income families are paying for housing, to ensure that Payment Standard increases are only made when needed to reach the mid-range of the market.

- **Subsidy Standard Impact.** The HABC will review the average percent of income of families on the program. If more than (25%) of families are paying more than 30% of monthly adjusted income, the HABC will determine:
 - whether there are specific differences related to voucher size
 - whether families are renting units larger than their voucher size,
 - and whether families are renting units which exceed HUD's HQS and any additional standards added by the HABC in the Administrative Plan.

If families are paying more than 30% of their income for rent due to the selection of larger bedroom size units, the HABC may decline to increase the payment standard. These units will be eliminated in the determination of payment standard adjustment.

Raising and Lowering of the Payment Standard

Before increasing the Payment Standard, the HABC may review the budget to determine the impact projected subsidy increases would have on funding available for the program and number of families served. For this purpose, the HABC will compare the number of families who could be served under a higher Payment Standard with the number assisted under current Payment Standards.

Lowering of the FMR may require an adjustment of the Payment Standard. Additionally, statistical analysis may reveal that the Payment Standard should be lowered. In any case, the Payment Standard will not be set below 90 percent of the FMR without authorization from HUD.

File Documentation

A file will be retained by the HABC for at least three years to document the analysis and findings to justify whether or not the Payment Standard was changed.

F. EXCEPTION PAYMENT STANDARDS

To prevent financial hardship for families, and increase housing choice opportunities, the HABC may request approval from the Assistant Secretary of Public and Indian Housing to establish an exception payment standard of 120% of the FMR for designated areas within its jurisdiction. If the dwelling unit is located in a approved exception area, the HABC will use the appropriate payment standard amount established by the HABC for the exception area in accordance with regulation at 24 CFR 982.503(c). Currently, the HABC has not applied to receive HUD approval to establish a payment standard amount that is higher or lower than the basic range. Should the HABC request an exception payment standard, areas, types and sizes will be delineated.

G. OWNER PAYMENT IN THE PREMERGER REGULAR CERTIFICATE PROGRAM [24 CFR 982.502(d), 982.519, 982.520]

The HUD regulations relating to owner rent adjustments applicable to the regular tenancy (certificate) program will be used until the HAP contract is no longer effective which will be no later than the second regular reexamination of the family after the merger date.

The HABC will not notify owners of their right to request a rent adjustment.

Owners must request the rent increase in writing. Any increase will be effective the later of (1) the anniversary date of the contract, or (2) at least 60 days after the owner's request is received.

The approval or disapproval decision regarding the adjustment will be based on HUD-required calculations and a rent reasonableness determination. The adjustment may be an increase or a decrease.

The notice of rent change does not affect the automatic renewal of the lease and does not require a new lease or contract or even an executed amendment.

For information regarding terminations of Pre-merger Regular Certificate HAP contracts, see the "Contract Terminations" chapter.

To receive an increase resulting from the annual adjustment for an annual anniversary date, the owner must request the increase at least sixty days before the next annual anniversary date.

The rent to owner for a unit will not be increased at the annual anniversary date unless, during the year before the anniversary date, the owner has complied with all requirements of the HAP contract, including compliance with HQS.

H. OWNER PAYMENT IN THE HOUSING CHOICE VOUCHER PROGRAM **[(24CFR 982.308(g))]**

The owner is required to notify the HABC, in writing, at least sixty days before any change in the amount of rent to owner is scheduled to go into effect. Any requested change in rent to owner will be subject to rent reasonableness requirements. See 24 CFR 982.503.

Chapter 12

REEXAMINATIONS

[24 CFR 982.516] INTRODUCTION

In accordance with HUD requirements, the HABC will reexamine the income and household composition of all families at least annually. Families will be provided accurate annual and interim rent adjustments. Reexaminations and interim examinations will be processed in a manner that ensures families are given reasonable notice of rent increases. All annual activities will be coordinated in accordance with HUD regulations. It is a HUD requirement that families report all changes in household composition. This Chapter defines the HABC policy for conducting annual reexaminations and coordinating annual activities. It also explains the interim reporting requirements for families, and the standards for timely reporting.

A. ANNUAL ACTIVITIES [24 CFR 982.516, 982.405]

There are three activities that the HABC must conduct on an annual basis.

- Reexamination of income and family composition
- HQS inspection
- Rent to owner adjustment in accordance with HUD requirements.

The HABC produces a monthly listing of units under contract to ensure that timely reviews of rent to owner, housing quality, and factors related to total tenant payment/family share can be made. Requests for rent adjustments and other monetary changes will be transmitted to the Finance Department.

Reexamination of the family's income and composition must be conducted at least annually.

Annual inspections: See "Housing Quality Standards and Inspections" chapter.

Rent adjustments: See "Owner Rents, Rent Reasonableness and Payment Standards" chapter.

B. — ANNUAL REEXAMINATION [24 CFR 982.516]

The HABC is responsible for reexamination and verification of family income. The HABC must conduct a reexamination of family income and composition at least annually.

Moves Between Reexaminations

When families move to another dwelling unit the anniversary date for the reexamination will not be changed.

Income limits are not used as a test for continued eligibility at reexamination.

Reexamination Notice to the Family

The HABC will maintain a reexamination tracking system and the household will be notified by mail of the deadline for return of required reexamination forms and documentation at least 120 days in advance of the anniversary date. If requested as an accommodation by a person with a disability, the HABC will provide the notice in an accessible format. The HABC will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities. These accommodations will be granted upon verification that they meet the need presented by the disability.

The HABC will require families to return completed forms and related documentation within 15 calendar days of the mailing.

Completion of Annual Reexamination

The HABC will have all reexaminations for families completed before the anniversary date. This includes notifying the family of any changes in rent at least 60 days before the scheduled date of the change in family rent.

Collection of Information [24 CFR 982.516(f)]

The HABC has established appropriate reexamination procedures necessary to ensure that the income data provided by families is complete and accurate.

The HABC will allow the family to complete the Personal Declaration Form and all reexamination forms. The family will be required to submit the completed forms to the HABC via mail or in person, as prescribed below.

Failure to Respond to Notification of Reexamination

If the family does not return the completed reexamination documentation within 15 calendar days as required above, and has not made prior arrangements with the HABC, the HABC will conduct a follow-up mailing.

If the family fails to submit the required forms and documentation within 7 calendar days of the for the 2nd mailing, the HABC will send the family a notice of termination and offer them an informal hearing.

Documents Required From the Family

In the notification letter to the family, the HABC will include instructions for the family to submit the following:

- Personal Declaration Form completed by head of household and signed by all adults
- Documentation of any deductions/allowances
- Privacy Act Notice (HUD Form 9886)
- Citizenship Form
- HABC Authorization for Verification (Wage) Form
- HABC Authorization for Verification (Child Care) Form

Verification of Information

The HABC will follow the verification procedures and guidelines described in this Plan. Verification information for reexaminations must be less than 120 days old, as of the scheduled effective date of the reexamination.

Tenant Rent Increases

If the tenant rent increases, a “sixty day“ notice is mailed to the family prior to the scheduled effective date of the annual reexamination.

If less than sixty days are remaining before the scheduled effective date of the annual reexamination, the tenant rent increase will be effective on the first of the month following the “sixty day” notice.

If there has been a misrepresentation or a material omission by the family, or if the family causes a delay in the reexamination processing, there will be a retroactive increase in rent to the scheduled effective date of the annual reexamination.

Tenant Rent Decreases

If the tenant rent decreases, it will be effective on the anniversary date.

If the family causes a delay so that the processing of the reexamination is not completed by the anniversary date, the rent change will be effective on the first day of the month following completion of the reexamination processing by the HABC.

C. — REPORTING INTERIM CHANGES [24 CFR 982.516]

Program participants must report all changes in household composition to the HABC between annual reexaminations. This includes additions due to birth, adoption and court-awarded custody. The family must obtain HABC approval prior to all other additions to the household.

If any new family member is added, family income must include any income of the new family member. The HABC will conduct a reexamination to determine such additional income and will make the appropriate adjustments in the housing assistance payment and family unit size.

The U.S. citizenship/eligible immigrant status of additional family members must be declared and verified as required at the first interim or regular reexamination after moving into the unit.

Increases in Income

The HABC will not conduct interim reexaminations when families have an increase in income.

Families will be required to report all increases in income/assets within 30 days of the increase.

Decreases in Income

Participants may report a decrease in income and other changes that would reduce the amount of tenant rent, such as an increase in allowances or deductions. The HABC must calculate the change if a decrease in income is reported.

HABC Errors

If the HABC makes a calculation error at admission to the program or at an annual reexamination, an interim reexamination will be conducted, if necessary, to correct the error, but the family will not be charged retroactively. Families will be given decreases, when applicable, retroactive to when the decrease for the change would have been effective if calculated correctly.

D. — OTHER INTERIM REPORTING ISSUES

An interim reexamination does not affect the date of the annual reexamination.

An interim reexamination will be scheduled for families with zero income every 120 days.

The HABC may conduct the interim reexamination by mail.

Any changes reported by participants other than those listed in this section will be noted in the file by the staff person but will not be processed between regularly scheduled annual reexaminations.

E. — INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS [24 CFR 5.615]

The QHWRA establishes new requirements for the treatment of income changes resulting from welfare program requirements.

The HABC will not reduce the family share of rent for families whose welfare assistance is reduced due to a "specified welfare benefit reduction", which is a reduction in benefits by the welfare agency specifically because of:

- Fraud in connection with the welfare program; or
- Failure to comply with a welfare agency requirement to participate in an economic self-sufficiency program.

However, the HABC will reduce the rent if the welfare assistance reduction is a result of:

- The expiration of a lifetime time limit on receiving benefits; or
- the expiration of a lifetime time limit on receiving benefits; or a situation where the family complied with welfare program requirements but cannot or has not obtained employment; or
- a situation where a family member has not complied with other welfare agency requirements.

Definition of Covered Family

A household that receives benefits for welfare or public assistance from a State or public agency program which requires, as a condition of eligibility to receive assistance, the participation of a family member in an economic self-sufficiency program.

Definition of "Imputed Welfare Income"

Imputed Welfare Income is the amount of annual income not actually received by a family as a result of a specified welfare benefit reduction that is included in the family's income for purposes of determining rent.

The amount of imputed welfare income is determined by the HABC, based on written information supplied to the HABC by the welfare agency, including:

- The amount of the benefit reduction
 - The term of the benefit reduction
 - The reason for the reduction
 - Subsequent changes in the term or amount of the benefit reduction
- The family's

annual income will include the imputed welfare income, as determined at the

family's annual or interim reexamination, during the term of the welfare benefits reduction (as specified by the welfare agency).

The amount of imputed welfare income will be offset by the amount of additional income the family receives that commences after the sanction was imposed. When additional income from other sources is at least equal to the imputed welfare income, the imputed welfare income will be reduced to zero.

If the family was not an assisted resident when the welfare sanction began, imputed welfare income will not be included in annual income.

If the family claims the amount of imputed welfare income has been calculated incorrectly, the Advisor will review the calculation for accuracy. If the imputed welfare income amount is correct, the HABC will provide a written notice to the family that includes:

- A brief explanation of how the amount of imputed welfare income was determined;
- A statement that the family may request an informal hearing if they do not agree with the HABC determination.

Family Dispute of Amount of Imputed Welfare Income

If the family disputes the amount of imputed income and the HABC denies the family's request to modify the amount, the HABC will provide the tenant with a notice of denial, which will include:

- An explanation for the HABC determination of the amount of imputed welfare income
- A statement that the tenant may request an informal hearing.
- A statement that the grievance information received from the welfare agency cannot be disputed at the informal hearing, and the issue to be examined at the informal hearing will be the HABC determination of the amount of imputed welfare income, not the welfare agency's determination to sanction the welfare benefits.

Verification Before Denying a Request to Reduce Rent

The HABC will obtain written verification from the welfare agency stating that the family's benefits have been reduced due to fraud or noncompliance with welfare agency economic self-sufficiency or work activities requirements *before* denying the family's request for rent reduction.

The HABC will rely on the welfare agency's written notice to the HABC regarding welfare sanctions.

Cooperation Agreements [24 CFR 5.613]

The final Admissions and Occupancy rule, published in the Federal Register on 3/29/00, requires the HABC to make best efforts to enter into cooperation agreements with welfare agencies.

The HABC will execute a Memorandum of Understanding with the local welfare agency under which the welfare agency agrees to provide written verification to the HABC concerning welfare benefits for applicant and participant families. The welfare agency will provide information regarding a specified reduction in welfare benefits for a family member, listing the following:

- Amount of reduction
- Reason for the reduction
- Term of the reduction
- Subsequent re-determination of benefit income.

The HABC will execute a Memorandum of Understanding with the local welfare agency to ensure timely and accurate verification of noncompliance.

F. NOTIFICATION OF RESULTS OF REEXAMINATIONS [HUD Notice PIH 98-6]

The HUD Form 50058 will be completed and transmitted as required by HUD.

The Notice of Rent Change is mailed to the owner and the tenant. Signatures are not required by the HABC. If the family disagrees with the rent adjustment, they may request an informal hearing.

G. TIMELY REPORTING OF CHANGES IN INCOME (AND ASSETS) [24 CFR 982.516(c)]

Standard for Timely Reporting of Changes

The HABC requires that families report interim changes to the HABC within 30 days of when the change occurs. Any information, document or signature needed from the family that is needed to verify the change must be provided within 45 days of the change.

If the change is not reported within the required time period, or if the family fails to provide documentation or signatures, it will be considered untimely reporting.

Procedures when the Change is Reported in a Timely Manner

The HABC will notify the family and the owner of any change in the Housing Assistance Payment to be effective according to the following guidelines:

- Increases in the Tenant Rent are effective on the date of the next scheduled annual income reexamination following at least sixty days' notice.

- Decreases in the Tenant Rent are effective the first of the month following that in which the change is reported. However, no rent reductions will be processed until all the facts have been verified, even if a retroactive adjustment results.

The change may be implemented based on documentation provided by the family, pending third-party written verification.

Procedures when the Change is Not Reported by the Family in a Timely Manner

If the family does not report the change as described under Timely Reporting, the family will have caused an unreasonable delay in the interim reexamination processing and the following guidelines will apply:

- Increase in Tenant Rent will be effective retroactive to the date it would have been effective had it been reported on a timely basis. The family will be liable for any overpaid housing assistance and may be required to sign a Repayment Agreement.
- Decrease in Tenant Rent will be effective on the first of the month following the month that the change was reported.

Procedures when the Change is Not Processed by the HABC in a Timely Manner

"Processed in a timely manner" means that the change goes into effect on the date it should when the family reports the change in a timely manner. If the change cannot be made effective on that date by the HABC, then the change has not been processed in a timely manner.

In this case, an increase will be effective after the required thirty days' notice prior to the first of the month after completion of processing by the HABC.

If the change resulted in a decrease, the overpayment by the family will be calculated retroactively to the date it should have been effective, and the family will be credited for the amount.

H. _____ CHANGES IN VOUCHER SIZE AS A RESULT OF FAMILY COMPOSITION CHANGES [24 CFR 982.516(c)]

(See "Subsidy Standards" chapter.)

I. _____ CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES [24 CFR 5.518]

Under the Non-citizens Rule, "mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members.

The Non-citizens Rule was implemented prior to November 29, 1996, and "mixed" families who were participants as of June 19, 1995, shall continue receiving full assistance if they meet all of the following criteria:

The head of household or spouse is a U.S. citizen or has eligible immigrant status; AND

All members of the family other than the head, the spouse, parents of the head or the spouse, and children of the head or spouse are citizens or eligible immigrants. The family may change the head of household to qualify under this provision.

J. MISREPRESENTATION OF FAMILY CIRCUMSTANCES

If any participant deliberately misrepresents the information on which eligibility or tenant rent is established, the HABC may terminate assistance and may refer the family file/record to the proper authorities for appropriate disposition. (See Program Integrity Addendum.)

Chapter 13

MOVES WITH CONTINUED ASSISTANCE/PORTABILITY

[24 CFR 982.314, 982.353, 982.355(a)]

INTRODUCTION

HUD regulations permit families to move with continued assistance to another unit within the HABC jurisdiction, or to a unit outside of the HABC jurisdiction under portability procedures. The regulations also allow the HABC the discretion to develop policies that define any limitations or restrictions on moves. This chapter defines the procedures for moves, both within and outside of, the HABC jurisdiction, and the policies for restriction and limitations on moves.

A. — ALLOWABLE MOVES

A family may move to a new unit with continued assistance if:

- The assisted lease for the old unit has terminated because the HABC has terminated the HAP contract for owner breach, or the lease was terminated by mutual agreement of the owner and the family.
- Subject to the provisions of Chapter 15, Section C., of this plan, the owner has given the family a notice to vacate, or has commenced an action to evict the tenant. Additionally, if the owner has obtained a court judgment or other process allowing the owner to evict the family (unless assistance to the family will be terminated).
- The family has given proper notice of lease termination (and if the family has a right to terminate the lease on notice to owner).

B. — RESTRICTIONS ON MOVES [24 CFR 982.314, 982.552(a)]

The following are restrictions to moves:

- Families will not be permitted to move within the HABC jurisdiction during the initial year of assisted occupancy.
- Families will not be permitted to move outside the HABC jurisdiction under portability procedures during the initial year of assisted occupancy.
- Families will not be permitted to move more than once in a 12-month period.
- The HABC will deny permission to move if there is insufficient funding for continued assistance.

The HABC will deny permission to move if:

- The family has violated a family obligation.

- The family owes the HABC money.
- The family has moved within the previous 12 months.

The Director of Section 8 may make exceptions to these restrictions if there is an emergency reason for the move over which the participant has no control.

C. _____ PROCEDURE FOR MOVES [24 CFR 982.314]

Issuance of Voucher

Subject to the restrictions on moves the HABC will issue the voucher to move. If the family does not locate a new unit, they may remain in the current unit so long as the owner permits. The annual re-certification date will be changed to coincide with the new lease-up date.

Notice Requirements

Briefing sessions emphasize the family's responsibility to give the owner and the HABC proper written notice of any intent to move.

The family must give the owner the required number of days written notice of intent to vacate specified in the lease and must give a copy to the HABC simultaneously.

For units under a Certificate HAP contract effective before October 2, 1995, if the family vacates the unit without proper notice in writing to the owner, the family will be responsible for any vacancy loss paid by the HABC.

Time of Contract Change

In a move, assistance stops at the old unit at the end of the month in which the tenant ceased to occupy, unless proper notice was given to end a lease mid-month. Assistance will start on the new unit on the effective date of the lease and contract. Assistance payments may overlap for the month in which the family moves. A move within the same building or project, or between buildings owned by the same owner, will be processed like any other move except that there will be no overlapping assistance.

D. _____ PORTABILITY [24 CFR 982.353]

Portability applies to families moving out of or into the HABC jurisdiction within the United

States and its territories. The following table summarizes portability responsibilities.

Procedure	Responsibility	Tools/Documents
Determine family income eligibility in the area where the family intends to lease.	Initial Authority	HA jurisdictional map. Jurisdiction income limit.
Advise family how to contact and request assistance from receiving Authority.	Initial Authority	Written Procedures.
Notify the receiving Authority to expect the portable family within 5 days.	Initial Authority	HA Portability Notification and Issue Log.
Contact receiving Authority and follow procedures for incoming portable families.	Portable Family	Attend Debriefing at receiving Authority.
Provide latest 50058 (Family Report) and verification information.	Initial Authority	HA Information Transmission and Receipt Log.
Re-certify family for income eligibility if family is transferring between programs or family was not already participating in initial HA Voucher program.	Receiving Authority	Re-certification Procedures.
Promptly issue the voucher and approval of unit.	Receiving Authority	HA Portability Notification and Issue Log.
Promptly inform the initial Authority whether it will administer or absorb the family.	Receiving Authority	Notification of Voucher Administration or Absorption at time of family request.
Issue a voucher in accordance with 982.353(d) and with term greater than or equal to initial voucher.	Receiving Authority	Portability Certificate/voucher Issuance Log.
Determine the Family Unit Size in accordance with subsidy standard of receiving Authority.	Receiving Authority	Subsidy Standard Assignment.
Submit a Request for lease approval within the voucher term.	Portable Family	RFTA form.
Notification of the initial Authority of the outcome status of the portable family.	Receiving Authority	Outcome Log and notification letter.
Provide tenant based assistance and perform all program functions (e.g., HQS, re-certification,).	Receiving Authority	Follow HA responsibilities for program administration.
Deny or terminate assistance if appropriate in accordance with 982.552.	Either Authority	Prompt notification of termination and Log entry.

E. OUTGOING PORTABILITY [24 CFR 982.353, 982.355]

Within the limitations of the regulations and this policy, a participant family has the right to receive tenant-based voucher assistance to lease a unit outside the HABC jurisdiction, anywhere in the United States, in the jurisdiction of a PHA with a tenant-based program. When a family requests to move outside of the HABC jurisdiction, the request must specify the area to which the family wants to move. If there is more than one PHA in the area in which the family has selected a unit, the HABC will choose the receiving PHA.

Restrictions on Portability

Applicants

If neither the head nor spouse had a domicile (legal residence) in the HABC jurisdiction at the date of their initial application for assistance, the family will not be permitted to exercise portability upon initial issuance of a voucher, unless the receiving PHA absorbs such move.

For a portable family that was not already receiving assistance in the HABC tenant based program, the HABC must determine whether the family is eligible for admission under the receiving PHA program.

Participants

After an applicant has leased-up in the jurisdiction of the initial housing agency, they cannot exercise portability during the first year of assisted occupancy, except if the receiving and initial PHA agrees to absorb the move.

The HABC will not permit families to exercise portability if the family:

- Is in violation of a family lease obligation.
- Owes money to the HABC.
- Has moved out of its assisted unit in violation of the lease. **F.**

INCOMING PORTABILITY [24 CFR 982.354, 982.355]

Absorption or Administration

The HABC will accept a family with a valid voucher from another jurisdiction and administer or absorb the voucher. If administering, the family will be issued a "portable" voucher by the initial PHA. The term of the voucher will not expire before the expiration date of any initial PHA voucher. The family must submit a request for approval of tenancy for an eligible unit to the HABC during the term of the initial PHA voucher. The HABC may grant extensions in accordance with this Administrative Plan. However, if the family decides not to lease-up in the HABC jurisdiction, they must contact the initial PHA to request an extension.

The HABC will absorb incoming vouchers in cases where the initial PHA absorbs an equal number of the HABC outgoing vouchers and/or provided that there is funding available.

When the HABC does not absorb the incoming voucher, it will administer the initial PHA voucher and the HABC policies will prevail.

For admission to the program a family must be income eligible in the area where the family initially leases a unit with assistance under the program. The HABC does not re-determine eligibility for a portable family that was already receiving assistance in the initial PHA Section 8 tenant-based program.

The PHA will issue a "portability voucher" according to its own Subsidy Standards. If the family has a change in family composition that would change the voucher size, the PHA will change to the proper size based on its own Subsidy Standards.

Income and Total Tenant Payment of Incoming Portables [982.353(d)]

As receiving PHA, the HABC will conduct a re-certification interview but only verify the information provided if the documents are missing or are over 120 days old, whichever is applicable, or there has been a change in the family's circumstances.

If the HABC conducts a re-certification of the family it will not cause a delay in the issuance of a voucher.

If the family's income is such that a \$0 subsidy amount is determined prior to lease-up in the HABC jurisdiction, the HABC will refuse to enter into a contract on behalf of the family at \$0 assistance.

Requests for Tenancy Approval

When the family submits a Request for Tenancy Approval, it will be processed using the HABC policies. A briefing will be mandatory for all portability families.

If the family does not submit a Request for Tenancy Approval or does not execute a lease, the initial PHA will be notified within 5 days of the event by the HABC. If the family leases up successfully, the HABC will notify the initial PHA within 14 days, and the billing process will commence. The HABC will notify the initial PHA if the family fails to submit a request for approval of tenancy for an eligible unit within the term of the voucher.

If the HABC denies assistance to the family, the PHA will notify the initial PHA within 5 days and the family will be offered a review or hearing. The HABC will notify the family of its responsibility to contact the initial PHA if the family wishes to move outside the HABC jurisdiction under continued portability.

Regular Program Functions

The HABC will perform all program functions applicable the tenant-based assistance program, such as:

- Annual reexaminations of family income and composition;
- Annual inspection of the unit; and
- Interim examinations when requested or deemed necessary by the PHA.

Terminations

The HABC will notify the initial PHA in writing of any termination of assistance within 5 days of the termination. If an informal hearing is required and requested by the family, the hearing will be conducted by the HABC, using the regular hearing procedures included in this Plan. A copy of the hearing decision will be furnished to the initial PHA.

The initial PHA will be responsible for collecting amounts owed by the family for claims paid and for monitoring repayment. If the initial PHA notifies the HABC that the family is in arrears

or the family has refused to sign a payment agreement, the HABC will terminate assistance to the family.

Required Documents

As receiving PHA, the HABC will require the documents listed on the HUD Portability Billing Form from the initial PHA.

Billing Procedures

As receiving PHA, the HABC will bill the initial PHA monthly for housing assistance payments. The billing cycle for other amounts, including administrative fees and special claims will be monthly unless requested otherwise by the initial PHA.

The HABC will bill 100% of the housing assistance payment, and 80% of the administrative fee (at the initial PHA rate) for each "portability" voucher leased as of the first day of the month.

The HABC will notify the initial PHA of changes in subsidy amounts and will expect the initial PHA to notify the HABC of changes in the administrative fee amount to be billed.

Chapter 14

CONTRACT TERMINATIONS

[24 CFR 982.311, 982.314] INTRODUCTION

The Housing Assistance Payments (HAP) contract is the contract between the owner and the HABC that defines the responsibilities of both parties. This chapter describes the circumstances under which the contract can be terminated by the HABC and the owner, and the policies and procedures for such terminations.

A. _____ CONTRACT TERMINATION [24 CFR 982.311]

The term of the HAP contract is the same as the term of the lease. The contract between the owner and the HABC may be terminated by the HABC, or by the owner or tenant terminating the lease.

No future subsidy payments on behalf of the family will be made by the HABC to the owner after the month in which the contract is terminated. The owner must reimburse the HABC for any subsidies paid by the HABC for any period after the contract termination date.

If the family continues to occupy the unit after the Section 8 contract is terminated, the family is responsible for the total amount of rent due to the owner. The owner will have no right to claim compensation from the HABC for vacancy loss under the provisions of certificate HAP contracts effective before October 2, 1995.

After a contract termination, if the family meets the criteria for a move with continued assistance, the family may lease-up in another unit. The contract for the new unit may begin during the month in which the family moved from the old unit.

B. _____ TERMINATION BY THE FAMILY: MOVES [24 CFR 982.314(c)(2)]

Family termination of the lease must be in accordance with the terms of the lease.

C. _____ TERMINATION OF TENANCY BY THE OWNER: EVICTIONS [24 CFR 982.310, 982.455]

If the owner wishes to terminate the lease, the owner must provide proper notice as stated in the lease.

During the term of the lease, the owner may not terminate the tenancy except for the grounds stated in the HUD regulations.

During the term of the lease the owner may only evict for:

- Serious or repeated violations of the lease, including but not limited to failure to pay rent or other amounts due under the lease, or repeated violation of the terms and conditions of the lease as follows:
- Violations of Federal, state or local laws that impose obligations on the tenant in connection with the occupancy or use of the premises
- Criminal activity by the tenant, any member of the household, a guest or another person under the tenant's control that threatens the health, safety or right to peaceful enjoyment of the premises by the other residents, or persons residing in the immediate vicinity of the premises.
- Drug-related criminal activity which occurs on or near the premises.
- Other good cause.

During the initial term of the lease, the owner may not terminate the tenancy for “other good cause” unless the owner is terminating the tenancy because of something the family did or failed to do (see 982.310)

Evidence of Criminal Activity

The owner may terminate tenancy and evict by judicial action a family for criminal activity by a covered person if the owner determines they have engaged in the criminal activity:

- Regardless of arrest or conviction
- Without satisfying the standard of proof used for a criminal conviction

Termination of Tenancy Decisions

If the law and regulation permit the owner to take an action but does not require action to be taken, the owner can decide whether to take the action. Relevant circumstances for consideration include:

- The seriousness of the offense
- The effect on the community
- The extent of participation by household members
- The effect on uninvolved household members
- The demand for assisted housing by families who will adhere to responsibilities

- The extent to which leaseholder has shown personal responsibility and taken all

reasonable steps to prevent or mitigate the offending action

- The effect on the integrity of the program

Exclusion of culpable household member

The owner may require a tenant to exclude a household member in order to continue to reside in the assisted unit.

Consideration of Rehabilitation

When determining whether to terminate the tenancy for illegal drug use or alcohol abuse, the owner may consider whether the member:

- Is no longer participating in a rehabilitation program
- Has successfully completed a supervised drug or alcohol rehab program
- Has otherwise been successfully rehabilitated

The owner may require the tenant to submit evidence of any of the three (above).

Actions of termination by the owner must be consistent with the fair housing and equal opportunities as stated in 24 CFR 5.105.

The owner must provide the tenant a written notice specifying the grounds for termination of tenancy, at or before the commencement of the eviction action. The notice may be included in, or may be combined with, any owner eviction notice to the tenant.

The owner eviction notice means a notice to vacate, or a complaint, or other initial pleading used under State or local law to commence an eviction action.

The HABC may require that the owner specify the section of the lease that has been violated and cite some or all of the ways in which the tenant has violated that section as documentation for the HABC decision regarding termination of assistance.

Housing assistance payments are paid to the owner under the terms of the HAP contract. If the owner has begun eviction and the family continues to reside in the unit, the HABC must continue to make housing assistance payments to the owner until the owner has obtained a court judgment or other process allowing the owner to evict the tenant.

If the action is finalized in court, the owner must provide the HABC with the documentation, including notice of the lock-out date.

The HABC must continue making housing assistance payments to the owner in accordance with the contract as long as the tenant continues to occupy the unit and the contract is not violated. By

endorsing the monthly check from the HABC, the owner certifies that the tenant is still in the unit, the rent is reasonable and s/he is in compliance with the contract.

If an eviction is not due to a serious or repeated violation of the lease, and if the HABC has no other grounds for termination of assistance, the HABC may issue a new voucher so that the family can move with continued assistance.

D. _____ TERMINATION OF THE CONTRACT BY HABC [24 CFR 982.404(a), 982.453, 982.454, 982.552(a)(3)]

The term of the HAP contract terminates when the lease terminates, when the HABC terminates program assistance for the family, and when the owner has breached the HAP contract. (See "Owner Disapproval and Restriction" chapter)

The HABC may also terminate the contract if:

- The HABC terminates assistance to the family.
- The family is required to move from a unit when the subsidy is too big for the family size (pre-merger certificate program) or the unit does not meet the HQS space standards because of an increase in family size or a change in family composition (pre-merger certificate and voucher programs).
- Funding is no longer available under the ACC.

The contract will terminate automatically if 180 days have passed since the last housing assistance payment to the owner.

Termination of Premerger Certificate HAPS [24 CFR 982.502(d)]

The HABC must terminate program assistance under any outstanding HAP contract for a regular tenancy under the pre-merger certificate program at the effective date of the second regular reexamination of family income and composition on or after the merger date. At such termination of assistance, the HAP contract will automatically terminate. The HABC will give the owner and family at least 120 days written notice of such termination. The HABC will offer the family the opportunity for continued tenant-based assistance under the voucher program.

Any OFTO tenancy HAP contract entered into prior to the merger date will automatically be considered as a tenancy under the voucher program. Such tenancies will be subject to the requirements of the voucher program, including calculation of the housing assistance payment. See "Owner Rents, Rent Reasonableness and Payment Standards" chapter.

Notice of Termination

When the HABC terminates the HAP contract under the violation of HQS space standards, the HABC will provide the owner and family written notice of termination of the contract, and the

HAP contract will terminate at the end of the calendar month that follows the calendar month in which the HABC gives such notice to the owner.

Chapter 15

DENIAL OR TERMINATION OF ASSISTANCE

[24 CFR 5.902, 5.902, 5.903, 5.905, 982.4, 982.54, 982.552, 982.553]

INTRODUCTION

The HABC may deny or terminate assistance for a family because of the family's action or failure to act. The HABC will provide families with a written description of the family obligations under the program, the grounds under which the HABC can deny or terminate assistance, and the HABC informal hearing procedures. This chapter describes when the HABC is required to deny or terminate assistance, and the HABC policies for the denial of a new commitment of assistance and the grounds for termination of assistance under an outstanding HAP contract.

A. _____ GROUNDS FOR DENIAL/TERMINATION [24 CFR 982.54, 982.552, 982.553]

If denial or termination is based upon behavior resulting from a disability, the HABC will delay the denial or termination in order to determine if there is an accommodation that would negate the behavior resulting from the disability.

Form of Denial/Termination

Denial of assistance for an applicant may include any or all of the following:

- Denial for placement on the HABC waiting list
- Denying or withdrawing a voucher
- Refusing to enter into a HAP contract or approve a tenancy
- Refusing to process or provide assistance under portability procedures

Termination of assistance for a participant may include any or all of the following:

- Refusing to enter into a HAP contract or approve a tenancy
- Terminating housing assistance payments under an outstanding HAP contract
- Refusing to process or provide assistance under portability procedures

Mandatory Denial and Termination [24 CFR 982.54 (d), 982.552(b), 982.553(a), 982.553(b)]

The HABC must deny assistance to applicants, and terminate assistance for participants if the family is under contract and 180 days (or 12 months, depending on the HAP contract used) have elapsed since the HABC last housing assistance payment was made. (See "Contract Terminations" chapter.)

The HABC must permanently deny assistance to applicants, and terminate the assistance of persons convicted of manufacturing or producing methamphetamine on the premises of federally assisted housing.

The HABC must deny admission to the program for applicants, and terminate assistance for program participants if the HABC determines that any household member is currently engaging in illegal use of a drug. See section B of this chapter for the HABC established standards.

The HABC may deny admission to the program for applicants, and terminate assistance for program participants, if the HABC determines that it has reasonable cause to believe that a household member is engaging in illegal drug use or a pattern of illegal drug use, that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents. See Section B of this chapter for the HABC established standards.

The HABC must deny admission to an applicant if the HABC determines that any member of the household is subject to a lifetime registration requirement under a State sex offender registration program. See section B of this chapter for the HABC established standards regarding criminal background investigation and determining whether a member of the household is subject to a lifetime registration requirement under a State sex offender registration program.

The HABC must terminate program assistance for a family evicted from housing assisted under the program for serious violation of the lease.

The HABC must deny admission to the program for an applicant or terminate program assistance for a participant if any member of the family fails to sign and submit consent forms for obtaining information in accordance with Part 5, subparts B and F.

The HABC must deny admission or terminate assistance when required under the regulations for failure to establish citizenship or eligible immigration status.

Grounds for Denial or Termination of Assistance [24 CFR 982.552(c)]

The HABC will deny program assistance for an applicant, or terminate program assistance for a participant, if any member of the family:

- Violates any family obligation under the program as listed in 24 CFR 982.551.
- Engaging in any drug-related criminal activity.
- Engaging in any violent criminal activity.
- Has been evicted from federally assisted housing in the last five years.
- Has ever had their assistance under the program terminated by the HABC or another PHA.
- Commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
- Currently owes rent or other amounts to the HABC or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.
- Has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.
- Breaches an agreement with the HABC or other PHA to pay amounts owed to the HABC or PHA, or amounts that have been paid by the HABC or PHA to an owner. The HABC at its discretion may offer the family the opportunity to enter into a repayment agreement. The HABC will prescribe the terms of the agreement. (See "Repayment Agreements" chapter.)
- Participating in an FSS program fails to comply, without good cause, with the family's FSS contract of participation.
- Fails to fulfill its obligation under the Section 8 welfare-to-work voucher program.
- Engages in or threatens abusive or violent behavior toward HABC personnel.

"Abusive or violent behavior towards HABC personnel" includes verbal as well as physical abuse or violence. Use of expletives that are generally considered insulting, racial epithets, or other language, written or oral, that is customarily used to insult or intimidate, may be cause for termination or denial.

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

Actual physical abuse or violence will always be cause for termination.

- Engages in, or has engaged in drug or alcohol abuse that interferes with the health, safety or peaceful enjoyment of other residents. See section B of this chapter.
- Commits drug-related criminal activity, or violent criminal activity. (See Section B of this chapter and 982.553 of the regulations)

Refer to "Eligibility for Admission" chapter, "Other Criteria for Admission" section for further information.

B. SCREENING AND TERMINATION FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY

Purpose

All federally assisted housing is intended to provide a place to live and raise families, not a place to commit crime, to use or sell drugs or terrorize neighbors. It is the intention of the HABC to fully endorse and implement a policy designed to:

- Help create and maintain a safe and drug-free community
- Keep our program participants free from threats to their personal and family safety
- Support parental efforts to instill values of personal responsibility and hard work
- Help maintain an environment where children can live safely, learn and grow up to be productive citizens
- Assist families in their vocational/educational goals in the pursuit of self-sufficiency

Administration

All screening and termination of assistance procedures shall be administered fairly and in such a way as not to violate rights to privacy or discriminate on the basis of race, color, nationality, religion, familial status, disability, sex or other legally protected groups.

To the maximum extent possible, the HABC will involve other community and governmental entities in the promotion and enforcement of this policy.

Screening of Applicants

In an effort to prevent future drug related and other criminal activity, HABC will endeavor to screen applicants as thoroughly and fairly as possible. This will help to ensure the health, safety and peaceful enjoyment of the premises by other residents. This will also ensure compliance with 24 CFR 982, Subpart L, and CFR Part 5, Subpart J.

Such screening will apply to any member of the household who is 14 years of age or older.

HUD Definitions

Covered person, for purposes of 24 CFR Part 982 and this chapter, means a tenant, any member of the tenant's household, a guest or another person under the tenant's control.

Drug means a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

Drug-related criminal activity means the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug.

Guest, for purposes of this chapter and 24 CFR part 5, subpart A and 24 CFR Part 982, means a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant. The requirements of part 982 apply to a guest as so defined.

Household, for the purposes of 24 CFR Part 982 and this chapter, means the family and HABC-approved live-in aide.

Other person under the tenant's control, for the purposes of the definition of *covered person* and for 24 CFR Parts 5 and 982 and for this chapter, means that the person, although not staying as a guest (as defined in this chapter) 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. Absent evidence to the contrary, a person temporarily and infrequently on the premises solely for legitimate commercial purposes is not *under the tenant's control*.

Violent criminal activity means any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

Standard for Violation

The HABC will deny participation in the program to applicants and terminate assistance to participants in cases where the HABC determines that there is reasonable cause to believe that a household member is illegally using a drug. The HABC will deny participation in the program to applicants and terminate assistance to participants if the person abuses alcohol in a way that may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents. This includes cases where the HABC determines that there is a pattern of illegal use of a drug or a pattern of alcohol abuse.

The HABC will consider the use of a controlled substance or alcohol to be a pattern if there is more than one incident during the previous 12 months.

"Engaged in or engaging in" violent criminal activity means any act within the past three (3) years by an applicant or participant or household member which involved criminal activity that included the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage, which resulted in the arrest and/or conviction of the applicant, participant, or any family or household member.

The existence of the above-referenced behavior by any family or household member, regardless of the applicant or participant's knowledge of the behavior, shall be grounds for denial or termination of assistance.

In evaluating evidence of negative past behavior, the HABC will give fair consideration to the seriousness of the activity with respect to how it would affect other residents, and/or likelihood of favorable conduct in the future which could be supported by evidence of rehabilitation.

The procedure for determining the length of debarment for applicants may be found in the Application Denial Procedure Addendum of this Plan.

Drug Related and Violent Criminal Activity

Persons evicted from federally assisted housing because of drug-related criminal activity are ineligible for admission to the Section 8 program for a five (5) year period beginning on the date of such eviction.

However, the household may be admitted if, after considering the individual circumstances of the household, the HABC determines that the evicted household member who engaged in drugrelated criminal activity has successfully completed a supervised drug rehabilitation program approved by the HABC.

Applicants will be denied assistance if they have been arrested/convicted/evicted from Federally assisted housing for violent criminal activity within the last five (5) years prior to the date of the certification interview.

Denial of Assistance for Sex Offenders

The HABC will deny admission if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program. In screening applicants, the HABC will perform criminal history background checks to determine whether any household member is subject to a lifetime sex offender registration requirement.

Denial of Assistance Based on Information from Baltimore City Fire Records

- 1) The HABC will review Fire Department Records where a family is claiming an emergency preference due to natural disaster where their existing unit was damaged by fire. If it is determined that the fire is the result of arson or the willful malfeasance of the family or visitor; or the gross negligence or misuse of the facilities by a family member or visitor, the family will be found to be ineligible for assistance.
- 2) The HABC will review Fire Department Records where a family is living in a HCVP assisted unit which is damaged by fire. If it is determined that the fire is the result of arson or the willful malfeasance of the family or visitor; or the gross negligence or misuse of the facilities by a family member or visitor, the family will be terminated and denied further participation in the program for 5 years from the date of the fire, without causing another fire.

Termination of Assistance for Participants

Termination of Assistance for Drug-related Criminal Activity or Violent Criminal Activity:

Under the family obligations listed at 24 CFR 982.551, the members of the household must not engage in drug-related criminal activity or violent criminal activity or other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. HUD regulations at 24 CFR 982.553(b) require the HABC to establish standards for termination of assistance when this family obligation is violated. The HABC has established the following standards for termination of assistance for the family when a household member has violated the family obligation to refrain from participating in drug-related or violent criminal activity.

Assistance will be terminated for participants who have been arrested/convicted/evicted from a unit assisted under any Federally assisted housing program for drug-related or violent criminal activity during participation in the program, and within the last three (3) years prior to the date of the notice to terminate assistance. Families arrested/convicted/evicted from a Federally assisted

unit will be denied future assistance in accordance with HUD rules and regulations and this Administrative Plan.

If any member of the household violates the family obligations by engaging in drug-related or violent criminal activity, the HABC will terminate assistance.

In appropriate cases, the HABC may permit the family to continue receiving assistance provided that family members determined to have engaged in the proscribed activities will not reside in the unit. If the violating member is a minor, the HABC may consider individual circumstances with the advice of Juvenile Court officials.

The HABC may waive the requirement regarding drug-related criminal activity if the person has demonstrated successful completion of a credible rehabilitation program approved by the HABC.

Terminating Assistance for Alcohol Abuse by Household Members

Under the family obligations listed in 24 CFR 982.551, the members of the household must not abuse alcohol in a way that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. A violation of a family obligation will result in the termination of assistance if the HABC determines that a member of the household has demonstrated a pattern of alcohol abuse that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises.

Assistance will be terminated if a household member is arrested/convicted/incarcerated for any alcohol-related criminal activity on or near the premises within any 12 month period.

In appropriate cases, the HABC may permit the family to continue receiving assistance provided that household members determined to have engaged in the proscribed activities will not reside in the unit. If the violating member is a minor, the HABC may consider individual circumstances with the advice of Juvenile Court officials.

Notice of Termination of Assistance

In any case where the HABC decides to terminate assistance to the family, the HABC must give the family written notice which states:

- The reason(s) for the proposed termination,
- The effective date of the proposed termination,
- The family's right, if they disagree, to request an Informal Hearing to be held before termination of assistance.
- The date by which a request for an informal hearing must be received by the HABC.

If the HABC proposes to terminate assistance for criminal activity as shown by a criminal record, the HABC will provide the subject of the record and the tenant with a copy of the criminal record.

The HABC will simultaneously provide written notice of the contract termination to the owner so that it will coincide with the Termination of Assistance. The Notice to the owner will not include any details regarding the reason for termination of assistance.

Required Evidence

Preponderance of evidence is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. The intent is not to prove criminal liability, but to establish that the act(s) occurred. Preponderance of evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

Credible evidence may be obtained from police and/or court records. Testimony from neighbors, when combined with other factual evidence can be considered credible evidence. Other credible evidence includes documentation of drug raids or arrest warrants.

The HABC will terminate assistance for criminal activity by a household member, as described in this chapter, if the HABC determines, based on a preponderance of the evidence, that the household member has engaged in the activity. This action will be taken regardless of whether the household member has been arrested or convicted for such activity.

The HABC will pursue fact-finding efforts as needed to obtain credible evidence.

The HABC may terminate assistance for criminal activity by a household member under this section if the HABC has determined that the household member has engaged in the criminal activity, regardless of whether the household member has been arrested or convicted for such activity.

Confidentiality of Criminal Records

The HABC will ensure that any criminal record received is maintained confidentially, not misused or improperly disseminated, and destroyed once the purpose for which it was requested is accomplished.

All criminal reports, while needed, will be housed in a locked file with access limited to individuals responsible for screening and determining eligibility for initial and continued assistance and to the Associate Deputy Director or designee.

Misuse of the above information by any employee will be grounds for termination of employment.

C. _____ FAMILY OBLIGATIONS [24 CFR 982.551]

The family must supply any information that the HABC or HUD determines is necessary in the administration of the program, including submission of required evidence of citizenship or eligible immigration status (as provided by 24 CFR 982.551). "Information" includes any requested certification, release or other documentation.

The family must supply any information requested by the HABC or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition in accordance with HUD requirements.

The family must disclose and verify Social Security Numbers (as provided by 24 CFR 5.216) and must sign and submit consent forms for obtaining information in accordance with 24 CFR 5.230.

All information supplied by the family must be true and complete.

The family is responsible for an HQS breach caused by the family as described in 982.404(b).

The family must allow the HABC to inspect the unit at reasonable times and after reasonable notice.

The family may not commit any serious or repeated violations of the lease.

The family must notify the owner and, at the same time, notify the HABC before the family moves out of the unit or terminates the lease upon notice to the owner.

The family must promptly give the HABC a copy of any owner eviction notice.

The family must use the assisted unit for residence by the family. The unit must be the family's only residence.

The composition of the assisted family residing in the unit must be approved by the HABC. The family must promptly inform the HABC of the birth, adoption or court-awarded custody of a child. The family must request HABC approval to add any other family member as an occupant of the unit.

The family must promptly notify the HABC if any family member no longer resides in the unit.

If the HABC has given approval, a foster child or a live-in aide may reside in the unit. If the family does not request approval or HABC approval is denied, the family may not allow a foster child or live-in aide to reside with the assisted family.

Members of the household may engage in legal profit-making activities in the unit, but only if such activities are incidental to primary use of the unit as a residence by members of the family.

The family must not sublease or let the unit.

The family must not assign the lease or transfer the unit.

The family must supply any information or certification requested by the HABC to verify that the family is living in the unit, or relating to family absence from the unit, including any HABC-requested information or certification on the purposes of family absences. The family must cooperate with the HABC for this purpose. The family must promptly notify the HABC of absence from the unit.

The family must not own or have any interest in the unit.

The members of the family must not commit fraud, bribery or any other corrupt or criminal act in connection with any Federal housing program.

The household members may not engage in drug-related criminal activity or violent criminal activity or other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. The members of the household must not abuse alcohol in a way that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. An assisted family, or members of the family, may not receive Section 8 tenant-based assistance while receiving another housing subsidy, for the same unit or for a different unit, under any duplicative (as determined by HUD or in accordance with HUD requirements) federal, State or local housing assistance program.

Housing Authority Discretion [24 CFR 982.552(c)]

In deciding whether to deny or terminate assistance because of action or failure to act by members of the family, the HABC has discretion to consider all of the circumstances in each case, including the seriousness of the case. The HABC will use its discretion in reviewing the extent of participation or culpability of individual family members and the length of time since the violation occurred. The HABC may also review the family's more recent history and record of compliance, and the effects that denial or termination of assistance may have on other family members who were not involved in the action or failure to act.

The HABC may impose, as a condition of continued assistance for other family members, a requirement that family members who participated in, or were culpable for the action or failure to act, will not reside in the unit. The HABC may permit the other members of a family to continue in the program.

Enforcing Family Obligations

Explanations and Terms

The term "promptly" when used with the family obligations always means within 30 days. Denial or termination of assistance is always optional except where this Plan or the regulations state otherwise.

HQS Breach

The inspector will determine if an HQS breach as identified in 24 CFR 982.404 (b) is the responsibility of the family. Families may be given extensions to cure HQS breaches by the Associate Deputy Director or designee.

Lease Violations

The following criteria will be used to decide if a serious or repeated violation of the lease will result in termination of assistance:

- The owner terminates tenancy through court action for serious or repeated violation of the lease.
- The owner notifies the family of termination of tenancy assistance for serious or repeated lease violations, and the family moves from the unit prior to the completion of court action, and the HABC determines that the cause is a serious or repeated violation of the lease based on available evidence.
- The owner notifies the family of termination of tenancy assistance for serious or repeated lease violations, and the family moves from the unit prior to the completion of court action, and if there are police reports, neighborhood complaints or other third party information, that have been verified by the HABC.
- Nonpayment of rent is considered a serious violation of the lease.

Notification of Eviction

If the family submits a request for assistance to move and they did not notify the HABC of an eviction within five (5) days of receiving the Notice of Lease Termination, the move will be denied.

Proposed Additions to the Family

The HABC will deny a family's request to add additional family members who are:

- Persons who have been evicted from public housing.
- Persons who have previously violated a family obligation listed in 24 CFR 982.51 of the HUD regulations.

- Persons who have been part of a family whose assistance has been terminated under the Certificate or Voucher program.
- Persons who commit drug-related criminal activity or violent criminal activity.
- Persons who do not meet the HABC definition of family.
- Persons who commit fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
- Persons who currently owe rent or other amounts to the HABC or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.
- Persons who have engaged in or threatened abusive or violent behavior toward HABC personnel.

When a Family Member Moves Out

Families are required to notify the HABC if any family member leaves the assisted household. When the family notifies the HABC, they must furnish the following information:

- The date the family member moved out.
- The new address, if known, of the family member.
- A statement as to whether the family member is temporarily or permanently absent.

Limitation on Profit-Making Activity in Unit

If the HABC determines that the use of the unit as a business is not incidental to its use as a dwelling unit, it will be considered a program violation.

If the HABC determines the business is not legal, it will be considered a program violation.

Interest in Unit

The owner may not reside in the assisted unit regardless of whether the owner is a member of the assisted family, unless the family owns a mobile home and rents the pad.

Fraud

In each case, the HABC will consider which family members were involved, the circumstances, and any hardship that might be caused to innocent members.

D. _____ PROCEDURES FOR NON-CITIZENS [24 CFR 5.514, 5.516, 5.518]

Denial or Termination due to Ineligible Immigrant Status

Applicant or participant families where all members are neither U. S. citizens nor eligible immigrants are not eligible for assistance and must have their assistance terminated. The HABC must offer the family an opportunity for a hearing. (See "Eligibility for Admission" chapter, section on Citizenship/Eligible Immigration Status.)

Assistance may not be terminated while verification of the participant family's eligible immigration status is pending.

False or Incomplete Information

When the HABC has clear, concrete, or substantial documentation (such as a permanent resident card or information from another agency) that contradicts the declaration of citizenship made by an applicant or participant, an investigation will be conducted and the individual will be given an opportunity to present relevant information.

If the individual is unable to verify their citizenship, the HABC will not give him/her an opportunity to provide a new declaration as an eligible immigrant or an opportunity to elect not to contend their status.

The HABC will deny or terminate assistance based on the submission of false information or misrepresentation.

Procedure for Denial or Termination

If the family (or any member) claimed eligible immigrant status and the INS primary and secondary verifications failed to document the status, the family may make an appeal to the INS and request a hearing with the HABC either after the INS appeal or in lieu of the INS appeal.

After the HABC has made a determination of ineligibility, the family will be notified of the determination and the reasons and informed of the option for prorated assistance (if applicable).

E. _____ ZERO (\$0) ASSISTANCE TENANCIES

HAP Contracts Prior to 10/2/95

For contracts that were effective prior to 10/2/95, the HABC is liable for unpaid rent and damages if the family vacates during the allowable 12 months after the last HAP payment. The HABC must perform all of the functions normally required, such as reexaminations and inspections.

The participant will be notified of the right to remain on the program at \$0 assistance for 12 months. If the family is still in the unit after 12 months, the assistance will be terminated.

In order for a family to move to another unit during the 12-month period, the rent for the new

unit would have to be high enough to necessitate a housing assistance payment.

HAP Contracts On or After 10/2/95 [24 CFR 982.455 (a)]

For contracts effective on or after 10/2/95, the HABC has no liability for unpaid rent or damages, and the family may remain in the unit at \$0 assistance for up to 180 days after the last HAP payment. If the family is still in the unit after 180 days, the assistance will be terminated. If, within the 180 day timeframe, an owner rent increase or a decrease in the Total Tenant Payment causes the family to be eligible for a housing assistance payment, the HABC will resume assistance payments for the family.

In order for a family to move to another unit during the 180 days, the rent for the new unit would have to be high enough to necessitate a housing assistance payment.

F. _____ OPTION NOT TO TERMINATE FOR MISREPRESENTATION [24 CFR 982.551, 982.552(c)]

If the family has misrepresented any facts that caused the HABC to overpay assistance, the HABC may choose not to terminate and may offer to continue assistance provided that the family:

- executes a Repayment Agreement within 30 calendar days and makes payments in accordance with the agreement
- or reimburses the HABC in full within 30 calendar days.

G. _____ MISREPRESENTATION IN COLLUSION WITH OWNER [24 CFR 982.551, 982.552 (c)]

If the family intentionally, willingly, and knowingly commits fraud or is involved in any other illegal scheme with the owner, the HABC will deny or terminate assistance.

H. _____ MISSED APPOINTMENTS AND DEADLINES [24 CFR 982.551, 982.552 (c)]

It is a Family Obligation to supply information, documentation, and certification as needed for the HABC to fulfill its responsibilities. The HABC schedules appointments and sets deadlines in order to obtain the required information. The Obligations also require that the family allow access to the HABC to inspect the unit, and appointments are made for this purpose.

An applicant or participant who fails to keep an appointment, or to supply information required by a deadline without notifying the HABC, may be sent a Notice of Denial or Termination of Assistance for failure to provide required information, or for failure to allow the HABC to inspect the unit.

The family will be given information about the requirement to keep appointments and the number of times appointments will be rescheduled, as specified in this Plan.

Appointments will be scheduled and time requirements will be imposed for the following events and circumstances:

Eligibility for Admissions

Verification Procedures

Certificate/Voucher Issuance and Briefings

Housing Quality Standards and Inspections

Re-examinations

Appeals

Medical or Family emergencies are acceptable reasons for missing appointments or failing to provide information by deadlines.

Procedure when Appointments are Missed or Information not Provided

For most purposes in this Plan, the family will be given two opportunities before being issued a notice of termination or denial for breach of a family obligation.

After issuance of the termination notice, if the family offers to correct the breach within the time allowed to request a hearing the notice will be rescinded after the family cures the breach if the family does not have a history of non-compliance.

Chapter 16

OWNER DISAPPROVAL AND RESTRICTION

[24 CFR 982.54, 982.306, 982.453]

INTRODUCTION

It is the policy of the HABC to recruit owners to participate in the Voucher program. The HABC will provide owners with prompt and professional service in order to maintain an adequate supply of available housing throughout the jurisdiction of the HABC. The regulations define when the HABC must disallow an owner participation in the program, and they provide the HABC discretion to disapprove or otherwise restrict the participation of owners in certain categories. This Chapter describes the criteria for owner disapproval, and the various penalties for owner violations.

A. — DISAPPROVAL OF OWNER [24 CFR 982.306, 982.54(d)(8)]

The owner does not have a right to participate in the program. For purposes of this section, "owner" includes a principal or other interested party.

The HABC will disapprove of owner participation in the program for the following reasons:

- HUD has informed the HABC that the owner has been disbarred, suspended, or subject to a limited denial of participation under 24 CFR part 24.
- HUD has informed the HABC that the federal government has instituted an administrative or judicial action against the owner for violation of the Fair Housing Act or other federal equal opportunity requirements or such action is pending.
- HUD has informed the HABC that a court or administrative agency has determined that the owner has violated the Fair Housing Act or other federal equal opportunity requirements.
- Unless their lease was effective prior to June 17, 1998, the owner may not be a parent, child, grandparent, grandchild, sister or brother of any family member. The HABC will waive this restriction as a reasonable accommodation for a family member who is a person with a disability.
- In cases where the owner and tenant bear the same last name, the HABC may, at its discretion, require the family and or owner to certify whether they are related to each other in any way.
- The owner has violated obligations under a housing assistance payments contract under Section 8 of the 1937 Act (42 U.S.C. 1437f).
- The owner has committed fraud, bribery or any other corrupt act in connection with

any federal housing program.

- The owner has engaged in drug-related criminal activity or any violent criminal activity.
- The owner has a history or practice of non-compliance with the HQS for units leased under the tenant-based programs or with applicable housing standards for units leased with project-based Section 8 assistance or leased under any other federal housing program.
- The owner has a history or practice of renting units that fail to meet State or local housing codes.
- The owner has a history or practice of failing to terminate the tenancy of participating residents of units assisted under Section 8 or any other federally assisted housing program for actionable offenses. These offenses include activity engaged in by the tenant, any member of the tenant's household, and/or any guest or another person under the control of any member of the household that:

Threatens the right to peaceful enjoyment of the premises by other residents;

Threatens the health or safety of other residents, of employees, of the HABC, or of owner employees or other persons engaged in management of the housing.

Threatens the health or safety of, or the right to peaceful enjoyment of their residences, by persons residing in the immediate vicinity of the premises; or

Is drug-related criminal activity or violent criminal activity;

- The owner has not paid State or local real estate taxes, fines or assessments.
- The owner has failed to comply with regulations, the mortgage or note, or the regulatory agreement for projects with mortgages insured by HUD or loans made by HUD.

B. _____ OWNER RESTRICTIONS AND PENALTIES [24 CFR 982.453]

If an owner has committed fraud or abuse or is guilty of frequent or serious contract violations, the HABC will restrict the owner from future participation in the program for a period of time commensurate with the seriousness of the offense. The HABC may also terminate some or all contracts with the owner.

Before imposing any penalty against an owner the HABC will review all relevant factors pertaining to the case, and will consider such factors as the owner's record of compliance and the number of violations.

See Program Integrity Addendum for guidance as to how owner fraud will be handled.

C. — CHANGE IN OWNERSHIP

A change in ownership does not require execution of a new contract and lease.

The HABC may approve the assignment of the HAP contract at the old owner's request. The HABC may approve the assignment, since they are a party to the contract. The HABC may deny approval of assignment of the contract, for any of the reasons listed in Section A. of this chapter.

The HABC will process a change of ownership only upon the written request of the new owner. The request must be accompanied by a copy of the escrow statement or other document showing the transfer of title, recorded deed and the Employee Identification Number or Social Security number of the new owner.

If the new owner does not want an assignment of the contract, the HABC will terminate the HAP contract with the old owner, since they are no longer the owner. The new owner may offer the family a new assisted lease. The family may elect to enter into the new lease or move to another unit.

Chapter 17

OWNER OR FAMILY DEBTS TO THE HABC

[24 CFR 982.552]

INTRODUCTION

This chapter describes the HABC policies for the recovery of money that has been overpaid to families, and to owners. It describes the methods that will be utilized for collection of monies and the guidelines for different types of debts. It is the HABC policy to meet the informational needs of owners and families, and to communicate the program rules in order to avoid owner and family debts. Before a debt is assessed against a family or owner, the file must contain documentation to support the HABC claim that the debt is owed. The file must further contain written documentation of the method of calculation, in a clear format for review by the owner, the family or other interested parties.

When families or owners owe money to the HABC, the HABC will make every effort to collect. The HABC will use a variety of collection tools to recover debts including, but not limited to:

- Requests for lump sum payments
- Civil suits
- Payment agreements
- Abatements
- Reductions in HAP to owner
- Collection agencies
- Credit bureaus
- Income tax set-off programs

A. _____ PAYMENT AGREEMENT FOR FAMILIES [24 CFR 982.552 (c)(v-vii)]

A Payment Agreement as used in this Plan is a document entered into between the HABC and a person who owes a debt to the HABC. It is similar to a promissory note, but contains more details regarding the nature of the debt, the terms of payment, any special provisions of the agreement, and the remedies available to the HABC upon default of the agreement.

The HABC will prescribe the terms of the payment agreement, including determining whether to enter into a payment agreement with the family based on the circumstances surrounding the debt to the HABC.

There are some circumstances in which the HABC will not enter into a payment agreement. They are:

- If the family already has a Payment Agreement in place.
- If the HABC determines that the family committed program fraud.
- If, in the opinion of the HABC, the debt amount is larger than can be paid back by the family, in a reasonable time.

The maximum length of time the HABC will enter into a payment agreement with a family is one year.

B. _____ DEBTS OWED FOR CLAIMS [24 CFR 792.103, 982.552 (c)(v-vii)] If

a family owes money to the HABC for claims paid to an owner:

- The HABC will review the circumstances resulting in the overpayment and decide whether the family must pay the full amount.
- The HABC may enter into a Payment Agreement.

Late Payments

A payment will be considered to be in arrears if the payment has not been received by the close of the business day on which the payment was due. If the due date is on a weekend or holiday, the due date will be at the close of the next business day.

If the family's payment agreement is in arrears, and the family has not contacted or made arrangements with the HABC, the HABC will:

- Require the family to pay the balance in full
- Pursue civil collection of the balance due
- Terminate the housing assistance

If the family requests a move to another unit and has a payment agreement in place for the payment of an owner claim which is not in arrears, the family will be required to pay the balance in full prior to the issuance of a voucher.

If the family requests a move to another unit and is in arrears on a payment agreement for the payment of an owner claim the family will be required to pay the balance in full, or be terminated from the program.

C. DEBTS DUE TO MISREPRESENTATIONS/NON-REPORTING OF INFORMATION [24 CFR 982.163]

HUD's definition of program fraud and abuse is a single act or pattern of actions that constitutes false statement, omission, or concealment of a substantive fact, made with intent to deceive or mislead, and that results in payment of Section 8 program funds in violation of Section 8 program requirements.

Family Error/Late Reporting

Families who owe money to the HABC due to the family's failure to report increases in income will be required to repay in accordance with the guidelines in the Payment Agreement Section of this Chapter.

Program Fraud

If a family owes an amount that equals or exceeds \$500.00 as a result of program fraud, the case will be referred to the Inspector General. If the Inspector General concurs with the finding of fraud, the family will be required to pay the amount owed in full, and assistance to the family will be terminated.

Where appropriate, the HABC will refer the case for criminal prosecution. **D.**

GUIDELINES FOR PAYMENT AGREEMENTS [24 CFR 982.552(c)(v-vii)]

Payment agreements will be executed between the HABC and the head of household/co-head only.

Payment agreements must be executed by the Associate Deputy Director or designee.

The agreement will be in default when a payment is delinquent by the 5th business day of the month.

The family's assistance will be terminated unless the HABC receives the balance of the payment agreement in full within 5 business days of the termination notice.

Monthly payments may be decreased in cases of family hardship and if requested with reasonable notice from the family, verification of the hardship, and the approval of the Associate Deputy Director or designee.

No move will be approved until the debt is paid in full unless the move is the result of the following causes, and the payment agreement is current:

- Family size exceeds the HQS maximum occupancy standards
- The HAP contract is terminated due to owner non-compliance or opt-out
- A natural disaster

Additional Monies Owed: If the family already has a payment agreement in place and incurs an additional debt to the HABC:

- The HABC will not enter into more than one payment agreement with the family.
- Additional amounts owed by the family will be added to the existing payment agreement.
- If a payment agreement is in arrears more than 5 business days, any new debts must be paid in full.

E. _____ OWNER DEBTS TO THE HABC [24 CFR 982.453(b)]

If the HABC determines that the owner has retained housing assistance or claim payments the owner is not entitled to, the HABC may reclaim the amounts from future housing assistance or claim payments owed the owner for any units under contract.

If future housing assistance or claim payments are insufficient to reclaim the amounts owed, the HABC will:

- Require the owner to pay the amount in full within 30 days.
- Pursue collections through the local court system.
- Restrict the owner from future participation.

F. _____ WRITING OFF DEBTS

Debts will be written off if:

* The debtor's whereabouts are unknown and the debt is more than 120 days old. *

A determination is made that the debtor is judgment proof.

* The debtor is deceased.

Chapter 18

COMPLAINTS AND APPEALS

[24 CFR 982.554 & 982.555] INTRODUCTION

The informal review for applicants and informal hearing for participants defined in HUD regulation are applicable to participating families who disagree with an action, decision, or inaction of the HABC. This chapter describes the policies, procedures and standards to be used when families disagree with a HABC decision. It is the policy of the HABC to ensure that all families have the benefit of all protections due to them under the law.

In addition to applicant and participant families, HABC also receives inquiries from owners, employees, and the public.

A. _____ INQUIRIES TO THE HABC

The HABC will respond promptly to inquiries from families, owners, employees, and members of the public. All inquiries will be logged by customer service and close-out will be documented. Applicant families may be entitled to an informal hearing to discuss HABC determinations that affect their eligibility. Participant families are eligible to request an informal hearing regarding any determination made by the HABC regarding their continued participation in the HCVP.

The HABC hearing procedures will be provided to families in the briefing packet.

B. _____ PREFERENCE DENIALS

When the HABC denies a preference to an applicant, and the applicant disagrees with the decision, the HABC will offer the applicant an informal review. This is different from an informal review or hearing. The person who made the decision to deny the preference, or any other HABC representative, may conduct the meeting. The meeting is limited only to the circumstances pertaining to the preference denial.

C. _____ INFORMAL REVIEW PROCEDURES FOR APPLICANTS [24 CFR 982.54(d)(12), 982.554]

Reviews are provided for applicants who are denied assistance before the effective date of the HAP contract. The exception is that when an applicant is denied assistance for citizenship or eligible immigrant status, the applicant is entitled to an informal hearing.

When the HABC determines that an applicant is ineligible for the program, the family must be notified of their ineligibility in writing. The notice must contain:

The reason(s) they are ineligible,

The procedure for requesting a review if the applicant does not agree with the decision and

The time limit for requesting a review.

When denying admission for criminal activity as shown by a criminal record, the HABC will provide the subject of the record and the applicant with a copy of the criminal record upon which the decision to deny was based.

The HABC must provide applicants with the opportunity for an informal review of decisions denying:

Listing on the HABC waiting list

Issuance of a voucher

Participation in the program

Assistance under portability procedures

Informal reviews are not required for established policies and procedures and HABC determinations such as:

Discretionary administrative determinations by the HABC

General policy issues or class grievances

A determination of the family unit size under the HABC subsidy standards

Refusal to extend or suspend a voucher

A HABC determination not to grant approval of the tenancy

Determination that unit is not in compliance with HQS

Determination that unit is not in accordance with HQS due to family size or composition

Procedure for Review

A request for an informal review must be received in writing by the close of the business day, no later than 14 days from the date of the HABC notification of denial of assistance. The informal review will be scheduled within 14 days from the date the request is received. The person who made or approved the decision, or a subordinate of that person may not conduct the review.

The applicant will be given the option of presenting oral or written objections to the decision.

Both the HABC and the family may present evidence and witnesses. The family may use an attorney or other representative to assist them at their own expense. The review may be conducted by mail and/or telephone if acceptable to both parties.

A notice of the review findings will be provided in writing to the applicant within 14 days after the review. It shall include the decision of the review officer, and an explanation of the reasons for the decision. All requests for a review, supporting documentation, and a copy of the final decision will be retained in the family's file.

D. _____ INFORMAL HEARING PROCEDURES [24 CFR 982.555(a-f), 982.54(d)(13)]

Participants will be notified in writing when the HABC makes a decision regarding continued eligibility and/or the amount of assistance. The HABC will give the family prompt notice of such determinations that will include:

The proposed action or decision of the HABC;

The date the proposed action or decision will take place;

The family's right to an explanation of the basis for the HABC decision.

The procedures for requesting a hearing if the family disputes the action or decision;

The time limit for requesting the hearing.

When terminating assistance for criminal activity as shown by a criminal record, the HABC will provide the subject of the record and the tenant/participant with a copy of the criminal record upon which the decision to terminate was based.

The HABC must provide participants with the opportunity for an informal hearing for decisions related to any of the following HABC determinations:

Determination of the family's annual or adjusted income and the computation of the housing assistance payment

Appropriate utility allowance used from schedule

Family unit size determination under HABC subsidy standards

Determination that pre-merger certificate program family is under-occupied in their current unit and a request for exception is denied

Determination to terminate assistance for any reason.

Determination to terminate a family's FSS contract, to withhold supportive services, or propose forfeiture of the family's escrow account.

The HABC must always provide the opportunity for an informal hearing before termination of assistance.

Informal hearings are not required for established policies and procedures and HABC determinations such as:

- Discretionary administrative determinations by the HABC
- General policy issues or class grievances
- Establishment of the HABC schedule of utility allowances for families in the program
- A HABC determination not to approve an extension or suspension of a voucher term
- A HABC determination not to approve a unit or lease
- A HABC determination that an assisted unit is not in compliance with HQS (HABC must provide hearing for family breach of HQS because that is a family obligation determination)
- A HABC determination that the unit is not in accordance with HQS because of the family size
- A HABC determination to exercise or not exercise any right or remedy against the owner under a HAP contract

Notification of Hearing

It is the HABC objective to resolve disputes at the lowest level possible, and to make every effort to avoid the most severe remedies. However, if this is not possible, the HABC will ensure that participants will receive all of the protections and rights afforded by the law and the regulations.

A request for an informal hearing must be received in writing by the close of the business day, no later than 14 days from the date of the HABC notice of termination of assistance.

When the HABC receives a request for an informal hearing, a hearing shall be scheduled within 14 days. The notification of hearing will contain:

- The date and time of the hearing
- The location where the hearing will be held
- The family's right to bring evidence, witnesses, legal or other representation at the family's expense
- The right to view any documents or evidence in the possession of the HABC upon which the HABC based the proposed action and, at the family's expense, to obtain a copy of such documents prior to the hearing.
- A notice to the family that the HABC will request a copy of any documents or evidence the family will use at the hearing.

Families have the right to:

- Present written or oral objections to the HABC determination.
- Examine the documents in the file that are the basis for the HABC action, and all documents submitted to the Hearing Officer.
- Copy any relevant documents at their expense.
- Present any information or witnesses pertinent to the issue of the hearing.
- Request that HABC staff be available or present at the hearing to answer questions pertinent to the case.
- Be represented by legal counsel, advocate, or other designated representative at their own expense.

In addition to other rights contained in this Chapter, the HABC has a right to:

- Present evidence and any information pertinent to the issue of the hearing.
- Be notified if the family intends to be represented by legal counsel, advocate, or another party.
- Examine and copy any documents to be used by the family prior to the hearing.
- Have its attorney present.
- Have staff persons and other witnesses familiar with the case present.

The informal hearing shall be conducted by an employee Hearing Officer appointed by the HABC who is neither the person who made or approved the decision, nor a subordinate of that person. The HABC appoints hearing officers who:

The hearing shall concern only the issues for which the family has received the opportunity for hearing. Evidence presented at the hearing 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 hearing if requested by the other party. "Documents" includes records and regulations.

The Hearing Officer may ask the family for additional information and/or might adjourn the hearing in order to reconvene at a later date, before reaching a decision.

The Hearing Officer will determine whether the action, inaction or decision of the HABC is legal in accordance with HUD regulations and this Administrative Plan based upon the evidence and testimony provided at the hearing. Factual determinations relating to the individual circumstances of the family will be based on a preponderance of the evidence presented at the hearing.

A notice of the hearing findings shall be provided in writing to the HABC and the family within 14 days and shall include:

- A clear summary of the decision and reasons for the decision.
- If the decision involves money owed, the amount owed and documentation of the calculation of monies owed.
- The date the decision goes into effect.

The HABC is not bound by hearing decisions:

- Which concern matters in which the HABC is not required to provide an opportunity for a hearing.
- Which conflict with or contradict to HUD regulations or requirements.
- Which conflict with or contradict Federal, State or local laws.
- Which exceed the authority of the person conducting the hearing.

The HABC shall send a letter to the participant if it determines the HABC is not bound by the Hearing Officer's determination within 14 days. The letter shall include the HABC reasons for the decision.

All requests for a hearing, supporting documentation, and a copy of the final decision will be retained in the family's file.

E. HEARING AND APPEAL PROVISIONS FOR "RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS" [24 CFR Part 5, Subpart E]

In accordance with the Quality Housing and Work Responsibility Act of 1998, PHAs may no longer elect not to comply with ("opt-out" of) the non-citizen requirements (Part 5, Subpart E).

Assistance to the family may not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decision on the INS appeal.

Assistance to a family may not be terminated or denied while the HABC hearing is pending but assistance to an applicant may be delayed pending the HABC hearing.

INS Determination of Ineligibility

If a family member claims to be an eligible immigrant and the INS SAVE system and manual search do not verify the claim, the HABC notifies the applicant or participant within ten days of their right to appeal to the INS within thirty days or to request an informal hearing with the HABC either in lieu of or subsequent to the INS appeal.

If the family appeals to the INS, they must give the HABC a copy of the appeal and proof of mailing or the HABC may proceed to deny or terminate. The time period to request an appeal may be extended by the HABC for good cause.

The request for a HABC hearing must be made within fourteen days of receipt of the notice offering the hearing or, if an appeal was made to the INS, within fourteen days of receipt of that notice.

After receipt of a request for an informal hearing, the hearing is conducted as described in this chapter for both applicants and participants. If the hearing officer decides that the individual is not eligible, and there are no other eligible family members the HABC will:

- Deny the applicant family
- Defer termination if the family is a participant and qualifies for deferral
- Terminate the participant if the family does not qualify for deferral

If there are eligible members in the family, the HABC will offer to prorate assistance or give the family the option to remove the ineligible members.

All other complaints related to eligible citizen/immigrant status:

- If any family member fails to provide documentation or certification as required by the regulation, that member is treated as ineligible. If all family members fail to provide, the family will be denied or terminated for failure to provide.
- Participants whose termination is carried out after temporary deferral may not request a hearing since they had an opportunity for a hearing prior to the termination.
- Participants whose assistance is pro-rated (either based on their statement that some members are ineligible or due to failure to verify eligible immigration status for some members after exercising their appeal and hearing rights described above) are entitled to a hearing based on the right to a hearing regarding determinations of tenant rent and Total Tenant Payment.
- Families denied or terminated for fraud in connection with the non-citizens rule are entitled to a review or hearing in the same way as terminations for any other type of fraud.

F. MITIGATING CIRCUMSTANCES FOR APPLICANTS/PARTICIPANTS WITH DISABILITIES [24 CFR 982.204, 982.552(c)]

When applicants are denied placement on the waiting list, or the HABC is terminating assistance, the family will be informed that presence of a disability may be considered as a mitigating circumstance during the informal review process.

Chapter 19

SPECIAL HOUSING TYPES

[24 CFR 982.601]

INTRODUCTION

The HABC will approve any of the following types of housing in the voucher program, in accordance with the requirements of the program, and as specified in Chapter 20:

- All dwelling unit structure types can be utilized.
- Manufactured homes where the tenant leases the mobile home and the pad.
- Manufactured homes where the tenant owns the mobile home and leases the pad for [vouchers]
- Group homes
- Congregate facilities (only the shelter rent is assisted)
- Single room occupancy (SRO)
- Units owned (but not subsidized) by the HABC (following HUD-prescribed requirements).
- Cooperative Housing
- Homeownership

The HABC will permit the use of special housing types when requested, as a reasonable accommodation for persons with disabilities.

Verification of Need for Reasonable Accommodation

Acceptable documentation as verification of the need for reasonable accommodation would be a letter to the HABC describing how the special housing type requested provides the accommodation of which the person is in need. The request and documentation will be reviewed by the HABC, and a written response stating approval or disapproval will be sent to the applicant/participant within 10 days of receipt of the request.

A copy of the HABC response with supporting documentation will be maintained in the applicant/participant's file. The requested housing type must be approvable by all other HUD standards and HQS requirements in accordance with 24 CFR 982 Section M - Special Housing Types.

A. SINGLE ROOM OCCUPANCY [24 CFR 982.602]

HUD has determined that there is a demand for SRO housing in this area. Therefore, a single person may reside in an SRO housing unit. The HABC will use a separate lease and housing assistance payment contract for each assisted person residing in a SRO. [24 CFR 982.603]

SRO Rent and Housing Assistance Payment [24 CFR 982.604]

The HABC SRO payment standard is 75 percent of the zero bedroom payment standard schedule. Should a person reside in an exception area the payment standard is 75 percent of the HUD-approved zero bedroom exception payment standard amount. While an assisted person resides in SRO housing, the SRO payment standard must be used to calculate the housing assistance payment. The utility allowance for an assisted person residing in SRO housing is 75 percent of the zero bedroom utility allowance. The HABC will ensure that all SRO units approved for the program are in compliance with all of the Housing Quality Standards for SRO as regulated in 24 CFR 982.605.

B. ____ CONGREGATE HOUSING [24 CFR 982.606]

An elderly person or a person with disabilities may reside in a congregate housing unit. The HABC may approve a family member or live-in aide to reside with the elderly person or person with disabilities. The HABC will approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

Congregate Housing Lease and HAP Contract [24 CFR 982.607]

For congregate housing there will be a separate lease and HAP contract for each assisted family. Unless there is a live-in aide, the payment standard for a family that resides in a congregate housing unit is the zero-bedroom payment standard on the HABC payment standard schedule. However, if there are two or more rooms in the unit (not including kitchen or sanitary facilities), the payment standard for a family that resides in a congregate housing unit is the one bedroom payment standard amount. If there is a live-in aide, the live-in aide will be counted in determining the family unit size. The HABC will ensure that all congregate housing units approved for the program are in compliance with all of the Housing Quality Standards for congregate housing as regulated in 24 CFR 982.609.

C. ____ GROUP HOMES [24 CFR 982.610, 982.612]

A group home must be licensed, certified, or otherwise approved in writing by the State, or the State's licensing department. An elderly person or a person with disabilities may reside in a State-approved group home. If approved by the HABC, a live-in aide may reside with a person with disabilities. The HABC must approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities. Except for a live-in aide, all residents of a group home must be elderly persons or persons with disabilities.

The HABC will not approve assistance for a person to live in a group home if file documentation indicates that the person is in need of continual medical or nursing care. No more than twelve

persons may reside in a group home. This limit covers all persons who reside in the unit, including assisted and unassisted residents and any live-in aide.

Group Home Lease and HAP Contract [24 CFR 982.611]

There will be a separate HAP contract and lease for each assisted person living in a group home. For a group home the term "pro-rata portion" means that which is derived by dividing the number of persons in the assisted household by the total number of residents (assisted and unassisted) residing in the group home. The number of persons in the assisted household equals one assisted person plus any HABC-approved live-in Aide. The HABC will ensure that all group home units approved for the program are in compliance with all of the Housing Quality Standards for group homes as regulated in 24 CFR 982.614.

Group Home Rent and HAP Contract [24 CFR 982.613]

The rent to owner for an assisted person may not exceed the pro-rata portion of the reasonable rent for the group home. The reasonable rent for a group home is determined in accordance with 982.503. In determining reasonable rent the HABC will consider whether sanitary facilities, and facilities for food preparation and service, are common facilities or private. Unless there is a live-in aide, the family unit size is one bedroom. If there is a live-in aide, the live-in aide will be counted in determining the family unit size. The payment standard for a person who resides in a group home is the lower of the payment standard for the family unit size; or the pro-rata portion of the payment standard amount on the HABC payment standard schedule for the group home size. The utility allowance for each assisted person residing in a group home is the pro-rata portion of the utility allowance for the group home unit size.

D. ___ COOPERATIVE HOUSING [24 CFR 982.619]

The HABC will approve a family living in cooperative housing if it is determined that assistance under the program will help maintain affordability of the cooperative unit for low-income families. The HABC will not approve assistance for a family in cooperative housing until the HABC has also determined that the cooperative has adopted requirements to maintain continued affordability for low-income families after transfer of a cooperative member's interest in a cooperative unit (such as a sale of the resident's share in a cooperative corporation).

The reasonable rent in cooperative housing is determined in accordance with "Owner Rents, Rent Reasonableness, and Payment Standards" chapter. For cooperative housing, the rent to owner is the monthly carrying charge under the occupancy agreement/lease between the member and the cooperative.

The carrying charge consists of the amount assessed to the member by the cooperative for occupancy of the housing. It includes the member's share of the cooperatives debt service, operating expenses, and necessary payments to cooperative reserve funds. However, the carrying charge does not include down-payments or other payments to purchase the cooperative unit, or to amortize a loan to the family for this purpose. Gross rent is the carrying charge plus any utility allowance.

For a cooperative, rent adjustments are applied to the carrying charge as determined in "Owner

Rents, Rent Reasonableness, and Payment Standards" chapter.

The lease and other appropriate documents will stipulate that the monthly carrying charge is subject to Section 8 limitations on rent to owner. The housing assistance payment will be determined in accordance with the guidelines in "Owner Rents, Rent Reasonableness, and Payment Standards" chapter.

The HABC may approve a live-in aide to reside with the family to care for a person with disabilities. The HABC will approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities. If the HABC approves a live-in aide, the live-in aide will be counted when determining the family unit size.

Housing Quality Standards

The HABC will ensure that all cooperative housing units approved for the program are in compliance with all of the Housing Quality Standards outlined in the "Housing Quality Standards and Inspections" chapter, and regulated by 24 CFR 982.401.

E. — MANUFACTURED HOMES [24 CFR 982.620]

The HABC will permit a family to lease a manufactured home and space with assistance under the program. The HABC will provide assistance for a family that owns the manufactured home and leases only the space. The HABC may approve a live-in aide to reside with a family to care for a person with disabilities. The HABC will approve a live-in aide if needed as a reasonable accommodation so that the program is accessible to and usable by persons with disabilities. If the HABC approves a live-in aide, the live-in aide must be counted when determining the family unit size.

Housing Quality Standards [24 CFR 982.621]

A manufactured home must meet all the HQS requirements outlined in the "Housing Quality Standards and Inspections" chapter and regulated by 24 CFR 982.401. In addition the manufactured home also must meet the following requirements:

A manufactured home must be placed on the site in a stable manner, and must be free from hazards such as sliding or wind damage.

A manufactured home must be securely anchored by a tie-down device that distributes and transfers the loads imposed by the unit to appropriate ground anchors, in order to resist wind overturning and sliding.

Manufactured Home Space Rental [24 CFR 982.622]

Rent to owner for a manufactured home space will include payment for maintenance services that the owner must provide to the tenant under the lease for the space.

Rent to owner does not include the cost of utilities and trash collection for the manufactured home. However, the owner may charge the family a separate fee for the cost of utilities or trash

collection provided by the owner.

Reasonable Rent

During the assisted tenancy, the rent to owner for the manufactured home space may not exceed a reasonable rent as determined by the HABC.

The HABC will not approve a lease for a manufactured home space until the HABC has determined that the initial rent to owner for the space is a reasonable rent. At least annually during the assisted tenancy, the HABC will re-determine that the rent is reasonable.

The HABC will determine whether the rent to owner for a manufactured home space is a reasonable rent in comparison to rents for other comparable manufactured home spaces. The HABC will consider the size and location of the space and any services and maintenance provided by the owner in accordance with the lease.

By accepting each monthly housing assistance payment from the HABC, the owner of the manufactured home space certifies that the rent to owner for the space is not more than rent charged by the owner for unassisted rental of comparable spaces in the same manufactured home park or elsewhere. If requested by the HABC, the owner must provide the HABC information on rents for other manufactured home space.

Housing Assistance Payments for Manufactured Home Space [24 CFR 982.623]

The Fair Market Rent (FMR) for a manufactured home space will be determined by HUD.

HAP for the Regular Tenancy Program

For the Regular Tenancy Program the initial rent to owner for leasing a manufactured home space may not exceed the published FMR for a manufactured home space.

During the term of a certificate tenancy, entered prior to the merger date, the amount of the monthly housing assistance payment equals the lesser of the manufactured home space cost minus the the Total Tenant Payment or the rent to owner for the manufactured home space.

"Manufactured home space cost" means the sum of: the amortization cost, the utility allowance, and the rent to owner for the manufactured home space.

The amortization cost may include debt service to amortize costs (other than furniture costs) included in the purchase price of the manufactured home. The debt service includes the payment for principal and interest on the loan. The debt service amount will be reduced by 15 percent to exclude debt service to amortize the cost of furniture, unless the HABC determines that furniture was not included in the purchase price.

Any debt service due to refinancing the manufactured home after purchase of the home is not included in the amortization costs.

The HABC will not approve as part of the monthly amortization payment, set-up charges to be

included in the debt service incurred by a family that relocates its home.

HAP for the Voucher Tenancy

There is a separate FMR for a family renting a manufactured home space. The payment standard is used to calculate the monthly housing assistance payment for a family. The FMR for rental of a manufactured home space is generally 40 percent of the published FMR for a two-bedroom unit. During the term of a voucher tenancy, the amount of the monthly housing assistance payment for a family will equal the lesser of:

- The payment standard minus the total tenant payment; or
- The rent paid for rental of the real property on which the manufactured home owned by the family is located (the space rent) minus the total tenant payment.

The space rent is the sum of the following as determined by the HABC:

Rent to owner for the manufactured home space

Owner maintenance and management charges for the space

The utility allowance for tenant paid utilities

Utility Allowance Schedule for Manufactured Home Space Rental [24 CFR 982.624]

The HABC will establish utility allowances for manufactured home space rental. For the first twelve months of the initial lease term only, the allowances will include a reasonable amount for utility hook-up charges payable by the family, if the family actually incurs the expenses because of a move.

Allowances for utility hook-up charges do not apply to a family that leases a manufactured home space in place.

Utility allowances for manufactured home space will not be applied to cover the costs of digging a well or installation of a septic system.

H. _____ HOMEOWNERSHIP [24 CFR 982.625]

The homeownership option is used to assist a family residing in a home purchased and owned by one or more members of the family. The HABC must approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

The HABC reserves the right to restrict homeownership to families or purposes defined by the HABC. The HABC also reserves the right to limit the number of families assisted with homeownership. The HABC will offer a preference for the homeownership option to applicant families who:

- Are currently enrolled and participating in a self-sufficiency program operated by a Federal, State or local agency.
- Are graduates of the HABC Family Self-Sufficiency (FSS) program.

Eligibility Requirements [24 CFR 982.627]

The family must meet all of the requirements listed below before the commencement of homeownership assistance.

The family must be eligible for the Housing Choice Voucher program.

The family must qualify as a first-time homeowner, or may be a co-operative member.

The family must meet the Federal minimum income requirement. The family must have a gross annual income equal to the Federal minimum wage multiplied by 2000, based on the income of adult family members who will own the home. Unless the family is elderly or disabled, income from welfare assistance will not be counted toward this requirement.

The family must meet the Federal minimum employment requirement.

At least one adult family member who will own the home must be currently employed full time and must have been continuously employed for one year prior to homeownership assistance.

HUD regulations define “full time employment” as not less than an average of 30 hours per week.

The Federal minimum employment requirement does not apply to elderly or disabled families. Any family member who has previously defaulted on a mortgage obtained through the homeownership option is barred from receiving future homeownership assistance.

The HABC will impose the following additional initial requirements:

- The family has had no family-caused violations of HUD’s Housing Quality standards within the last 1 year.
- The family is not within the initial 1-year period of a HAP Contract.
- The family does not owe money to the HABC.
- The family has not committed any serious or repeated violations of an HABC-assisted lease within the past 3 year/specify time period.

Homeownership Counseling Requirements [24 CFR 982.630]

When the family has been determined eligible, they must attend and complete homeownership counseling sessions. These counseling sessions will be conducted by HABC staff or approved housing counseling agency. Such counseling shall be consistent with HUD-approved housing counseling. The following topics will be included in the homeownership counseling sessions:

- Home maintenance (including care of the grounds)
- Budgeting and money management
- Credit counseling
- How to negotiate the purchase price of a home
- How to obtain homeownership financing and loan pre-approvals, including a description of types of financing that may be available, and the pros and cons of different types of financing
- How to find a home, including information about homeownership opportunities, schools, and transportation in the HABC jurisdiction
- Advantages of purchasing a home in an area that does not have a high concentration of low-income families and how to locate homes in such areas
- Information about RESPA, state and Federal truth-in-lending laws, and how to identify and avoid loans with oppressive terms and conditions

Eligible Units [24 CFR 982.628]

The unit must meet HUD’s “Eligible Housing” requirements and meet all of the following requirements:

- The unit was already existing or under construction at the time the family was determined eligible for homeownership assistance.
- The unit is a one-unit property or a single dwelling unit in a cooperative or condominium.
- The unit has been inspected by the HABC and by an independent inspector designated by the family.
- The unit meets HUD Housing Quality Standards.
- The HABC must not approve the seller of the unit if the HABC has been informed that the seller is debarred, suspended, or subject to a limited denial of participation.

The unit may not be any of the following:

- A public housing or Indian housing unit
- A unit receiving Section 8 project-based assistance
- A nursing home, board and care home, or facility providing continual psychiatric, medical or nursing services
- A college or other school dormitory

- On the grounds of penal, reformatory, medical, mental, or similar public or private institutions

HABC Search and Purchase Requirements [24 CFR 982.629]

The HABC has established the maximum time that will be allowed for a family to locate and purchase a home. The family’s deadline date for locating a home to purchase will be 120 from the date the family’s eligibility for the homeownership option is determined. The family must obtain financing for the home within 120 of the date eligibility for the homeownership program is determined. The family must purchase the home within 180 calendar days of the date eligibility for the homeownership program is determined.

The HABC will not require periodic reports on the family’s progress in finding and purchasing a home. If the family is unable to purchase a home within the maximum time limit, the HABC will place the family’s name on the waiting list for a voucher.

Inspection and Contract [24 CFR 982.631]

The unit must meet Housing Quality Standards, and must also be inspected by an independent professional inspector selected and paid by the family.

The independent inspection must cover major building systems and components. The inspector must be qualified to identify physical defects and report on property conditions, including major building systems and components. These systems and components include, but are not limited to:

- Foundation and structure
- Housing interior and exterior
- Roofing
- Plumbing, electrical and heating systems

The independent inspector must not be a HABC employee or contractor. The HABC will not require the family to use an independent inspector selected by the HABC, but the HABC has determined that a licensed inspection organization must be used. Copies of the independent inspection report will be provided to the family and the HABC. Based on the information in this report, the family and the HABC will determine whether any pre-purchase repairs are necessary. The HABC may disapprove the unit for homeownership assistance because of information in the report.

The family must enter into a contract of sale with the seller of the unit. A copy of the contract must be given to the HABC. The contract of sale must specify the price and terms of sale, and provide that the purchaser will arrange for a pre-purchase independent inspection of the home. The contract must also:

- Provide that the purchaser is not obligated to buy the unit unless the inspection is 19-9

satisfactory;

- Provide that the purchaser is not obligated to pay for necessary repairs; and
- Contain the seller's certification that he or she has not been debarred, suspended or subject to a limited denial of participation.

Financing [24 CFR 982.632]

The family is responsible for securing financing. The HABC has established financing requirements, listed below, and may disapprove of the proposed financing if the HABC determines that the debt is unaffordable. The HABC will prohibit the following forms of financing:

- Balloon payment mortgages
- Variable interest rate loans
- Seller financing on a case-by-case basis

The HABC will require a minimum cash down payment of 3% percent of purchase price with 1% to be paid from the family's own resources.

Continued Assistance [24 CFR 982.633]

- Homeownership assistance may only be paid while the family is residing in the home. The family or lender is not required to refund homeownership assistance for the month when the family moves out.
- The family must comply with the following obligations:
- The family must comply with the terms of the mortgage securing debt incurred to purchase the home, or any refinancing of such debt.
- The family may not convey or transfer ownership of the home, except for purposes of financing, refinancing, or pending settlement of the estate of a deceased family member. Use and occupancy of the home are subject to CFR 982.551 (h) and (i).
- The family must supply information to the HABC or HUD as specified in CFR 982.551(b). The family must further supply any information required by the HABC or HUD concerning mortgage financing or refinancing, sale or transfer of any interest in the home, or homeownership expenses.
- The family must notify the HABC before moving out of the home.
- The family must notify the HABC if the family defaults on the mortgage used to purchase the home.

- No family member may have any ownership interest in any other residential property.
- The family must attend and complete ongoing homeownership counseling.
- Before commencement of homeownership assistance, the family must execute a statement in which the family agrees to comply with all family obligations under the homeownership option.

Maximum Term of Homeownership Assistance [24 CFR 982.634]

Except in the case of elderly or disabled families, the maximum term of homeownership assistance is:

- 15 years, if the initial mortgage term is 20 years or longer, or
- 10 years in all other cases.

The elderly exception only applies if the family qualified as elderly at the start of homeownership assistance. The disabled exception applies if, at any time during receipt of homeownership assistance, the family qualifies as disabled.

If the family ceases to qualify as elderly or disabled during the course of homeownership assistance, the maximum term becomes applicable from the date assistance commenced. However, such a family must be afforded at least 6 months of homeownership assistance after the maximum term becomes applicable.

If the family receives homeownership assistance for different homes, or from another PHA, the total is subject to the maximum term limitations.

Homeownership Assistance Payments and Homeownership Expenses [24 CFR 982.635]

The monthly homeownership assistance payment is the lower of: the voucher payment standard minus the total tenant payment, or the monthly homeownership expenses minus the total tenant payment. In determining the amount of the homeownership assistance payment, the HABC will use the same payment standard schedule, payment standard amounts, and subsidy standards as those described in this plan for the Housing Choice Voucher program. The HABC will pay the homeownership assistance payment to the family or to the lender at the discretion of the HABC.

Some homeownership expenses are allowances or standards determined by the HABC in accordance with HUD regulations. These allowances are used in determining expenses for all homeownership families and are not based on the condition of the home. Homeownership expenses include:

- Principal and interest on mortgage debt.
- Mortgage insurance premium.
- Taxes and insurance.

- The HABC utility allowance used for the voucher program.
- The HABC allowance for routine maintenance costs of up to \$100 per month based on the size of the home.
- Principal and interest on debt for improvements. **Portability**

[24 CFR 982.636, 982.353(b) and (c), 982.552, 982.553]

Subject to the restrictions on portability included in HUD regulations and in Chapter 13 of this plan, the family may exercise portability if the receiving HABC is administering a voucher homeownership program and accepting new homeownership families. The receiving HABC may absorb the family into its voucher program, or bill the initial HABC. The receiving HABC arranges for housing counseling and the receiving HABC homeownership policies apply.

Moving With Continued Assistance [24 CFR 982.637]

A family receiving homeownership assistance may move with continued tenant-based assistance. The family may move with voucher rental assistance or with voucher homeownership assistance. Continued tenant-based assistance for a new unit cannot begin so long as any family member holds title to the prior home.

Denial or Termination of Assistance [24 CFR 982.638]

Termination of homeownership assistance is governed by the policies for the Housing Choice Voucher program contained in chapter 15 of the Administrative Plan. However, the provisions of CFR 982.551 (c) through (j) are not applicable to homeownership.

The HABC will terminate homeownership assistance if the family is dispossessed from the home due to a judgment or order of foreclosure. The HABC will not permit such a family to move with voucher rental assistance. The HABC will terminate homeownership assistance if the family violates any of the family obligations contained in this section.

SELECTION OF FAMILIES FOR PARTICIPATION IN THE HOMEOWNERSHIP PROGRAM

- Applicants for Homeownership may only be selected from the HABC HCVP Waiting List
- HABC may operate a separate homeownership waiting list and all tenant-based applicants who seek homeownership may be placed on the homeownership list upon request and without penalty to any other pending application for assistance.
- Qualified applicants (income eligible working families, disabled families, and elderly families) will be offered the homeownership option and placement on the homeownership waiting list.

Chapter 20

PROJECT BASED ASSISTANCE PROGRAM

[24 CFR 983]

INTRODUCTION

Project-based vouchers are a component of the HABC Housing Choice Voucher Program. Under the project-based program HABC may attach up to 20% of its voucher assistance to specific housing units for which a HAP (housing assistance payment) contract has been executed.

The HABC operates its project-based voucher program in accordance with regulations promulgated at 24 CFR 983. Except as expressly modified or excluded by part 983, provisions of 24 CFR 982 (Housing Choice Voucher Program) apply.

The HUD Appropriations Act of 2001 amended the existing law that governs the amount of tenant-based housing choice voucher funding that may be used for project-based assistance, and made provisions to make project-based vouchers assistance more flexible. Consistent with legislative intent, HUD is revising its current project-based regulations at 24 CFR 983 to further the program's flexibility and workability, and to help PHAs, owners and eligible families in need of housing take immediate advantage of new statutory features.

Important changes expected under the amended project-based program include:

- Attaching tenant-based assistance to existing units (that pass HQS) in addition to the current requirement of funding only newly constructed and rehabilitated units.
- Extending the project-base cap from 15% to 20% of the baseline units in the Housing Voucher Choice Program.
- Providing mobility and continued assistance to families that choose to participate in the project-based voucher program.
- Extending the HAP contract term to 10 years or more in order to make the project financially feasible, subject to appropriations.
- Placement of applicants referred by owners on the HABC waiting list in accordance with the HABC local policies and selection preferences.
- Permits the HABC, at its discretion, to continue to provide assistance for a unit that becomes vacant for up to 60 days.

Statutory provisions of the Act are non-discretionary and effective immediately.

A. — CONSISTENCY WITH AGENCY PLAN AND DECONCENTRATION GOALS

The Appropriations Act of 2001 integrates the project-based vouchering option within the Agency Plan requirements such that the HABC may only enter into a project-based HAP contract if circumstances indicate that the project basing of units, rather than tenant basing of the same amount of assistance, is an appropriate option. In addition, project basing of vouchers must be consistent with the statutory goals of de-concentrating poverty and expanding housing and economic opportunity.

Until HUD issues further instructions, the HABC will provide, as a required attachment to its Agency Plan, a statement of the projected number of project-based units and general locations and show how the project basing is consistent with its overall Agency Plan. Should the HABC wish to use the project based voucher program before the anticipated approval date of the Agency Plan, HABC will add the information as an amendment to the Agency Plan and follow the regulations and notices for HABC Agency Plan amendments.

Until HUD issues further instructions, HABC will ensure the statutory goals of poverty de-concentration by requiring that all new project-based assistance agreements or contracts be for units in census tracts with poverty rates of less than 20%, unless HUD specifically approves an exception.

B. — FAMILY ELIGIBILITY AND OBTAINING A PROJECT-BASED VOUCHERS

Any Section 8 eligible family on the HABC waiting list that is interested in moving into a specific unit under a project based HAP contract is eligible for a project based voucher. The HABC refers families, who have already applied for housing choice vouchers and are on the waiting list, to properties that have project-based voucher assistance when units become vacant (owner notification of vacancy). The HABC project based selection system complies with the following program requirements:

- Applicants may only be selected from the HABC waiting list.
- HABC may operate a separate project-based waiting list notwithstanding that all tenant-based applicants who seek project-based housing can be placed on the project-based list upon request and without penalty to any other pending application for assistance.
- HABC may place a family referred by an owner of a project based voucher unit on its waiting list, subject to stated waiting list policies and selection preferences.

Chapter 21

ANNUAL CONTRIBUTIONS CONTRACT, ADMINISTRATIVE FEE AND RESERVES [24 CFR 982.151, .152, .153, & .155),

INTRODUCTION

This chapter discussed the terminology that is used to describe the contractual obligations for funding and administering the Section 8 programs. It describes the payment structure for the Section 8 program and the procedures for establishing and maintaining program reserves.

A. Annual Contributions Contract (ACC)

Under an ACC, HUD agrees to make payments to Authorities over a specified term for housing assistance payments owners and administrative fees. The Authority agrees to administer the program in accordance with HUD regulations and requirements. The ACC specifies the Contract Authority (i.e., maximum annual payment by HUD) and the Budget Authority (i.e., maximum that may be paid by HUD to a PHA over the ACC term of a funding increment).

Each Section 8 funding increment constitutes a separate ACC. The ACC terms are typically executed for one-year periods. Commitments for all voucher funding increments in a PHA program are listed in a Consolidated Annual Contributions Contract. Before adding funding increments to the Authority's consolidated ACC, HUD must reserve budget authority from amounts authorized and appropriated by Congress.

For a given HA fiscal year, the amount of HUD's maximum annual payment for the HA program equals the sum of the Contract Authority for all the funding increments under the consolidated ACC. The maximum annual payment does not include contract authority for expired funding increments due to fiscal year end differences between HUD and the Authority. Additional payments resulting from year-end differences may be paid from the ACC reserve account subject to HUD approval.

B. Administrative Fee

Payments from HUD to the Authority for operating a Section 8 program are referred to as administrative fees. Program administrative fees are specified in the Authority's Section 8 Budget prepared based on the Authority's fiscal year. Administrative fees are paid in amounts approved by HUD from funds appropriated for that purpose by Congress.

Authority's are eligible to receive preliminary and on-going administrative fees. However, HUD may approve additional payments for costs associated with:

- Hard to house families (i.e., \$75 per initial or move contract of families with 3 children and or disabled members)
- Coordinate supportive services for elderly and disables
- Costs associated with providing reasonable accommodations to the extent that they cannot be paid out of the administrative fee
- Families in FSS programs
- Costs of an independent audit
- Other costs deemed extraordinary by HUD Headquarters.

HUD may also reduce or offset the administrative fee if the Authority fails to perform any of its program responsibilities (e.g., failure to enforce HQS, not promptly reimbursing a receiving Authority for portability units). Importantly, HUD must reduce the Administrative Fee by 10% if the Authority's MTCS Reporting Rate is not at least 85% for the fiscal year.

Ongoing Administrative Fees are paid for each program unit under HAP contract on the first day of the month in an amount published by HUD. The administrative fee may only be used to cover costs incurred to perform Authority administrative responsibilities for the program in accordance HUD regulations and requirements.

C. Reserves

There are two types of program reserve accounts. The first type is called the ACC reserve account. One reserve account is established for the consolidated ACC funding. The second type of reserve is called the administrative fee reserve account. The Authority establishes and maintains this account. Further discussion of each type of reserve account is provided under separate headings.

ACC Reserve Account is a non-funded account established and maintained by the local HUD Office. It was formally called the "project reserve" a holdover term from the project based section 8 programs. The account is used to account for an ongoing balance of the Section 8 program. At the end of each Authority fiscal year HUD credits the ACC reserve account in an amount by which the sum of the contract authority maximum payment (i.e., annual funding increment under the consolidated ACC) exceeds the amount actually approved and paid out during the Authority fiscal year.

The ACC Reserve Account is "swept" by HUD annually of reserves in excess of 6 weeks of estimated HAP payments. The Authority can access the ACC Reserve Account, with HUD approval, to pay amounts needed to fund up to 100% of the units budgeted under the program.

Administrative Fee Reserve is maintained by the Authority and was formally referred to as the operating reserve. The Authority is to credit to the administrative reserve the total of the amount by which the program administrative fees paid during the Authority's fiscal year exceed the program administrative expenses, plus interest earned on the administrative reserve account. The Authority may use surpluses in administrative

reserves to cover annual expense deficits. If administrative reserves are available after last funding increment, the reserve can be used for other housing purposes.

CHAPTER 22

MONITORING, RECORDKEEPING AND REPORTING

[24 CFR part 985]

INTRODUCTION

In accordance with its consolidated ACC to operate Section 8 programs, the HABC must maintain complete and accurate accounts and other records for the program in accordance with HUD requirements, in a manner that permits a speedy and effective audit. In addition, HABC must furnish to HUD accounts and other records, reports, documents and other information as required by HUD.

This chapter details the monitoring, recordkeeping and reporting practices that are to be followed by HABC in accordance with HUD requirements. In addition, this chapter reviews the Section 8 Management Assessment Program (SEMAP) requirements.

A. Monitoring of Program Requirements and Performance

HABC has developed monitoring procedures as part of its required internal control systems to monitor the program's requirements and performance standards. The monitoring procedures are designed to assist HABC in streamlining its operation, improving efficiency, and ensuring compliance with HUD rules and regulations.

The following table identifies and describes the program and performance monitoring requirements, the standard by which the requirement will be judged, and the procedure that should be followed by HABC.

Section 8 Monitoring

Requirement	Standard	Procedure
Program		
<ul style="list-style-type: none"> · Reexamination of Assisted Families 	<p>Incomes of assisted families must be reexamined annually on a timely basis, so that any changes in housing assistance payments are effective on the applicable anniversary date.</p>	<p>The Section 8 staff schedules reexaminations in a manner that ensures completion within 12 months of the previous re-examination. Completion includes all third party verifications, full MTCS acceptance of the 50058, rent change notice to tenant 60 days prior to the effective date and tenant file maintenance. The tenants scheduled 120 days in advance of the effective date and are required to provide the any data deemed necessary by HABC to determine eligibility. Upon completion of the reexamination, HABC will provide the results of the reexamination to each household in writing, and advise the households of their right to a informal hearing. Additionally, HABC will complete the HUD 50058 form and transmit it to HUD.</p>
<ul style="list-style-type: none"> · Accurate HAP Payments to Owners 	<p>Assure that housing assistance payments reflect the actual amount of contract rent and tenant rent initially and any changes required because of a family reexamination, an interim reexamination or contract rent adjustments.</p> <p>Ensure that payments are not made for any HAP</p>	<p>Review HAP payment versus contract rent agreement during the reexamination procedure. listed on the HAP Contract,</p>

Section 8 Monitoring

Requirement	Standard	Procedure
	Contract that has been terminated.	
Performance		
· Leasing of Unit Increments	HABC must monitor its leasing progress on a quarterly basis to identify the number of Vouchers issued that resulted in HAP Contracts.	Set an annual goal for the number of Vouchers issued that result in HAP contracts. Review the goal quarterly. If the leasing success rate falls below the projected goal, HABC should take steps to improve its leasing performance.
· Occupance Rate of Units	Ensure that at least 95% of the units are under lease (i.e., under HAP contract) so that assisted housing resources are effectively used and enough administrative fees will be earned to cover the expenses.	<ol style="list-style-type: none"> 1) Review the number of units under HAP agreement quarterly. 2) If the number of units under HAP Contract is under 95%, HABC may do the following: <ul style="list-style-type: none"> · over-issue vouchers to compensate for the estimated number of vouchers that do to result in HAP contracts and to achieve the needed amount unused units months . · improve lease-up rate by reassigning or hiring more staff to process family applications, brief voucher holders, verify income, and inspect units.
· Waiting List	<p>HABC will review its waiting list to answer the following questions:</p> <ul style="list-style-type: none"> · Has outreach been effective for families least likely to apply? · Is additional outreach necessary for any particular family category, or to fill preferences? · Does application taking need to be suspended because the waiting list is too long? 	<ol style="list-style-type: none"> 1) Review the number of units that are vacant or scheduled to become vacant on a monthly basis. 2) Review the waiting list to determine if there are enough families to fill the vacant units. 3) Determine if sections of the population that are unlikely to apply are represented. 4) If these populations are under-represented, identify outreach medium to contact and attract these specific groups of people to apply for assistance, (i.e., opening portion of waiting list. 5) Institute outreach program through the selected medium.
· Location of Units	HABC will wish to monitor the location of the units under HAP Contact to identify the extent to which units are leased in areas without undue concentrations of minority or lower income families.	<ol style="list-style-type: none"> 1) Develop a thematic map which identifies the minority concentration and family income level by Census tract. 2) Correlate the HAP contracts on the map to determine which areas have the greatest concentration on Section 8 recipients.
· Housing Quality Standards (HQS)	HABC will track the number of units that did not meet HQS, the number of units that were improved, and the type and the cost of the improvements. This information will help HABC in determining the extent to which the program has improved the quality of housing in the area.	<ol style="list-style-type: none"> 1) The Section 8 staff will maintain an active file of all of the units that fail to meet HQS. 2) As the HQS deficiencies are repaired, remove the house from the file. 3) Keep a annual statistics of the number of houses that are repaired and brought up to HQS to determine the extent to which the program has improved the quality of housing

in the area.

B. Program Reporting

HABC is required submit standardized reports regarding the Section 8 program to HUD throughout the year. The following table identifies and describes each of these reports as well as defining the required frequency of their submission.

Section 8 Reporting

Report	Description	Frequency
Program Utilization (Form HUD-52683)	The report must identify the following: <ul style="list-style-type: none"> · The number of outstanding vouchers. · The total number of units under lease/HAP Contract. · The total number of units under lease/HAP Contract that are occupied by elderly, handicapped, or disabled families. All reports are due 10 working days from the end of the reporting period. The first report should contain information through the end of the calendar quarter during which the ACC was executed. Subsequent reports must contain information through the end of each calendar quarter.	<ul style="list-style-type: none"> · If less than 95% of the units are under HAP Contract, the report is submitted quarterly. · If greater than 95% of the units are under HAP Contract, the report is submitted annually with a 6/30, reporting period.
Budget <ul style="list-style-type: none"> · Supporting Data for Annual Contributions Estimates (Form HUD-52672) · Estimates of Total Required Annual Contributions (Form HUD-52673) 	These forms must be submitted before any ACC amendment adding a new project to HABC's Existing Housing Program. HABC must send an original and two copies of each form to the Field office.	<ul style="list-style-type: none"> · HABC must submit at least 90 calendar days before the beginning each fiscal year.
Partial Payment of Annual Contributions (Form HUD- 52663)	HABC must submit an original of its consolidated requisition with two copies to the Field office for all units under the ACC Part I.	<ul style="list-style-type: none"> · 45 calendar days before the beginning of each calendar quarter.
Year-end Settlement <ul style="list-style-type: none"> · Voucher for Payment of Annual Contribution and Operating Statement (Form HUD-52681) 	Used to report operating receipts and expenses. Additionally, this form must be submitted to the Regional Accounting Division if there is an overpayment, and enclose a check for any over advances received.	<ul style="list-style-type: none"> · At the end of each fiscal year.
<ul style="list-style-type: none"> · Balance Sheet for Section 8 and Public Housing (Form HUD-52595) 	Used to report assets and liabilities.	<ul style="list-style-type: none"> · At the end of each fiscal year.
Recertification (Form HUD-50058)	Recertifications are used to ensure that the families are still eligible for the program, housed in a properly sized unit, and paying the appropriate amount of rent according to the guidelines of the program.	<ul style="list-style-type: none"> · Form HUD-50058 annually.
Family Self-Sufficiency (Form HUD-50058-FSS)	The purpose of the Family Self-Sufficiency (FSS) program is to promote the development of local strategies to coordinate the use of public and Indian housing assistance and housing assistance under the Section 8 rental certificate and rental voucher programs with public and private resources, to enable families eligible to receive assistance under these programs to achieve economic independence and self-sufficiency.	Form HUD-50058-FSS submitted annually.
Portability (Form HUD-50058)	The Section 8 portability feature allows a voucher holder to rent a dwelling unit outside the jurisdiction of the initial (i.e., issuing) authority. Portability also permits a family to move with continued assistance to another unit outside HABC's jurisdiction and establishes the rules under which a family may move with	Form HUD-50058 submitted annually.

Section 8 Reporting

Report	Description	Frequency
	continued assistance to the jurisdiction of another Authority.	

C. Record Keeping and Other Data

HABC is required by HUD to maintain complete and accurate accounts and other records for the program on each family in their files. These family files are used to facilitate monitoring and program auditing. HABC should establish a file for each family during the application process.

During the term of the assisted lease, and for three years thereafter, HABC will keep the following documents.

- A copy of the executed lease.
- The HAP Contract.
- The Application from the family.

In addition, HABC will maintain the following information for at least three years:

- Records that provide income, racial, ethnic, gender, and disability status data on program applicants and participants.
- An application from each ineligible family and notice that the applicants and participants.
- HUD required reports.
- Unit inspection reports.
- Lead-based paint inspection records as required by 24 CFR § 982.401 (j).
- Accounts and other records supporting HABC budget and financial statements for the program.
- Other records specified by HUD.

HABC also maintains following documents in the tenant files for three years, although they are not required to do so by HUD:

- Reexamination notices and work papers.
- Income verification forms.

□ A
copy
of

each
Certifi
cate
issued.
22-4

- Copies of relevant correspondence.
- All requests for lease approval.
- All rent reasonableness determinations.
- Interim re-determination forms and related records.
- Notification of lease disapprovals, if applicable.
- Records concerning denial of assistance, or termination of assistance.
- All Authority records and determinations concerning informal reviews or hearings affecting an applicant or participant in the Section 8 Existing Housing Certificate Program.
- Family Service Record that identifies all contracts HABC has had with the family or other on behalf of the family, information and support services supplied at the briefing session(s), referrals provided, and response to complaints or requests for assistance.

HABC maintains statistical information and other program data on a current basis. This capability includes both current and cumulative statistics for the following:

- Percentage of minority families assisted.
- Percentage of single-parent head-of-household families assisted.
- Percentage of assisted families on welfare.
- Percentage of assisted families with earned income.
- Percentage of assisted families with disabilities.
- Percentage of assisted families who leased in place.
- Percentage of assisted families who leased units of smaller or larger sizes than those listed on their Voucher.
- Percentage of assisted families who have been evicted.
- Percentage of families who have left the program.
- Percentage of assisted handicapped or disabled families.
- Percentage of assisted elderly families.

- ■ Percentage of assisted hard-to-house families (i.e., those with 3 or more minors).
- Number and amount of vacancy loss claims.
- Number and amount of damage claims.
- Number of HAP Contract terminations due to non-compliance with HQS.
- Percentage of owners who have dropped out of the program.
- Number of families who applied for the program but were not assisted.
- Number of units accessible to non-elderly handicapped or disabled assisted families.
- Number of assisted families in each census tract (or enumeration district) in HABC's jurisdiction.
- Number of families, owners, and Authority employees receiving disciplinary action of program abuse.
- Number of Certificate holders that were not successful in finding suitable housing.

D. Section 8 Management Assessment Program (SEMAP)

HUD has established a Section 8 Management Assessment Program to objectively measure public housing agency performance in key Section 8 and tenant based assistance program areas. The regulations governing the SEMAP requirements are found at 24 CFR 985.

HABC conducts an annual assessment of its program administrative performance to certify its performance score with respect to the housing choice voucher program. The SEMAP Rule applies to the housing choice voucher program (24 CFR 982), the project-based component of the certificate or voucher program (24 CFR 983), and participation in the FSS program (24 CFR 984).

SEMAP Standards and Responsibility Table

SEMAP Indicator	Verification Method	Responsibility	Points
Selection from the Waiting List	Quality Control Sample	Applications Manager	15
Reasonable Rent	Quality Control Sample	Leasing & Contracting Manager	20
Determination of Adjusted Income	Quality Control Sample	Applications Manager	20
Utility Allowance Schedule	Annual Utility Allowance Assessment Report	Inspection Manager	5
HQS Quality Control	Quality Control Sample	Inspection Manager	5
HQS Enforcement	Quality Control Sample	Inspection Manager	10
Expanding Housing Opportunity	Annual Briefing Package Assessment Report	Leasing and Contracting Manager	5

Deconcentration Bonus	Monthly Statistical Report	Leasing and Contracting Manager	5
Payment Standard	Annual Report	Section 8 Director	5
Annual Re Examination	Monthly MTCS Report	Re Examination Manager	10
Correct Tenant Rent Calculations	Monthly MTCS Report	Re Examination Manager	5
Pre-Contract HQS Inspections	Monthly MTCS Report	Inspection Manager	5
Annual HQS Inspections	Monthly MTCS Report	Inspection Manager	10
Lease-Up	Monthly MTCS Report	Section 8 Director	20
FSS Enrollment and Escrow Accounts	Monthly MTCS Report	Resident Services Manager	5

GLOSSARY A.

ACRONYMS USED IN SUBSIDIZED HOUSING

AAF	Annual Adjustment Factor. A factor published by HUD in the Federal Register which is used to compute annual rent adjustment.
ACC	Annual Contributions Contract
BR	Bedroom
CDBG	Community Development Block Grant
CFR	Code of Federal Regulations. Commonly referred to as "the regulations". The CFR is the compilation of Federal rules which are first published in the Federal Register and define and implement a statute.
CPI	Consumer Price Index. CPI is published monthly by the Department of Labor as an inflation indicator.
ELI	Extremely low income
FDIC	Federal Deposit Insurance Corporation
FHA	Federal Housing Administration
FICA	Federal Insurance Contributions Act - Social Security taxes
FmHA	Farmers Home Administration
FMR	Fair Market Rent
FY	Fiscal Year
FYE	Fiscal Year End
GAO	Government Accounting Office
GFC	Gross Family Contribution. Note: Has been replaced by the term Total Tenant Payment (TTP).
GR	Gross Rent
HAP	Housing Assistance Payment
HAP Plan	Housing Assistance Plan
HCDA	Housing and Community Development Act
HQS	Housing Quality Standards
HUD	The Department of Housing and Urban Development or its designee.
HURRA	Housing and Urban/Rural Recovery Act of 1983; resulted in most of the 1984 HUD regulation changes to definition of income, allowances, rent calculations
IG	Inspector General
IGR	Independent Group Residence

IPA	Independent Public Accountant
IRA	Individual Retirement Account
MSA	Metropolitan Statistical Area established by the U. S. Census Bureau
PHA	Public Housing Agency
PMSA	A Primary Metropolitan Statistical Area established by the U. S. Census Bureau
PS	Payment Standard
QC	Quality Control
RFAT	Request for Approval of Tenancy
RFP	Request for Proposals
RRP	Rental Rehabilitation Program
SRO	Single Room Occupancy
SSMA	Standard Statistical Metropolitan Area. Has been replaced by MSA, Metropolitan Statistical Area.
	Tenant Rent
TR	Total Tenant Payment
TTP	Utility Allowance
UA	Utility Reimbursement Payment
URP	

B. GLOSSARY OF TERMS IN SUBSIDIZED HOUSING

1937 ACT. The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.)

ADMINISTRATIVE PLAN. The HUD required written policy of the PHA governing its administration of the Section 8 tenant-based programs. The Administrative Plan and any revisions must be approved by the PHA's board and a copy submitted to HUD as a supporting document to the PHA Plan.

ABSORPTION. In portability, the point at which a receiving PHA stops billing the initial PHA for assistance on behalf of a portability family. The receiving PHA uses funds available under the receiving PHA consolidated ACC.

ACC RESERVE ACCOUNT (FORMERLY "PROJECT RESERVE"). Account established by HUD from amounts by which the maximum payment to the PHA under the consolidated ACC (during a PHA fiscal year) exceeds the amount actually approved and paid. This account is used as the source of additional payments for the program.

ADA. Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) **ADJUSTED**

INCOME. Annual income, less allowable HUD deductions. **ADMINISTRATIVE FEE.** Fee paid by HUD to the PHA for administration of the program.

ADMINISTRATIVE FEE RESERVE (Formerly "Operating reserve"). Account established by PHA from excess administrative fee income. The administrative fee reserve must be used for housing purposes.

ADMISSION. The effective date of the first HAP contract for a family (first day of initial lease term) in a tenant-based program. This is the point when the family becomes a participant in the program.

ANNUAL BUDGET AUTHORITY. The maximum annual payment by HUD to a PHA for a funding increment.

ANNUAL CONTRIBUTIONS CONTRACT (ACC). A written contract between HUD and a PHA. Under the contract HUD agrees to provide funding for operation of the program, and the PHA agrees to comply with HUD requirements for the program

ANNUAL INCOME. The anticipated total Annual Income of an eligible family from all sources for the 12-month period following the date of determination of income, computed in accordance with the regulations.

ANNUAL INCOME AFTER ALLOWANCES. The Annual Income (described above) less the HUD-approved allowances.

APPLICANT. (or applicant family). A family that has applied for admission to a program, but is not yet a participant in the program.

"AS-PAID" STATES. States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs.

ASSETS. (See Net Family Assets.)

ASSISTED TENANT. A tenant who pays less than the market rent as defined in the regulations. Includes tenants receiving rent supplement, Rental Assistance Payments, or Section 8 assistance and all other 236 and 221 (d)(3) BMIR tenants, except those paying the 236 market rent or 120% of the BMIR rent, respectively.

BUDGET AUTHORITY. An amount authorized and appropriated by the Congress for payment to PHAs under the program. For each funding increment in a PHA program, budget authority is the maximum amount that may be paid by HUD to the PHA over the ACC term of the funding increment.

CERTIFICATE. A Certificate issued by the PHA under the Section 8 pre-merger certificate program, declaring a family to be eligible for participation in this program and stating the terms and conditions for such participation. Will no longer be issued after October 1, 1999.

CERTIFICATE PROGRAM. Pre-merger rental certificate program.

CHILD CARE EXPENSES. Amounts paid by the family for the care of minors under 13 years of age where such care is necessary to enable a family member to be employed or for a household member to further his/her education.

CO-HEAD. An individual in the household who is equally responsible for the lease with the Head of Household. (A family never has a Co-head and a Spouse and; a Co-head is never a Dependent).

COMMON SPACE. In shared housing: Space available for use by the assisted family and other occupants of the unit.

CONGREGATE HOUSING. Housing for elderly persons or persons with disabilities that meets the HQS for congregate housing.

COOPERATIVE. A dwelling unit owned and or shared by a group of individuals who have individual sleeping quarters and share common facilities such as kitchen, living room and some bathrooms.

CONSOLIDATED ANNUAL CONTRIBUTIONS CONTRACT. (Consolidated ACC). See 24 CFR 982.151.

CONTIGUOUS MSA. In portability, an MSA that shares a common boundary with the MSA in which the jurisdiction of the initial PHA is located.

CONTINUOUSLY ASSISTED. An applicant is continuously assisted under the 1937 Housing Act if the family is already receiving assistance under any 1937 Housing Act program when the family is admitted to the voucher program.

CONTRACT. (See Housing Assistance Payments Contract.)

COOPERATIVE. (term includes mutual housing). Housing owned by a nonprofit corporation or association, and where a member of the corporation or association has the right to reside in a particular apartment, and to participate in management of the housing. A special housing type: See 24 CFR 982.619.

COVERED FAMILIES. Statutory term for families who are required to participate in a welfare agency economic self-sufficiency program and who may be subject to a welfare benefit sanction for noncompliance with this obligation. Includes families who receive welfare assistance or other public assistance under a program for which Federal, State or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for the assistance.

DEPENDENT. A member of the family household (excluding foster children) other than the family head or spouse, who is under 18 years of age or is a Disabled Person or Handicapped Person, or is a full-time student 18 years of age or over.

DISABILITY ASSISTANCE EXPENSE. Anticipated costs for care attendants and auxiliary apparatus for disabled family members which enable a family member (including the disabled family member) to work.

DISABLED FAMILY. A family whose head, spouse, or sole member is a person with disabilities; or two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides.

DISABLED PERSON. See Person with Disabilities.

DISPLACED PERSON/FAMILY. A person or family displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized under federal disaster relief laws.

DOMICILE. The legal residence of the household head or spouse as determined in accordance with State and local law.

DRUG-RELATED CRIMINAL ACTIVITY. The illegal manufacture, sale, distribution, use, or the possession with intent to manufacture, sell distribute or use, of a controlled substance (as defined in Section 102 of the Controlled Substance Act (21 U.S.C. 802)).

DRUG TRAFFICKING. The illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute or use, of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

ECONOMIC SELF-SUFFICIENCY PROGRAM. Any program designed to encourage, assist, train or facilitate the economic independence of assisted families, or to provide work for such families. Can include job training, employment counseling, work placement, basic skills training, education, English proficiency, Workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as treatment for drug abuse or mental health treatment). Includes any work activities as defined in the Social Security Act (42 U.S.C. 607(d)). Also see 24 CFR 5.603 (c).

ELDERLY FAMILY. A family whose head, spouse, or sole member is a person who is at least 62 years of age; or 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.

ELDERLY HOUSEHOLD. A family whose head or spouse or whose sole member is at least 62 years of age; may include two or more elderly persons living together or one or more such persons living with another person who is determined to be essential to his/her care and wellbeing.

ELDERLY PERSON. A person who is at least 62 years old.

ELIGIBILITY INCOME. May 10, 1984, regulations deleted Eligibility Income, per se, because Annual Income is now for eligibility determination to compare to income limits.

ELIGIBLE FAMILY (Family). A family is defined by the PHA in the administrative Plan, which is approved by HUD.

EXCEPTIONAL MEDICAL OR OTHER EXPENSES. Prior to the regulation change in 1982, this meant medical and/or unusual expenses as defined in Part 889 which exceeded 25% of the Annual Income. It is no longer used.

EXCEPTION RENT. In the pre-merger certificate program, an initial rent (contract rent plus any utility allowance) in excess of the published FMR. See FMR/Exception rent.

EXCESS MEDICAL EXPENSES. Any medical expenses incurred by elderly or disabled families only in excess of 3% of Annual Income which are not reimbursable from any other source.

EXTREMELY LOW-INCOME FAMILY. A family whose annual income does not exceed 30 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income ceilings higher or lower than 30% of medical income for an a if HUD finds such variations are necessary due to unusually high or low family incomes.

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.)

FAIR MARKET RENT (FMR). The rent including the cost of utilities (except telephone) that would be required to be paid in the housing market area to obtain privately owned existing decent, safe and sanitary rental housing of modest (non-luxury) nature with suitable amenities. Fair market rents for existing housing are established by HUD for housing units of varying sizes (number of bedrooms) and are published in the *Federal Register*.

FAMILY. "Family" includes but is not limited to:

A family with or without children (the temporary absence of a child from the home due to placement in foster care shall not be considered in determining family composition and family size);

An elderly family;

A near-elderly family;

A displaced family

The remaining member of a tenant family; and

A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family.

("Family" can be further defined by the PHA).

FAMILY OF VETERAN OR SERVICE PERSON. A family is a "family of veteran or service person" when:

The veteran or service person (a) is either the head of household or is related to the head of the household; or (b) is deceased and was related to the head of the household, and was a family member at the time of death.

The veteran or service person, unless deceased, is living with the family or is only temporarily absent unless s/he was (a) formerly the head of the household and is permanently absent because of hospitalization, separation, or desertion, or is divorced; provided, the family contains one or more persons for whose support s/he is legally responsible and the spouse has not remarried; or (b) not the head of the household but is permanently hospitalized; provided, that s/he was a family member at the time of hospitalization and there remain in the family at least two related persons.

FAMILY RENT TO OWNER. In the voucher program, the portion of the rent to owner paid by the family.

FAMILY SELF-SUFFICIENCY PROGRAM (FSS PROGRAM). The program established by a PHA to promote self-sufficiency of assisted families, including the provision of supportive services.

FAMILY SHARE. The amount calculated by subtracting the housing assistance payment from the gross rent.

FAMILY UNIT SIZE. The appropriate number of bedrooms for a family, as determined by the PHA under the PHA's subsidy standards.

FMR/EXCEPTION RENT. The fair market rent published by HUD headquarters. In the pre-merger certificate program the initial contract rent for a dwelling unit plus any utility allowance could not exceed the FMR/exception rent limit (for the dwelling unit or for the family unit size). In the voucher program the PHA adopts a payment standard schedule that is within 90% to 110% of the FMR for each bedroom size.

FOSTER CHILD CARE PAYMENT. Payment to eligible households by state, local, or private agencies appointed by the State, to administer payments for the care of foster children.

FULL-TIME STUDENT. A person who is attending school or vocational training on a full-time basis (carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended).

FUNDING INCREMENT. Each commitment of budget authority by HUD to a PHA under the consolidated annual contributions contract for the PHA program.

GROSS FAMILY CONTRIBUTION. Changed to Total Tenant Payment.

GROSS RENT. The sum of the Rent to Owner and the utility allowance. If there is no utility allowance, Rent to Owner equals Gross Rent.

GROUP HOME. A dwelling unit that is licensed by a State as a group home for the exclusive residential use of two to twelve persons who are elderly or persons with disabilities (including any live-in aide).

HAP CONTRACT. (See Housing Assistance Payments contract.)

HEAD OF HOUSEHOLD. The head of household is the person who assumes legal and financial responsibility for the household and is listed on the application as head.

HOUSING AGENCY. A state, county, municipality or other governmental entity or public body (or agency or instrumentality thereof) authorized to engage in or assist in the development or operation of low-income housing. ("PHA" and "HA" mean the same thing.)

HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974. Act in which the U. S. Housing Act of 1937 (sometimes referred to as the Act) was recodified, and which added the Section 8 Programs.

HOUSING ASSISTANCE PAYMENT. The monthly assistance payment by a PHA. The total assistance payment consists of:

A payment to the owner for rent to owner under the family's lease.

An additional payment to the family if the total assistance payment exceeds the rent to owner. The additional payment is called a "utility reimbursement" payment.

HOUSING ASSISTANCE PAYMENTS CONTRACT. (HAP contract). A written contract between a PHA and an owner in the form prescribed by HUD headquarters, in which the PHA agrees to make housing assistance payments to the owner on behalf of an eligible family.

HOUSING ASSISTANCE PLAN. (1) A Housing Assistance Plan submitted by a local government participating in the Community Development Block Program as part of the block grant application, in accordance with the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD. (2) A Housing Assistance Plan meeting the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD.

HOUSING QUALITY STANDARDS (HQS). The HUD minimum quality standards for housing assisted under the tenant-based programs.

HUD. The Department of Housing and Urban Development.

HUD REQUIREMENTS. HUD requirements for the Section 8 programs. HUD requirements are issued by HUD headquarters as regulations. Federal Register notices or other binding program directives.

IMPUTED ASSET. Asset disposed of for less than Fair Market Value during two years preceding examination or reexamination.

IMPUTED INCOME. HUD passbook rate x total cash value of assets. Calculation used when assets exceed \$5,000.

IMPUTED WELFARE INCOME. An amount of annual income that is not actually received by a family as a result of a specified welfare benefit reduction, but is included in the family's annual income and therefore reflected in the family's rental contribution.

INCOME. Income from all sources of each member of the household as determined in accordance with criteria established by HUD.

INCOME FOR ELIGIBILITY. Annual Income.

INDIAN. Any person recognized as an Indian or Alaska native by an Indian tribe, the federal government, or any State.

INDIAN HOUSING AUTHORITY (IHA). A housing agency established either by exercise of the power of self-government of an Indian Tribe, independent of State law, or by operation of State law providing specifically for housing authorities for Indians.

INITIAL PHA. In portability, the term refers to both:

A PHA that originally selected a family that later decides to move out of the jurisdiction of the selecting PHA; and

A PHA that absorbed a family that later decides to move out of the jurisdiction of the absorbing PHA.

INITIAL PAYMENT STANDARD. The payment standard at the beginning of the HAP contract term.

INITIAL RENT TO OWNER. The rent to owner at the beginning of the HAP contract term.

INTEREST REDUCTION SUBSIDIES. The monthly payments or discounts made by HUD to reduce the debt service payments and, hence, rents required on Section 236 and 221 (d)(3) BMIR projects. Includes monthly interest reduction payments made to mortgagees of Section 236 projects and front-end loan discounts paid on BMIR projects.

JURISDICTION. The area in which the PHA has authority under State and local law to administer the program.

LANDLORD. This term means either the owner of the property or his/her representative or the managing agent or his/her representative, as shall be designated by the owner.

LARGE VERY LOW INCOME FAMILY. Prior to the 1982 regulations, this meant a very low income family which included six or more minors. This term is no longer used.

LEASE. A written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP contract between the owner and the PHA. In cooperative housing, a written agreement between a cooperative and a member of the cooperative. The agreement establishes the conditions for occupancy of the member's family with housing assistance payments to the cooperative under a HAP contract between the cooperative and the PHA.

LEASE ADDENDUM. For pre-merger Certificate, pre-merger OFTO, and pre-merger Voucher tenancies, the lease language required by HUD in the lease between the tenant and the owner.

LIVE-IN AIDE. A person who resides with an elderly person or disabled person and who is determined to be essential to the care and well-being of the person, is not obligated for the support of the person, and would not be living in the unit except to provide necessary supportive services.

LOCAL PREFERENCE. A preference used by the PHA to select among applicant families.

LOW-INCOME FAMILY. A family whose annual income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income ceilings higher or lower than 80% for areas with unusually high or low income families.

MANUFACTURED HOME. A manufactured structure that is built on a permanent chassis, is designed for use as a principal place of residence, and meets the HQS. A special housing type. See 24 CFR 982.620 and 982.621.

MANUFACTURED HOME SPACE. In manufactured home space rental: A space leased by an owner to a family. A manufactured home owned and occupied by the family is located on the space. See 24 CFR 982.622 to 982.624

MARKET RENT. The rent HUD authorizes the owner of FHA insured/subsidized multi-family housing to collect from families ineligible for assistance. For unsubsidized units in an FHA-insured multi-family project in which a portion of the total units receive project-based rental assistance, under the Rental Supplement or Section 202/Section 8 Programs, the Market Rate Rent is that rent approved by HUD and is the Contract Rent for a Section 8 Certificate holder. For BMIR units, Market Rent varies by whether the project is a rental or cooperative.

MEDICAL EXPENSES. Those total medical expenses, including medical insurance premiums, that are anticipated during the period for which Annual Income is computed, and that are not covered by insurance. (A deduction for elderly or disabled families only.) These allowances are given when calculating adjusted income for medical expenses in excess of 3% of Annual Income.

MERGER DATE. October 1, 1999.

MINOR. A member of the family household (excluding foster children) other than the family head or spouse who is under 18 years of age.

MIXED FAMILY. A family with citizens and eligible immigration status and without citizens and eligible immigration status as defined in 24 CFR 5.504(b)(3)

MONTHLY ADJUSTED INCOME. 1/12 of the Annual Income after Allowances or Adjusted Income.

MONTHLY INCOME. 1/12 of the Annual Income.

MUTUAL HOUSING. Included in the definition of COOPERATIVE.

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.

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; or 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.

NEGATIVE RENT. Now called Utility Reimbursement. A negative Tenant Rent results in a Utility Reimbursement Payment (URP).

NET FAMILY ASSETS. Value of 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 is excluded from the definition.

NET FAMILY CONTRIBUTION. Former name for Tenant Rent.

NON CITIZEN. A person who is neither a citizen nor a national of the United States.

OCCUPANCY STANDARDS. [Now referred to as **Subsidy Standards**] Standards established by a PHA to determine the appropriate number of bedrooms for families of different sizes and compositions.

OVER-FMR TENANCY (OFTO). In the pre-merger Certificate program: A tenancy for which the initial gross rent exceeds the FMR/exception rent limit.

OWNER. Any persons or entity having the legal right to lease or sublease a unit to a participant.

PARTICIPANT. A family that has been admitted to the PHA's program and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the PHA for the family (First day of initial lease term).

PAYMENT STANDARD. The maximum monthly assistance payment for a family assisted in the voucher program (before deducting the total tenant payment by the family).

PERSON WITH DISABILITIES. A person who has a disability as defined in 42 U.S.C 423 or a developmental disability as defined in 42 U.S.C. 6001. Also includes a person who is determined, under HUD regulations, to have a physical or mental impairment that is expected to be of long-continued and indefinite duration, substantially impedes the ability to live independently, and is of such a nature that the ability to live independently could be improved by more suitable housing conditions. For purposes of reasonable accommodation and program accessibility for persons with disabilities, means an "individual with handicaps" as defined in 24 CFR 8.3. Definition does not exclude persons who have AIDS or conditions arising from AIDS, but does not include a person whose disability is based solely on drug or alcohol dependence (for low-income housing eligibility purposes).

PHA PLAN. The annual plan and the 5-year plan as adopted by the PHA and approved by HUD in accordance with part 903 of this chapter.

PORTABILITY. Renting a dwelling unit with Section 8 tenant-based assistance outside the jurisdiction of the initial PHA.

PREMISES. The building or complex in which the dwelling unit is located, including common areas and grounds.

PRIVATE SPACE. In shared housing: The portion of a contract unit that is for the exclusive use of an assisted family.

PROCESSING ENTITY. Entity responsible for making eligibility determinations and for income reexaminations. In the Section 8 Program, the "processing entity" is the "responsible entity."

PROGRAM. The Section 8 tenant-based assistance program under 24 CFR Part 982.

PROGRAM RECEIPTS. HUD payments to the PHA under the consolidated ACC, and any other amounts received by the PHA in connection with the program.

PUBLIC ASSISTANCE. Welfare or other payments to families or individuals, based on need, which are made under programs funded, separately or jointly, by Federal, state, or local governments.

PUBLIC HOUSING AGENCY (PHA). PHA includes any State, county, municipality or other governmental entity or public body which is authorized to administer the program (or an agency or instrumentality of such an entity), or any of the following:

A consortia of housing agencies, each of which meets the qualifications in paragraph (1) of this definition, that HUD determines has the capacity and capability to efficiently administer the program (in which case, HUD may enter into a consolidated ACC with any legal entity authorized to act as the legal representative of the consortia members):

Any other public or private non-profit entity that was administering a Section 8 tenant-based assistance program pursuant to a contract with the contract administrator of such program (HUD or a PHA) on October 21, 1998; or

For any area outside the jurisdiction of a PHA that is administering a tenant-based program, or where HUD determines that such PHA is not administering the program effectively, a private non-profit entity or a governmental entity or public body that would otherwise lack jurisdiction to administer the program in such area.

REASONABLE RENT. A rent to owner that is not more than rent charged for comparable units in the private unassisted market, and not more than the rent charged for comparable unassisted units in the premises.

RECEIVING PHA. In portability: A PHA that receives a family selected for participation in the tenant-based program of another PHA. The receiving PHA issues a voucher and provides program assistance to the family.

RECERTIFICATION. Sometimes called reexamination. The process of securing documentation of total family income used to determine the rent the tenant will pay for the next 12 months if there are no additional changes to be reported. There are annual and interim recertifications.

REGULAR TENANCY. In the pre-merger certificate program: A tenancy other than an over-FMR tenancy.

REMAINING MEMBER OF TENANT FAMILY. Person left in assisted housing after other family members have left and become unassisted.

RENT TO OWNER. The total monthly rent payable to the owner under the lease for the unit. Rent to owner covers payment for any housing services, maintenance and utilities that the owner is required to provide and pay for.

RESIDENCY PREFERENCE. A PHA preference for admission of families that reside anywhere in a specified area, including families with a member who works or has been hired to work in the area ("residency preference area").

RESIDENCY PREFERENCE AREA. The specified area where families must reside to qualify for a residency preference.

RESIDENT ASSISTANT. A person who lives in an Independent Group Residence and provides on a daily basis some or all of the necessary services to elderly, handicapped, and disabled individuals receiving Section 8 housing assistance and who is essential to these individuals' care or wellbeing. A Resident Assistant shall not be related by blood, marriage or operation of law to individuals receiving Section 8 assistance nor contribute to a portion of his/her income or resources towards the expenses of these individuals.

RESPONSIBLE ENTITY. For the public housing and Section 8 tenant-based assistance, project-based certificate assistance and moderate rehabilitation program, the responsible entity means the PHA administering the program under an ACC with HUD. For all other Section 8 programs, the responsible entity means the Section 8 owner.

SECRETARY. The Secretary of Housing and Urban Development.

SECTION 8. Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

SECURITY DEPOSIT. A dollar amount which can be applied to unpaid rent, damages or other amounts to the owner under the lease.

SERVICE PERSON. A person in the active military or naval service (including the active reserve) of the United States.

SHARED HOUSING. A unit occupied by two or more families. The unit consists of both common space for shared use by the occupants of the unit and separate private space for each assisted family. A special housing type.

SINGLE PERSON. A person living alone or intending to live alone.

SPECIAL ADMISSION. Admission of an applicant that is not on the PHA waiting list or without considering the applicant's waiting list position.

SPECIAL HOUSING TYPES. See Subpart M of 24 CFR 982, which states the special regulatory requirements for SRO housing, congregate housing, group homes, shared housing, cooperatives (including mutual housing), and manufactured homes (including manufactured home space rental).

SPECIFIED WELFARE BENEFIT REDUCTION. Those reductions of welfare benefits (for a covered family) that may not result in a reduction of the family rental contribution. A reduction of welfare benefits because of fraud in connection with the welfare program, or because of welfare sanction due to noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.

SPOUSE. The husband or wife of the head of the household.

SUBSIDIZED PROJECT. A multi-family housing project (with the exception of a project owned by a cooperative housing mortgage corporation or association) which receives the benefit of subsidy in the form of:

Below-market interest rates pursuant to Section 221(d)(3) and (5) or interest reduction payments pursuant to Section 236 of the National Housing Act; or

Rent supplement payments under Section 101 of the Housing and Urban Development Act of 1965; or

Direct loans pursuant to Section 202 of the Housing Act of 1959; or

Payments under the Section 23 Housing Assistance Payments Program pursuant to Section 23 of the United States Housing Act of 1937 prior to amendment by the Housing and Community Development Act of 1974;

Payments under the Section 8 Housing Assistance Payments Program pursuant to Section 8 of the United States Housing Act after amendment by the Housing and Community Development Act unless the project is owned by a Public Housing Agency;

A Public Housing Project.

SUBSIDY STANDARDS. Standards established by a PHA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

SUBSTANDARD UNIT. Substandard housing is defined by HUD for use as a federal preference.

SUSPENSION/TOLLING. Stopping the clock on the term of a family's voucher, for such period as determined by the PHA, from the time when the family submits a request for PHA approval to lease a unit, until the time when the PHA approves or denies the request. If the PHA decides to allow extensions or suspensions of the voucher term, the PHA administrative plan must describe how the PHA determines whether to grant extensions or suspensions, and how the PHA determines the length of any extension or suspension.

TENANCY ADDENDUM. For the Housing Choice Voucher Program, the lease language required by HUD in the lease between the tenant and the owner.

TENANT. The person or persons (other than a live-in-aide) who executes the lease as lessee of the dwelling unit.

TENANT RENT. The amount payable monthly by the family as rent to the unit owner (Section 8 owner or PHA in public housing). For a tenancy in the pre-merger certificate program, tenant rent equals the total tenant payment minus any utility allowance.

TOTAL TENANT PAYMENT (TTP). The total amount the HUD rent formula requires the tenant to pay toward gross rent and utility allowance.

UNIT. Residential space for the private use of a family.

UNUSUAL EXPENSES. Prior to the change in the 1982 regulations, this was the term applied to the amounts paid by the family for the care of minors under 13 years of age or for the care of disabled or handicapped family household members, but only where such care was necessary to enable a family member to be gainfully employed.

UTILITIES. Utilities means water, electricity, gas, other heating, refrigeration, cooking fuels, trash collection and sewage services. Telephone service is not included as a utility.

UTILITY ALLOWANCE. If the cost of utilities (except telephone) including range and refrigerator, and other housing services for an assisted unit is not included in the Contract Rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made or approved by a PHA or HUD 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 healthy living environment.

UTILITY REIMBURSEMENT. In the voucher program, the portion of the housing assistance payment which exceeds the amount of the rent to owner.

UTILITY REIMBURSEMENT PAYMENT. In the pre-merger certificate program, the amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Tenant Payment for the family occupying the unit.

VACANCY LOSS PAYMENTS. (For pre-merger certificate contracts effective prior to 10/2/95) When a family vacates its unit in violation of its lease, the owner is eligible for 80% of the Contract Rent for a vacancy period of up to one additional month, (beyond the month in which the vacancy occurred) if s/he notifies the PHA as soon as s/he learns of the vacancy, makes an effort to advertise the unit, and does not reject any eligible applicant except for good cause.

VERY LARGE LOWER-INCOME FAMILY. Prior to the change in the 1982 regulations this was described as a lower-income family which included eight or more minors. This term is no longer used.

VERY LOW INCOME FAMILY. A Lower-Income Family whose Annual Income does not exceed 50% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 50% of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes. This is the income limit for the pre-merger certificate and voucher programs.

VETERAN. A person who has served in the active military or naval service of the United States at any time and who shall have been discharged or released therefrom under conditions other than dishonorable.

VIOLENT CRIMINAL ACTIVITY. Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

VOUCHER (rental voucher). A document issued by a PHA to a family selected for admission to the voucher program. This document describes the program and the procedures for PHA approval of a unit selected by the family. The voucher also states the obligations of the family under the program.

VOUCHER HOLDER. A family holding a voucher with an unexpired term (search time).

VOUCHER PROGRAM. The Housing Choice Voucher program.

WAITING LIST. A list of families organized according to HUD regulations and PHA policy who are waiting for subsidy to become available.

WAITING LIST ADMISSION. An admission from the PHA waiting list.

WELFARE ASSISTANCE. Income assistance from Federal or State welfare programs, including assistance provided under TANF and general assistance. Does not include assistance directed solely to meeting housing expenses, nor programs that provide health care, child care or other services for working families. FOR THE FSS PROGRAM (984.103(b)), "welfare assistance" includes only cash maintenance payments from Federal or State programs designed to meet a family's ongoing basic needs, but does not include food stamps, emergency rental and utilities assistance, SSI, SSDI, or Social Security.

WELFARE RENT. This concept is used ONLY for pre-merger Certificate tenants who receive welfare assistance on an "AS-PAID" basis. It is not used for the Housing Voucher Program.

If the agency does NOT apply a ratable reduction, this is the maximum a public assistance agency COULD give a family for shelter and utilities, NOT the amount the family is receiving at the time the certification or recertification is being processed.

If the agency applies a ratable reduction, welfare rent is a percentage of the maximum the agency could allow.

WELFARE-TO-WORK (WTW) FAMILIES. Families assisted by a PHA with voucher funding awarded to the PHA under the HUD welfare-to-work voucher program (including any renewal of such WTW funding for the same purpose).

C. GLOSSARY OF TERMS USED IN THE NONCITIZENS RULE

CHILD. A member of the family other than the family head or spouse who is under 18 years of age.

CITIZEN. A citizen or national of the United States.

EVIDENCE OF CITIZENSHIP OR ELIGIBLE STATUS. The documents which must be submitted to evidence citizenship or eligible immigration status.

HEAD OF HOUSEHOLD. The adult member of the family who is the head of the household for purpose of determining income eligibility and rent.

HUD. Department of Housing and Urban Development.

INS. The U.S. Immigration and Naturalization Service.

MIXED FAMILY. A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status.

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.

NONCITIZEN. A person who is neither a citizen nor national of the United States.

PHA. A housing authority who operates Public Housing.

RESPONSIBLE ENTITY. The person or entity responsible for administering the restrictions on providing assistance to noncitizens with ineligible immigration status (the PHA).

SECTION 214. Section 214 restricts HUD from making financial assistance available for noncitizens unless they meet one of the categories of eligible immigration status specified in Section 214 of the Housing and Community Development Act of 1980, as amended (42 U.S.C. 1436a).

SPOUSE. Spouse refers to the marriage partner, either a husband or wife, who is someone you need to divorce in order to dissolve the relationship. It includes the partner in a common-law marriage. It does not cover boyfriends, girlfriends, significant others, or "co-heads." "Co-head" is a term recognized by some HUD programs, but not by public and Indian housing programs.

PROGRAM INTEGRITY ADDENDUM

[24 CFR 792.101 to 792.204, 982.54]

INTRODUCTION

The US Department of HUD conservatively estimates that 200 million dollars is paid annually to program participants who falsify or omit material facts in order to gain more rental assistance than they are entitled to under the law. HUD further estimates that 12% of all HUD-assisted families are either totally ineligible, or are receiving benefits which exceed their legal entitlement.

The HABC is committed to assuring that the proper level of benefits is paid to all participating families, and that housing resources reach only income-eligible families so that program integrity can be maintained.

The HABC will take all steps necessary to prevent fraud, waste, and mismanagement so that program resources are utilized judiciously.

This chapter outlines the HABC policies for the prevention, detection and investigation of program abuse and fraud.

A. CRITERIA FOR INVESTIGATION OF SUSPECTED ABUSE AND FRAUD

Under no circumstances will the HABC undertake an inquiry or an audit of a participating family arbitrarily. The HABC expectation is that families will comply with HUD requirements, provisions of the voucher, and other program rules. The HABC staff will make every effort (formally and informally) to orient and educate all families in order to avoid unintentional violations. However, the HABC has a responsibility to HUD, to the Community, and to eligible families in need of housing assistance, to monitor participants and owners for compliance and, when indicators of possible abuse come to the attention of the HABC, to investigate such claims.

The HABC will initiate an investigation of a participating family only in the event of one or more of the following circumstances:

- **Referrals, Complaints, or Tips.** The HABC will follow up on referrals from other agencies, companies or persons which are received by mail, by telephone or in person, which allege that a family is in non-compliance with, or otherwise violating the family obligations or any other program rules. Such follow-up will be made providing that the referral contains at least one item of information that is independently verifiable. A copy of the allegation will be retained in the family's file.
- **Internal File Review.** A follow-up will be made if HABC staff discovers (as a function of a certification or re-examination, an interim re-determination, or a quality control review), information or facts which conflict with previous file data, the HABC knowledge of the family, or is discrepant with statements made by the family.

Verification of Documentation

A follow-up will be made if the HABC receives independent verification or documentation that conflicts with representations in the family's file (such as public record information or credit bureau reports, reports from other agencies).

B. STEPS THE HABC WILL TAKE TO PREVENT PROGRAM ABUSE AND FRAUD

The HABC management and staff will utilize various methods and practices (listed below) to prevent program abuse, non-compliance, and willful violations of program rules by applicants and participants. This policy objective is to establish confidence and trust in the management by emphasizing education as the primary means to obtain compliance by families.

- **Things You Should Know:** This program integrity bulletin (created by the HUD Inspector General) will be furnished and explained to all applicants to promote understanding of program rules, and to clarify the HABC expectations for cooperation and compliance.
- **Program Orientation Session:** Mandatory briefing sessions will be conducted by the HABC staff for all prospective program participants, either prior to or upon issuance of a voucher. At the conclusion of all Program Orientation Sessions, the family representative will be required to sign a "Program Briefing Certificate" to confirm that all rules and pertinent regulations were explained to them.
- **Resident Counseling:** The HABC will routinely provide participant counseling in order to clarify any confusion pertaining to program rules and requirements.
- **Review and explanation of Forms:** Staff will explain all required forms and review the contents of all certification documents.
- **Use of Instructive Signs and Warnings:** Instructive signs will be conspicuously posted in common areas and interview areas to reinforce compliance with program rules and to warn about penalties for fraud and abuse
- **Participant Certification:** All family representatives will be required to sign a "Participant Certification" form, as contained in the HUD Participant Integrity Program Manual.

C. STEPS THE HABC WILL TAKE TO DETECT PROGRAM ABUSE AND FRAUD

The HABC Staff will maintain a high level of awareness to indicators of possible abuse and fraud by assisted families.

- **Quality Control File Reviews:** Prior to initial certification, and at the completion of all subsequent re-examinations the HABC will conduct Quality Control File Reviews in conformance with SEMAP standards.. Such reviews shall include, but are not limited to:

~ Assurance that verification of all income and deductions is present.

- Changes in reported Social Security Numbers or dates of birth.
 - Authenticity of file documents.
 - Ratio between reported income and expenditures.
 - Review of signatures for consistency with previously signed file documents.
 - All forms are correctly dated and signed.
- **Observations:** The HABC Management and Occupancy Staff (to include inspection personnel) will maintain high awareness of circumstances that may indicate program abuse or fraud, such as unauthorized persons residing in the household and unreported income. Observations will be documented in the family's file.
 - **State Wage Data Record Keepers:** Inquiries to State Wage and Employment record keeping agencies as authorized under Public Law 100-628, the Stewart B. McKinley Homeless Assistance Amendments Act of 1988, may be made annually in order to detect unreported wages or unemployment compensation benefits
 - **Credit Bureau Inquiries.** Credit Bureau inquiries may be made (with proper authorization by the applicant or participant) in the following circumstances:
 - **At the time of final eligibility determination**
 - **When an allegation is received by the HABC wherein unreported income sources are disclosed.**
 - **When a participant's expenditures exceed his/her reported income, and no plausible explanation is given.**

D. THE HABC HANDLING OF ALLEGATIONS OF POSSIBLE ABUSE AND FRAUD

The HABC staff will encourage all participating families to report suspected abuse to the HABC Inspector General. All such referrals, as well as referrals from community members and other agencies, will be thoroughly documented and placed in the participant's file. All allegations, complaints and tips will be carefully evaluated in order to determine if they warrant follow-up.

- **File Review:** An internal file review will be conducted to determine if the subject of the allegation is a client of the HABC and, if so, to determine whether or not the information reported has been previously disclosed by the family. It will then be determined if the HABC is the most appropriate authority to do a follow-up (more so than police or social services). Any file documentation of past behavior as well as corroborating complaints will be evaluated.
- **Conclusion of Preliminary Review:** If at the conclusion of the preliminary file review there is/are fact(s) contained in the allegation which conflict with file data, and the fact(s) are independently verifiable, the Inspector General or designee will initiate an investigation to determine if the allegation is true or false.

E. OVERPAYMENTS TO OWNERS

If the landlord has been overpaid as a result of fraud, misrepresentation or violation of the Contract, the HABC may terminate the Contract and arrange for restitution to the HABC and/or family as appropriate.

F. HOW THE HABC WILL INVESTIGATE ALLEGATIONS OF ABUSE AND FRAUD

If the HABC determines that an allegation or referral warrants follow-up, either the staff person who is responsible for the file, or a person designated by the Executive Director to monitor the program compliance will conduct the investigation. The steps taken will depend upon the nature of the allegation and may include, but are not limited to, the items listed below. In all cases, the HABC will secure the written authorization from the program participant for the release of information.

- Credit Bureau Inquiries: In cases involving previously unreported income sources, a CBI inquiry may be made to determine if there is financial activity that conflicts with the reported income of the family.
- Verification of Credit: In cases where the financial activity conflicts with file data, a *Verification of Credit* form may be mailed to the creditor in order to determine the unreported income source.
- Employers and Ex-Employers: Employers or ex-employers may be contacted to verify wages which may have been previously undisclosed or misreported.
- Neighbors/Witnesses: Neighbors and/or other witnesses may be interviewed who are believed to have direct or indirect knowledge of facts pertaining to the HABC review.
- Other Agencies: Investigators, case workers or representatives of other benefit agencies may be contacted.
- Public Records: If relevant, the HABC will review public records kept in any jurisdictional courthouse. Examples of public records which may be checked are: real estate, marriage, divorce, uniform commercial code financing statements, voter registration, judgments, court or police records, state wage records, utility records and postal records.
- Interviews with Head of Household or Family Members. The HABC will discuss the allegation (or details thereof) with the Head of Household or family member by scheduling an appointment at the appropriate HABC office. High standards of courtesy and professionalism will be maintained by HABC staff. If possible, an additional staff person will attend such interviews.

G. PLACEMENT OF DOCUMENTS, EVIDENCE AND STATEMENTS OBTAINED BY THE HABC

Documents and other evidence obtained by the HABC during the course of an investigation will be considered "work product" and will either be kept in the participant's file, or in a separate "work file." In either case, the participant's file or work file shall be kept in a locked file cabinet. Such cases under review will not be discussed among HABC Staff unless they are involved in the process, or have information that may assist in the investigation.

H. CONCLUSION OF THE HABC'S INVESTIGATIVE REVIEW

At the conclusion of the investigative review, the reviewer will report the findings to the Executive Director or designee. It will then be determined whether a violation has occurred, a violation has not occurred, or if the facts are inconclusive.

I. EVALUATION OF THE FINDINGS

If it is determined that a program violation has occurred, the HABC will review the facts to determine:

- The type of violation (procedural, non-compliance, fraud).
- Whether the violation was intentional or unintentional.
- What amount of money (if any) is owed by the family.
- If the family is eligible for continued occupancy.

J. ACTION PROCEDURES FOR VIOLATIONS WHICH HAVE BEEN DOCUMENTED

Once a program violation has been documented, the HABC will propose the most appropriate remedy based upon the type and severity of the violation.

- **Procedural Non-compliance:** This category applies when the family "fails to" observe a procedure or requirement of the HABC, but does not misrepresent a material fact, and there is no retroactive assistance payments owed by the family.

Examples of non-compliance violations are: Failure

to appear at a pre-scheduled appointment.

Failure to return verification in time period specified by the HABC.

Warning Notice to the Family: In such cases a notice will be sent to the family that contains the following:

- A description of the non-compliance and the procedure, policy or obligation which was violated.
- The date by which the violation must be corrected, or the procedure complied with.

- The action which will be taken by the HABC if the procedure or obligation is not complied with, by the date specified.
 - The consequences of repeated (similar) violations.
- **Procedural Non-compliance - Overpaid Assistance:** When the family owes money to the HABC for failure to report changes in income or assets, the HABC will issue a Notification of Overpayment of Assistance. This Notice will contain the following:
 - A description of the violation and the date(s) of violation.
 - Any amounts owed to the HABC.
 - A 30 day deadline for response.
 - The right to disagree and to request an informal hearing with instructions for the request of such hearing.
 - Participant Fails to Comply with HABC Notice. If the Participant fails to comply with the HABC notice, and a family obligation has been violated, the HABC will initiate termination of assistance.
 - Participant Complies with HABC Notice. When a family complies with the HABC notice, the staff person responsible will meet with him/her to discuss and explain the Family Obligation or program rule which was violated. The staff person will complete a Participant Counseling Report, give one copy to the family and retain a copy in the family's file.
 - **Intentional Misrepresentation:** When a participant falsifies, misstates, omits or otherwise misrepresents a material fact which results (or would have resulted) in an overpayment of housing assistance by the HABC, the HABC will evaluate whether or not:

The participant had knowledge that his/her actions were wrong, and

The participant willfully violated the family obligations or the law.

- Knowledge that the action or inaction was wrong: This will be evaluated by determining if the participant was made aware of program requirements and prohibitions. The participant's signature on various certification, briefing certificate, Personal Declaration and Things You Should Know are adequate to establish knowledge of wrong-doing.
- The participant willfully violated the law: Any of the following circumstances will be considered adequate to demonstrate willful intent:
 - An admission by the participant of the misrepresentation.
 - That the act was done repeatedly.

- If a false name or Social Security Number was used.
 - If there were admissions to others of the illegal action or omission.
 - That the participant omitted material facts which were known to him/her (e.g., employment of self or other household member).
 - That the participant falsified, forged or altered documents.
 - That the participant uttered and certified to statements at a interim (re)determination which were later independently verified to be false.
- **Dispositions of Cases Involving Misrepresentations.** In all cases of misrepresentations involving efforts to recover monies owed, the HABC may pursue, depending upon its evaluation of the criteria stated above, one or more of the following actions:
 - (a) Criminal Prosecution: If the HABC has established criminal intent, and the case meets the criteria for prosecution, the HABC will refer the case to the local State or District Attorney, notify HUD's RIGI, and terminate rental assistance.
 - (b) Administrative Remedies:
 - Terminate assistance and demand payment of restitution in full.
 - Permit continued assistance at the correct level and execute an administrative repayment agreement in accordance with the HABC repayment policy.

HOUSING AUTHORITY OF BALTIMORE CITY

Housing Choice Voucher Program

Procedure: Application Screening, Eligibility and Denial of Assistance

Date: February 13, 2003

Revision: 0

INTRODUCTION & SCOPE

All applicants for the Housing Choice Voucher (Section 8) Program (HCVP) must be subject to a screening process in accordance with Department of Housing and Urban Development (HUD) rules and regulations and the HABC Administrative Plan for the HCVP. The screening consists of a criminal background investigation of the family, including the head of household (HOH), spouse/co-head and all other family members' 14 years of age and older. The HABC will deny admission to applicants in cases where evidence, in the form of convictions and probation before judgements, demonstrates that the HOH or any of the household members exhibit behavior, engages in drug-related criminal activity, violent criminal activity, or other criminal activity that interferes with the health, safety or right to peaceful enjoyment of other residents.

RELATED DOCUMENTS AND LEGAL AUTHORITY

42 U.S.C. §1437f; 42 U.S.C §13661; 24 C.F.R.§§ 982.4, 982.54, 982.552, 982.553, 982.554; 24 C.F.R. § 5.100; HCVP Administrative Plan; Conviction & Denial Factor Key; Informal Review Form; Exclusion Agreement; Exception (Administrative Review) Request Form

PROCEDURE

I. Definitions

Drug: a controlled dangerous substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

Drug-related criminal activity: the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with the intent to manufacture, sell, distribute or use the drug.

Federally Assisted Housing: housing assisted under any of the following programs: public housing; project-based or tenant-based assistance under Section 8 of the US Housing Act of 1937; other housing programs as defined in 24 C.F.R. § 5.100.

Period of Ineligibility: The period of time during which a household member convicted of a crime will be ineligible for participation in the HCVP. The periods of ineligibility for each crime are set forth in the Conviction and Eligibility Key. The periods of ineligibility start from the date of conviction or the date of release from incarceration whichever is later.

Right to peaceful enjoyment: the right to exclusive use and possession of the unit without interference from the landlord or other person under the landlord's control.

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Violent criminal activity: any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

IV. II. Mandatory Denials

24 C.F.R. § 982.553(a)(1)(i); 982.553(a)(1)(ii)(C); 982.553(a)(2)(i)

- 1) The HABC must permanently prohibit admission to the HCVP for applicants in the following categories:
 - a) Any household member who has ever been convicted of drug-related criminal activity for the manufacture or production of methamphetamine on the premises of federally assisted housing;
 - b) Any household member who is subject to a lifetime registration requirement under Maryland's Sex Offender Registration Program found at Title 11, Subtitle 7 of the Criminal Procedure Article of the Maryland Annotated Code; or
- 2) The HABC must prohibit admission to the HCVP for three years from the date of eviction if any household member has ever been evicted from federally assisted housing for drug-related criminal activity. The HABC will admit the household if the HABC determines:
 - a) The evicted household member who engaged in the drug-related criminal activity has successfully completed a supervised drug rehabilitation program; or
 - b) The circumstances leading to the eviction no longer exist (for example, the criminal household member has died, is imprisoned, or otherwise no longer a member of the household). In these circumstances the remaining household member may be required to comply with an Exclusion Agreement **Contract** in order to gain admission to the HCVP. See paragraph V.1d III(1)(f) below

III. Permissive Denials

24 C.F.R. § 982.553(a)(2)(ii), 982.552(2)(i), 982.552(2)(ii), 982.552(2)(iv)

1. The HABC will also deny admission if any household member is currently engaged in, or has engaged in during a reasonable time before the admission in any drug-

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related criminal activity, violent criminal activity, or other criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity. HABC will also deny admission to any applicant that makes a false statement on their application.

- a) In making its determination to deny assistance based on the above-referenced criminal activity, HABC will only consider criminal charges which resulted in convictions or probation before judgement.
- b) The HABC has created a Conviction and Denial Eligibility Key which lists offenses and periods of ineligibility during which applicants convicted of the offense will be ineligible to participate in the HCVP. Applicants charged with offenses that appear on the Conviction & Denial Eligibility Key that resulted in probation before judgement are also subject to these periods of ineligibility. The periods of ineligibility run from the date of conviction or the date of release from incarceration whichever is later. The periods of ineligibility are not cumulative for multiple offenses. The applicant is subject to the longest period of ineligibility applicable.
- c) Applicants are not removed from the waiting list during the period of ineligibility, however, the applicant will not be scheduled for an interview until the period of ineligibility has expired or the denial decision is overturned through the Informal Review process whichever occurs first. Applicants are responsible for informing the HABC of any changes in their contact information and responding to all HABC correspondence during the period of ineligibility.
- d) The Conviction and Eligibility Denial Key establishes the period of ineligibility. The denial is refutable through the Informal Review process. In each case the HABC shall consider all relevant circumstances such as the seriousness of the case, the extent of participation or culpability of individual family members, mitigating circumstances of a family member, effects of the denial of assistance on other family members who were not involved, and other factors which might indicate a reasonable probability of favorable future conduct. For example: evidence of rehabilitation, evidence of the applicant family's participation in to participate in social service or other appropriate counseling service programs and the availability of such programs.
- e) The HABC may as a condition of assistance require the applicant to exclude the criminal household member from the unit for the period of ineligibility

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established in the Conviction and Eligibility Denial Key. The applicant will be required to execute an Exclusion Agreement, which prohibits the offending household member from occupying the unit during the specified time period. The HABC may shorten the period of ineligibility pursuant to paragraph (1)(e) of this section. Refusal to execute the Exclusion Agreement will result in application denial. Any violation of the Exclusion Agreement will result in termination of assistance. Once the period of ineligibility expires, the participant may submit a written request to add the offending household member to the unit.

IV. Notice of Denial and Informal Review

- 1) The HABC will give applicants written notice of a decision denying assistance to the applicant which contains a brief statement of the reason for the denial, a description of the specific crime(s) under which the applicant is being denied and the period of ineligibility. This notice will also state that the applicant may request an Informal Review and describe how to schedule this review.
 - a) If the reason for the denial is alleged criminal activity, the HABC will attach a copy of the criminal record obtained by the HABC and used to reach its decision to the denial notice.
 - b) The denial notice will also include an Informal Review Request Form along with a self-addressed stamped envelope. Applicants will have 14 -days from the date the denial notice is received to return the Informal Review Request Form. The denial is presumed to have been received 3 business days after the date of mailing.
 - c) The HABC may accept Informal Review Request Form beyond the 14-day period for good cause.
- 2) Once the Informal Review Request Form has been received, HABC will mail the applicant an Informal Review Notice detailing the Informal Review date, time, and location, the applicant's right to appear with legal representation, the right to bring witnesses and any other documentation to support their case.
- 3) Applicants may request a postponement of the Informal Review one time without cause. Additional postponements may be requested for good cause only.

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- 4) As a reasonable accommodation to a person with a disability, the Informal Review may be conducted by telephone.
- 5) The Informal Review is presided over by the Informal Review Officer. The Officer must be a qualified employee, who is not involved in application screening, did not make or approve the initial decision to deny assistance, and is not a subordinate of this person.
 - a) The HABC Representative and the Applicant may present witnesses, affidavits, documentary evidence, and oral argument. Each may also question any adverse witness and examine all documents presented at the Informal Review.
 - b) The Informal Review Officer shall maintain a record of the Informal Review which must contain all correspondence between HABC and the Applicant related to the denial, copies of all evidence presented at the Informal Review, a summary of all testimony presented, copies of any notes written by the Officer during or after the Informal Review, and a copy of the Officer's written decision.
 - c) The Informal Review Officer shall consider all relevant circumstances such as the seriousness of the case, the extent of participation or culpability of individual family members, mitigating circumstances of a family member, effects of the denial of assistance on other family members who were not involved, and other factors which might indicate a reasonable probability of favorable future conduct. For example: evidence of rehabilitation, evidence of the applicant family's participation in social service or other appropriate counseling service programs and the availability of such programs.
 - d) The Informal Review Officer will issue a written decision, which includes findings of fact and conclusions. The decision will be mailed to the applicant within 14 calendar days from the date of the Informal Review. The decision shall include an explanation of the right to and process for taking Exceptions to the Officer's decision.

V. Exceptions

- 1) The Applicant or HABC Representative may file an exception to the Informal Review Officer's decision with the Administrative Review Committee within 14-days of

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receiving the Officer's decision. The decision is presumed to have been received 3 business days after the date of mailing.

- 1) The exceptions must be in writing and must contain a concise statement as to each portion of the decision to which exception is taken, the reason for taking the exception, and must be forwarded to the HABC Representative, the Applicant, and the Administrative Review Committee.
- 2) The HABC Representative and the Applicant will be given an opportunity to submit additional written argument in support of or in response to the exception(s).
- 3) The Administrative Review Committee may hear oral argument in lieu of written arguments as a reasonable accommodation for a person with a disability.
- 4) The Administrative Review Committee will review the exception(s), any written argument submitted, the applicant's case file, the record of the Informal Review, and the Informal Review Officer's decision.
 - a) The Applicant or HABC Representative may submit additional evidence to the Committee along with the written exception.
 - b) The Committee will issue a final written decision within 30 calendar days of the filing of the exceptions.
 - c) The Committee may uphold the Officer's decision in whole or in part; modify the Officer's decision; overturn the Officer's decision; or remand the case to the Officer to take additional evidence and submit a new decision.

Conviction and Eligibility Denial Ke

Abuse and Other Offensive Conduct CJIS CODE	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
Child Abuse CHILD ABUSE- CHILD UNDER 18	Felony	Criminal Law § 3-601 parent, other person with custody of minor, or household/family member may not cause physical injury to minor	3 years
Sexual Abuse of a Minor CHILD ABUSE MOLEST EXPLOIT	Felony	Criminal Law § 3-602	3 Years or Sexual Offender Registry- Lifetime Bar [If there is sexual penetration (i.e. rape) with a minor under the age of 12]
Sale of Minor CHILD SELLING	Misdemeanor	Criminal Law § 3-603 a person may not sell, barter, trade or offer to sell a minor for money, property, or anything of value	18 months
Abuse or Neglect of Vulnerable Adult first degree VULNERABLE ADULT ABUSE/NEGLECT	Felony	Criminal Law § 3-604 caregiver, parent, household member, person with custody, may not cause abuse or neglect vulnerable adult that results in serious physical injury or involves sexual abuse	3 Years
Abuse or Neglect of Vulnerable Adult second degree VULNERABLE ADULT ABUSE/NEGLECT	Misdemeanor	Criminal Law § 3-605 caregiver, parent, other person with custody, or household/family member may not cause abuse or neglect vulnerable adult	18 months
Arson and Burning CJIS CODE	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
Arson-1st degree ARSON - FIRST DEGREE	Felony	Criminal Law § 6-102 willfully setting fire to or burning a dwelling or structure w/person in it	3 Years
Arson-2nd degree ARSON-2ND DEGREE	Felony	Criminal Law § 6-103 willfully setting fire to or burning a structure	3 Years
Malicious burning of	Felony	Criminal Law § 6-104	3 Years

Conviction and Eligibility Denial Ke

personal property-1 st degree MALICIOUS BURN/1 ST DEGREE		willfully setting fire to or burning personal property of another worth \$1,000 or more	
Malicious burning of personal property-2nd degree MALICIOUS BURN/ 2 ND DEGREE	Misdemeanor	Criminal Law § 6-105 willfully setting fire to or burning personal property of another worth less than \$1,000	18 months
Burning with intent to defraud MALICIOUS BURN/ DEFRAUD	Misdemeanor	Criminal Law § 6-106 willfully setting fire to or burning property with intent to defraud	18 months
Assault, Reckless Endangerment, and Related Crimes CJIS CODE	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
Assault-1st degree ASSAULT-FIRST DEGREE	Felony	Criminal Law § 3-202 intentionally cause or attempt to cause serious physical injury to another	3 Years
Assault- 2 nd degree ASSAULT-SECOND DEGREE	Misdemeanor	Criminal Law § 3-203 a person may not commit an assault	18 months
Reckless Endangerment RECKLESS ENDANGERMENT	Misdemeanor	Criminal Law § 3-204 reckless conduct that creates a substantial risk of death or bodily injury	18 months
Life-threatening injury by motor vehicle or vessel while under the influence of alcohol	Misdemeanor	Criminal Law § 3-211 a person may not cause life-threatening injury by motor vehicle or vessel while under the influence of alcohol	18 months
Attempted poisoning POISON-ATTEMPT	Felony	Criminal Law § 3- 213 attempt to poison a person	3 Years
Contaminating water/drink/food	Felony	Criminal Law § 3-214 knowing contamination of water	3 Years

Conviction and Eligibility Denial Ke

CONTAMINATE/ POISON FOOD/DRINK		source, food supply, etc.	
Burglary and Related Crimes CJIS CODE	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
Burglary-1 st degree BURGLARY - 1 ST DEGREE	Felony	Criminal Law § 6-202 breaking and entering dwelling of another with intent to commit theft or violence	3 Years
Burglary-2nd degree BURGLARY-2ND DEGREE	Felony	Criminal Law § 6-203 breaking & entering storehouse of another with intent to commit theft, violence, 2 nd degree arson, or carry away firearms	3 Years
Burglary-3rd degree BURGLARY-THIRD DEGREE	Felony	Criminal Law § 6-204 breaking & entering dwelling of another with intent to commit crime	3 Years
Burglary-4th degree BURGLARY- FOURTH DEGREE	Misdemeanor	Criminal Law § 6-205 breaking & entering dwelling or storehouse of another, being in or on dwelling or storehouse of another with intent to commit theft	18 months
Breaking and entering motor vehicle - Rogue and vagabond ROGUE AND VAGABOND	Misdemeanor	Criminal Law § 6-206 a person may not possess a burglar's tool with the intent to use or allow the use of the burglar's tool in the commission of a crime involving the breaking and entering of a motor vehicle	18 months
Burglary with destructive device BURGLARY WITH EXPLOSIVES	Felony	Criminal Law § 6-207 opening or attempting to open safe using destructive device while committing 1 st , 2 nd , or 3 rd degree burglary	3 Years
Breaking and Entering-research facility B&E RESEARCH FACILITY	Felony	Criminal Law § 6-208 breaking & entering research facility with intent to obtain control over, alter, damage, move, or destroy research property	3 Years
Credit Card Crimes	Misdemeanor or	Maryland Annotated Code	

Conviction and Eligibility Denial Ke

CJIS CODE	Felony	Citation	Period of Ineligibility
Credit card counterfeiting	Felony	Criminal Law § 8-205 falsely making a purported credit card, falsely embossing a credit card, or transferring or possessing a falsely made instrument purported to be a credit card; unauthorized signature on a credit card with intent to defraud	3 Years
Obtaining property by counterfeiting, theft, or misrepresentation	Felony	Criminal Law §8-206 a person may not for the purpose of obtaining money, goods, services or anything of value with the intent to defraud use a credit card obtained in violation of 8-204 or 8-205 or a credit card that the person knows to be counterfeit	3 Years
Fraud Honoring stolen or counterfeit credit card	Felony	Criminal Law § 8-207 if a person is authorized by an issuer to furnish money, goods, services on presentation of a credit card by the cardholder, the person or an agent or employee of the person may not, with the intent to defraud the issuer or cardholder furnish if the credit card was obtained in violation of 8-204, 8-205 or if the person knows the credit card is counterfeit	3 Years
Crimes Against Public Administration	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
Representation of destructive device	Felony	Criminal Law § 9-505 a person may not manufacture, possess, transport, or place a device that is constructed to represent a destructive device	3 Years
Injury to or interference w/ property- Acting w/ intent to hinder defense-related activity	Felony	Criminal Law § 9-702 a person may not destroy, impair, damage, or interfere or tamper w/ real property or personal property w/ intent to hinder, delay, or interfere w/ a defense-related activity	3 Years
Defective workmanship- Acting w/ intent to hinder defense-related activity	Felony	Criminal Law § 9-703 a person may not intentionally make or cause to be made or omit to note on inspection a defect in a product to be used in connection w/ a defense-related activity	3 Years

Conviction and Eligibility Denial Ke

Crimes Relating To Animals CJIS CODE	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
Abuse or neglect of an animal	Misdemeanor	Criminal Law § 10-604 a person may not overdrive or overload animals; deprive animals; inflict pain on an animal	18 months
Attending dogfight	Misdemeanor	Criminal Law § 10-605 a person may not knowingly attend a deliberately conducted dogfight as a spectator	18 months
Aggravated cruelty to animals ANIMAL CRUELTY	Felony	Criminal Law § 10-606 a person may not intentionally mutilate, torture, cruelly beat, or kill an animal	3 Years
Arranging, conducting, or using dog in dogfight ANIMAL CRUEL: DOG FIGHTING	Felony	Criminal Law § 10-607 a person may not use or allow a dog to be used in a dog fight	3 Years
Cockfight ANIMAL CRUEL: COCKFIGHTING	Felony	Criminal Law § 10-608 a person may not use or allow the use of a fowl, cock, or other bird to fight with another animal	3 Years
Killing of a cat or dog ANIMAL - KILLING	Misdemeanor	Criminal Law § 10-611 a person may not kill or allow a dog or cat to be killed by decompression, gas, or curariform drugs	18 months
Abandoning domestic animal ANIMAL - ABANDON	Misdemeanor	Criminal Law § 10-612 a person who owns, possesses, or has custody of a domestic animal may not drop or leave the animal on the road, in a public place, or on a private property	18 months
Poisoning dog CRUELTY - POISON/ GROUND GLASS DOG	Misdemeanor	Criminal Law § 10-618 a person may not willfully or maliciously give poison or ground glass to a dog	18 months
Interference with a race horse INJURE, ETC.	Felony	Criminal Law § 10-620 a person may not willfully or maliciously interfere with, injure, destroy, or tamper w/ a horse used for	3 Years

Conviction and Eligibility Denial Ke

RACE/BREED HORSE		racine	
Injuring or trapping carrier pigeon	Misdemeanor	Criminal Law § 10-622 a person may not shoot, kill, or maim a carrier pigeon	18 months
Disturbing the Peace, Disorderly Conduct CJIS CODE	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
Disturbance of the peace and disorderly conduct DISORDERLY CONDUCT	Misdemeanor	Criminal Law § 10-201 may not obstruct or hinder free passage of another, act in disorderly manner that disturbs peace, fail to obey lawful order, make unreasonably loud noise	18 months
Drug Related Crimes CJIS CODE	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
Possessing or administering controlled dangerous substance CDS-UNLAWFUL POSSESSION ETC CDS: ADMINISTER	Misdemeanor	Criminal Law § 5-601 possession or administration of any CDS	18 months
Keeping common nuisance	Misdemeanor	Criminal Law § 5-605 resorted to by individuals for the purpose of administering illegally controlled dangerous substances; or where controlled dangerous substances or controlled paraphernalia are manufactured, distributed, dispensed, stored, or concealed illegally	18 months
Drug kingpin CDS - DRUG KINGPIN	Felony	Criminal Law § 5-613 an organizer, supervisor, financier, or manager who acts as a coconspirator in a conspiracy to manufacture, distribute, dispense, transport in, or bring into the State a controlled dangerous substance	3 Years
Importer of certain controlled dangerous substances	Felony	Criminal Law § 5-614 bringing into state CDS's exceeding certain enumerated amounts	3 Years

CDS: INTERST/TRANS CDS - BRING INTO STATE			
Distributing fake controlled dangerous substance NON-CDS TO BE USED AS CDS: DIST	Felony	Criminal Law § 5-617 distribution of non-controlled substance as CDS	3 Years
Possession or purchase of non controlled substance	Misdemeanor	Criminal Law § 5-618 possession or purchase of non-CDS believed to be CDS	18 months
Drug paraphernalia CDS-PARA/USE POSS W/INTENT USE	Misdemeanor	Criminal Law § 5-619 use/possession of drug paraphernalia; delivery or sale of paraphernalia or possession of w/intent to do as much	18 months

Conviction and Eligibility Denial Ke

Controlled paraphernalia CDS-PARA/USE POSS W/INTENT USE CDS- PARA/DELIVER SELL MFG	Misdemeanor	Criminal Law § 5-620 possession of controlled paraphernalia (syringe or instrument adopted related)	18 months
Use of weapon as a separate crime CDS- POSS. OF FIREARMS	Felony	Criminal Law § 5-621 a person may not possess a firearm during and in relation to a drug traffic crime	3 Years
Firearm Crimes- Possession, ownership, transportation, etc., of a firearm	Felony	Criminal Law § 5-622 a person may not possess, own, carry or transport a firearm if the person has been convicted of an attempted felony, a felony, or conspiracy to commit of felony	3 Years
Proceeds of drug	Felony	Criminal Law § 5-623	3 Years

Conviction and Eligibility Denial Ke

crime CDS-PROCEEDS FROM OFFENSES		receiving or acquiring proceeds knowing they derived from CDS offense or engaging in financial transactions relating w/similar knowledge	
Drug-induced conduct CDS: ADMINISTER	Misdemeanor	Criminal Law § 5-624 administration of CDS to another without that person's knowledge and commission of crime against that person	18 months
Controlled dangerous substance near school CDS: SCHOOL BUS/PROPERTY	Felony	Criminal Law § 5-627 manufacture, dispense, or possess CDS w/intent to do near schools	3 Years
Use of minor HIRE ETC. MINOR DEL/DIST CDS	Felony	Criminal Law § 5-628 using minors to manufacture, distribute, or deliver controlled dangerous substance	3 Years
Dispensing prescription drug CDS/PRECRP: OBTAIN BY FRAUD CDS/PRESCRIP OBTN-ALTER ORDER CDS/PRESCRIP CONTNR: FALSE LABEL CDS/PRESCRIP: ILL POSS W/ INT DIS CDS/PRESCRIP: REMOVE REQ'D LABEL	Misdemeanor	Criminal Law § 5-701 a person may not dispense a prescription drug unless licensed; manufacture, distribute, possess w/ intent to distribute; affix a false or counterfeit label; omit, remove or alter a prescription; obtain a prescription by fraud	18 months
Harboring, Escape, and Contraband	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility

Conviction and Eligibility Denial Ke

CJIS CODE			
Harboring fugitive HARBOR FELON/FUGITIVE	Misdemeanor	Criminal Law § 9-402 may not harbor fugitive from prosecution, custody or confinement after conviction of felony	18 months
Harboring escaped prisoner HARBOR FELON/FUGITIVE	Misdemeanor	Criminal Law § 9-403 may not harbor felon who escaped from custody	18 months
Escape-1st degree ESCAPE-FIRST DEGREE	Felony	Criminal Law § 9-404 knowingly escape from place of confinement, juvenile facility, or violate restriction on movement of temporary release or home detention	3 Years
Escape-2nd degree ESCAPE-SECOND DEGREE	Misdemeanor	Criminal Law § 9-405 knowingly depart from custody after arrest, fail to obey order to report to confinement	18 months
Contraband-weapon CONTRABAND POSS W/I DEL	Felony	Criminal Law § 9-414 deliver weapon to person detained or confined	3 Years
Contraband- Controlled Dangerous Substance CONTRABAND POSS W/I DEL	Misdemeanor	Criminal Law § 9-416 deliver cds to person detained or confined	18 months
Hate Crimes CJIS CODE	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
Damaging property of religious entity	Misdemeanor or Felony	Criminal Laws § 10-301 a person may not deface, damage, or destroy, or attempt to deface, damage, or destroy, personal or real property of church, synagogue, or other place of worship; a cemetery; religious school, educational facility, or community center, and grounds adjacent to them	18 months/ 3 Years
Obstructing exercise of religious belief	Misdemeanor or Felony	Criminal Law § 10-302 a person may not, by force or threat of force, obstruct or attempt to obstruct another in the free exercise of that	18 months/ 3 Years

Conviction and Eligibility Denial Ke

		person's religions beliefs	
Harassment; destruction of property	Misdemeanor or Felony	Criminal Law § 10-303 because of another's race, color, religious beliefs, or national origin a person may not harass or commit a crime against that person; damage the real or personal property of that person; deface, damage, or destroy, attempt to deface, damage, or destroy the real or personal property of that person or burn or attempt to burn an object on the real or personal property of that person	18 months/ 3 Years
Damage to associated building	Misdemeanor or Felony	Criminal Law § 10-304 may not deface, damage, destroy or burn an object on real or personal property connected to a building that is publicly or privately owned, leased or used because of race, religion, color, national origin	18 months/ 3 Years
Homicide CJIS CODE	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
Murder 1 st degree MURDER - 1 ST DEGREE	Felony	Criminal Law § 2-201 the killing was willful, deliberate and premeditated; committed by lying in wait; committed by poison; or committed in the perpetration of or an attempt to perpetrate: arson, burglary, carjacking, escape from correctional facility, kidnapping, mayhem, rape, robbery, sexual offense, sodomy, or anything concerning a destructive device (felony murder)	3 Years
Murder 2 nd degree MURDER - 2 ND DEGREE	Felony	Criminal Law § 2-204 presumption that the homicide is 2 nd degree unless the State can prove that the killing was willful, deliberate and premeditated	3 Years
Attempted murder 1 st degree MURDER-1 ST DEGREE - ATT	Felony	Criminal Law § 2-205 a specific intent to murder	3 Years
Attempted murder 2 nd degree MURDER-2 ND	Felony	Criminal Law § 2-206 assault with the intent to murder	3 Years

Conviction and Eligibility Denial Ke

DEGREE - ATT			
Manslaughter MANSLAUGHTER	Felony	Criminal Law § 2-207 a homicide the occurs without malice	3 Years
Manslaughter by vehicle or vessel MANSLAUGHTER AUTO/BOAT ETC	Felony	Criminal Law § 2-209 a person may not cause the death of another as a result of the person's driving, operating, or controlling a vehicle in a grossly negligent manner	3 Years
Homicide by Motor Vehicle or Vessel While Impaired or Under the Influence CJIS CODE	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
Homicide by vehicle or vessel while under the influence of alcohol HOMICIDE - MV WHILE INTOX	Felony	Criminal Law § 2-503 a homicide by a motor vehicle while under the influence of alcohol	3 Years
Homicide by vehicle or vessel while impaired by alcohol HOMICIDE- MV/VESSEL UNDER INFLU	Felony	Criminal Law § 2-504 a homicide by motor vehicle while impaired by alcohol	3 Years
Homicide by vehicle or vessel while impaired by drugs HOMICIDE- MV/VESSEL UNDER INFLU	Felony	Criminal Law § 2-505 a homicide by motor vehicle while impaired by drugs	3 Years
Homicide by vehicle or vessel while impaired by controlled dangerous substance	Felony	Criminal Law § 2-506 a homicide by motor vehicle while impaired by controlled dangerous substance	3 Years
Identity Fraud CJIS CODE	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
		Criminal Law §8-301	

Conviction and Eligibility Denial Ke

Identity fraud	Felony	a person may not with fraudulent intent possess, obtain, or help another to possess or obtain any personal identifying information of an individual without the consent of the individual, in order to use, sell or transfer the information to get a benefit, credit, good, service or other thing of value in the name of the individual	3 Years
Indecency and Obscenity CJIS CODE	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
Indecent Exposure INDECENT EXPOSURE	Misdemeanor	Criminal Law § 11-107	18 months
Obscene Publications– Child Pornography Manufacture, Distribution CHILD PORN: PERMIT AS SEX SUBJ CHILD PORN: FILM IN SEX ACT CHILD PORN: PROMOTE/ DISTRIBUTE	Felony	Criminal Law § 11-207 induce minor to engage as subject in obscene matter, distribute material showing minors engaged in, or using computer to do same	3 Years
Obscene Publications– Child Pornography Possession POSSESS CHILD PORNOGRAPHY	Misdemeanor	Criminal Law § 11-208 knowingly possessing film, tape, picture, depicting child under 16 engaged in sex conduct/acts	18 months
Obscene Publications– Hiring a minor for prohibited purpose OBSCENE MAT- HIRE MINOR TO DIST	Misdemeanor	Criminal Law § 11-209 hiring a minor to do or assist in the sale or display of obscene publications	18 months
Kidnapping	Misdemeanor or	Maryland Annotated Code Citation	Period of Ineligibility

CJIS CODE	Felony		
Kidnapping KIDNAPPING	Felony	Criminal Law § 3-502 a person may not by force or fraud, carry or cause a person to be carried in or outside the State	3 Years

Conviction and Eligibility Denial Ke

Child Kidnapping ABDUCTION - CHILD UNDER 12	Felony	Criminal Law § 3-503 a person may not, w/out color of right: abduct, take, carry away a child under the age of 12 years	3 Years
Malicious Destruction and Related Crimes CJIS CODE	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
Malicious Destruction MAL DESTR PROPERTY VALUE	Misdemeanor	Criminal Law § 6-301 willful and malicious destruction of real/personal property of another having a value of less than/more than \$500	18 months
Throwing an object at a vehicle	Misdemeanor	Criminal Law § 6-302 unlawful and willful throwing (of rocks, bricks, scrap) at or into occupied vehicles	18 months
Obstructing Justice CJIS CODE	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
Inducing false testimony or avoidance of subpoena INDUCE FALSE TESTIMONY	Misdemeanor	Criminal Law § 9-302 a person may not harm, threaten another, or destroy property to influence a victim or witness to testify, or avoid a subpoena	18 months
Retaliation for testimony	Misdemeanor	Criminal Law § 9-303 a person may not intentionally harm another or destroy property with the intent to retaliate for giving testimony	18 months
Intimidating or corrupting a juror	Misdemeanor	Criminal Law § 9-305 a person may not, by threat, force, or corruption try to influence a juror	18 months

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Obstruction of Justice OBSTRUCTING JUSTICE	Misdemeanor	Criminal Law § 9-306 a person may not, by threat, force, or corruption obstruct the administration of justice	18 months
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Conviction and Eligibility Denial Ke

Prostitution and Related Crimes CJIS CODE	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
Receiving earnings of prostitute PROSTITUTION- BUSINESS PROSTITUTION- GENERAL	Misdemeanor	Criminal Law § 11-304 knowingly receiving money without consideration from earnings of prostitute	18 months
Abduction of child under 16 ABDCT/ABET: PROST/CHILD UN 16	Misdemeanor	Criminal Law § 11-305 inducing a child under age of 16 to engage in prostitution	18 months
House of prostitution PROSTITUTION- BUSINESS	Misdemeanor	Criminal Law § 11-306 keep, set up, occupy, maintain, or operate a house for prostitution	18 months
Robbery CJIS CODE	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
Robbery ROBBERY	Felony	Criminal Law § 3-402 taking and carrying away of the personal property of another, from his person or in his presence, by violence or force	3 Years
Robbery w/ Dangerous Weapon ROBBERY	Felony	Criminal Law § 3-403 taking and carrying away of the personal property of another, from his person or in his presence, by violence or force with a weapon	3 Years

Carjacking CARJACKING ARMED	Felony	Criminal Law § 3-405 an individual may not take unauthorized possession or control of a motor vehicle from another individual who actually possesses the	3 Years
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Conviction and Eligibility Denial Key

CARJACKING

motor vehicle, by force or violence, or by putting the individual in fear through intimidation or threat of force or violence

Sexual Crimes CJIS CODE	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
Rape first degree RAPE-1ST DEGREE; THREAT DEATH ETC; USE OF WEAPON	Felony	Criminal Law § 3-303 first degree (aggravating factor present such as weapon, injury, others, burglary)	Sex Offender Registry- Lifetime Bar
Rape second degree RAPE-2ND DEGREE	Felony	Criminal Law § 3-304 2 nd degree (no aggravating factors or victim mentally limited or under 14 yrs)	Sex Offender Registry- Lifetime Bar
Sexual Offense first degree SEX OFFENCE-1ST DEG/THREAT/FOR CE	Felony	Criminal Law § 3-305 (1 st degree)-- sexual act w/aggravating factor present	Sex Offender Registry- Lifetime Bar
Sexual Offense second degree SEX OFFENCE-2ND DEGREE	Felony	Criminal Law § 3-306 (2 nd degree)--sexual act by force or victim mentally limited or under 14 yrs	Sex Offender Registry- Lifetime Bar
Sexual Offense third degree SEX OFFENSE-3RD DEGREE	Felony	Criminal Law § 3-307 (3 rd degree)-- sexual act w/aggravating factors or victim under 14 if defendant 4 yrs older or if victim 14 or 15 if defendant at least 21	Sex Offender Registry- Lifetime Bar
Sexual Offense fourth degree SEX OFFENSE-4TH DEGREE	Misdemeanor	Criminal Law § 3-308 (4 th degree)-- sexual act without aggravating factors, or victim was 14 or 15 and defendant not 21	18 months
Attempted rape first degree ATT 1 ST DEG RAPE	Felony	Criminal Law § 3-309 (1 st degree)-- attempt to commit rape	Sex Offender Registry- Lifetime Bar
Attempted rape second degree	Felony	Criminal Law § 3-310 (2 nd degree)-- attempt to commit rape	Sex Offender Registry- Lifetime Bar

Conviction and Eligibility Denial Key

ATT 2ND DEG RAPE

<p>Attempted Sexual Offenses first degree</p> <p>SEX OFFENCE - 1ST DEGREE- ATT</p>	Felony	Criminal Law § 3-311 (1 st degree)-- attempt to commit a sexual offense w/aggravating factors	Sex Offender Registry- Lifetime Bar
<p>Attempted Sexual Offenses second degree</p> <p>SEX OFFENCE - 2ND DEGREE- ATT</p>	Felony	Criminal Law § 3-312 or sexual offense w/no aggravating factors or victim mentally limited or minor	Sex Offender Registry- Lifetime Bar
<p>Sexual Offense By Correctional Employee</p>	Misdemeanor	Criminal Law § 3-314 correctional employee engaging in intercourse and sexual act w/inmate	18 months
<p>Continuing Course of Conduct with a Child</p>	Felony	Criminal Law § 3-315 3 or more acts over a period of 90 days in violation of 3-303,3- 304, 3-305, 3-306, or 3-307	Sex Offender Registry- Lifetime Bar
<p>Stalking and Harrassment</p> <p>CJIS CODE</p>	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
<p>Stalking</p> <p>STALK</p>	Misdemeanor	Criminal Law § 3-802 a malicious course of conduct w/ an intent to place that person in reasonable fear of serious bodily injury or death or that a third person will suffer serious bodily injury or death	18 months
<p>Harassment</p> <p>HARASS: A COURSE OF CONDUCT</p>	Misdemeanor	Criminal Law § 3-803 following another in a public place or maliciously engaging in a course of conduct that alarms or seriously annoys with the intent to harass, alarm, annoy; after receiving a reasonable warning or request to stop.	18 months
<p>Surveillance and Other Crimes Against Privacy</p> <p>CJIS CODE</p>	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
<p>Visual Surveillance</p>		Criminal Law § 3-901	

Conviction and Eligibility Denial Ke

VIS SURVEILLANCE - PRIV PLACE	Misdemeanor	a person may not conduct or procure another to conduct visual surveillance of an individual in a private place w/out consent	18 months
Visual Surveillance w/ prurient intent	Misdemeanor	Criminal Law § 3-902 a person may not w/ prurient conduct or procure another to conduct visual surveillance of an individual in a private place w/out consent	18 months
Camera Surveillance VIS SURVEILLANCE - PRIV PLACE	Misdemeanor	Criminal Law § 3-903 a person may not place or procure another to place a camera on a private residence to conduct deliberate surreptitious	18 months
Theft CJIS CODE	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
Theft	Felony	Criminal Law § 7-104 a person may not willfully or knowingly obtain or exert unauthorized control over property	3 Years
Motor vehicle theft	Felony	Criminal Law § 7-105 a person may not knowingly and willfully take a motor vehicle out of the owner's lawful custody, control, or use without the owner's consent	3 Years
Weapon Crimes CJIS CODE	Misdemeanor or Felony	Maryland Annotated Code Citation	Period of Ineligibility
Dangerous weapons- Carrying or wearing a concealed weapon w/ intent to injure DEADLY WEAPON-INT INJURE	Misdemeanor	Criminal Law § 4-101 no person shall wear or carry a dangerous weapon concealed or about the person; or mace, etc. w/ the intent or purpose of injuring any person in any unlawful manner	18 months
Carrying or possessing deadly weapon upon school property DEADLY WEAPON- ON SCHOOL PROP	Misdemeanor	Criminal Law § 4-102 no person shall carry or possess any weapon on any public school property	18 months
Disarming a law enforcement officer	Felony	Criminal Law § 4-103 a person may not knowingly remove	3 Years

Conviction and Eligibility Denial Key

DISARM LAW
OFFICER

or attempt to remove a firearm from
the possession of a law enforcement
officer

Conviction and Eligibility Denial Key

<p>Child's access to firearms</p> <p>FIREARMS-ACCESS BY MINORS</p>	Misdemeanor	<p>Criminal Law § 4-104</p> <p>a person may not store or leave a loaded firearm in a location where the person knew or should have known that an unsupervised child would gain access</p>	18 months
<p>Transfer if switchblade or shooting knife</p> <p>KNIFE - SALE, ETC SWITCHBLADE</p>	Misdemeanor	<p>Criminal Law § 4-105</p> <p>a person may not sell, barter, display, or offer to sell or barter: a knife, penknife that opens automatically, or a shooting knife</p>	18 months
<p>Wearing, carrying or transporting a handgun</p> <p>HANDGUN-WEAR/ CARRY ETC</p>	Misdemeanor	<p>Criminal Law § 4-203</p> <p>a person may not wear, carry, or transport a handgun (concealed or open) on or about the person, or in a vehicle traveling on a road or parking lot</p>	18 months
<p>Unlawful use of handgun or antique firearm in commission of crime</p> <p>HANDGUN: USE IN COMMITTING CRIME</p>	Misdemeanor	<p>Criminal Law § 4-204</p> <p>a person may not use a handgun or antique firearm capable of being concealed on the person in the commission of a crime</p>	18 months
<p>Permit holder carrying, wearing, or transporting a handgun while under the influence</p> <p>HANDGUN ON PERSON: CARRY/WEAR</p>	Misdemeanor	<p>Criminal Law § 4-207</p> <p>a person to whom a permit as been issued may not wear, carry, or transport a handgun while under the influence of alcohol or drugs</p>	18 months
<p>Demonstration w/ a firearm in a public place</p> <p>FIREARMS- DEMONS. IN PUB PLACE</p>	Misdemeanor	<p>Criminal Law § 4-208</p> <p>a person may not have a firearm in the person's possession or on or about the person at a demonstration in a public place or in a vehicle that is within 1,000 feet of a demonstration in a public place if the person as a been advised of the demonstration or ordered by an officer to leave the area</p>	18 months
<p>Assault Pistols- Prohibited</p>	Misdemeanor	<p>Criminal Law § 4-303</p> <p>a person may not possess an assault pistol unless it was possessed before</p>	18 months

Conviction and Eligibility Denial Key

PISTOL-ILLEGAL POSSESSION		June 1, 1994 and registered with the Secretary of the State of Police before Aug. 1, 1994	
Detachable magazines- Prohibited	Misdemeanor	Criminal Law § 4-305 a person may not manufacture, sell, offer for sale, purchase, receive, or transfer a detachable magazine that has the capacity of more than 20 rounds of ammunition	18 months
Use of a machine gun in a crime of violence MACHINE GUN- USE FOR CRIME	Felony	Criminal Law § 4-404 a person may not use or possess a machine gun in the commission or attempted commission of a crime of violence	3 Years
Use of a machine gun for aggressive purposes MACH GUN- AGGRESSIVE PURPOSE	Misdemeanor	Criminal Law § 4-405 a person may not possess or use a machine gun for an offensive or aggressive purpose when the machine gun is not owned or rented by the bona fide permanent resident where the machine gun is found, or is in possession of a foreign-born person, a person who has been convicted of a felony, or the machine is not registered	18 months
Manufacture or possess destructive device	Felony	Criminal Law § 4-503 manufacture, transport, possess, control, store, sell, distribute, use destructive device, or possess explosive material with intent to create destructive device	3 Years

Housing Authority Of Baltimore City

PHA Plans

5 Year Plan for Fiscal Years 2004 - 2008
Annual Plan for Fiscal Year 2004

VOLUME III ADMISSIONS & CONTINUED OCCUPANCY POLICY AND DWELLING LEASE

**Re-Submitted For Approval to the
US Depart. of Housing & Urban Dev.
June 29, 2004**

**Approved by HABC Board of Commissioners March 23, 2004
First Submission to HUD April 2, 2004
HUD Revised June 15, 2004**

**NOTE: THIS PHA PLANS TEMPLATE (HUD 50075) IS TO BE COMPLETED IN
ACCORDANCE WITH INSTRUCTIONS LOCATED IN APPLICABLE PIH NOTICES**

Attachment N(1)

Admissions and Continued Occupancy Policy

Housing Authority Of
Baltimore City

**ADMISSIONS &
CONTINUED
OCCUPANCY POLICY**

ADMISSIONS AND CONTINUED OCCUPANCY POLICY
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Chapter 1

STATEMENT OF POLICIES AND OBJECTIVES

INTRODUCTION

The Public Housing Program was created by the U.S. Housing Act of 1937. Administration of the Public Housing Program and the functions and responsibilities of the staff of the Housing Authority of Baltimore City (HABC) shall be in compliance with the HABC's Personnel Policy, any union agreements of the HABC, and this Admissions and Continued Occupancy Policy. The administration of HABC's housing program will also meet the requirements of the Department of Housing and Urban Development. Such requirements include any Public Housing Regulations, Handbooks, and applicable Notices. All applicable Federal, State and local laws, including Fair Housing Laws and regulations also apply. Changes in applicable Federal laws or regulations shall supersede provisions in conflict with this policy. Federal regulations shall include those found in Volume 24 CFR, Parts 1, 5, 8, 100 and 900-966 (Code of Federal Regulations), as may be amended.

A. HOUSING AUTHORITY MISSION STATEMENT

Through participation of HABC's many stakeholders – especially staff and residents- HABC provides quality housing and related service in a professional manner, emphasizing self-sufficiency within safe, caring, and affordable environments.

B. LOCAL OBJECTIVES

This Admissions and Continued Occupancy Policy for the Public Housing Program is designed to demonstrate that the HABC is managing its program in a manner that reflects its commitment to improving the quality of housing available to its public, and its capacity to manage that housing in a manner that demonstrates its responsibility to the public trust. In addition, this Admissions and Continued Occupancy Policy is designed to achieve the following objectives:

To provide improved living conditions for very low and low income families while maintaining their rent payments at an affordable level.

To operate a socially and financially sound public housing agency that provides decent, safe, and sanitary housing within a drug free, suitable living environment for tenants and their families.

To avoid concentrations of economically and socially deprived families in any one or all of the HABC's public housing developments.

To lawfully deny the admission of applicants, or the continued occupancy of residents, whose habits and practices reasonably may be expected to adversely affect the health, safety, comfort or welfare of other residents or the physical environment of the neighborhood, or create a danger to HABC employees.

To provide opportunities for upward mobility for families who desire to achieve self-sufficiency.

To facilitate the judicious management of the HABC inventory, and the efficient management of the HABC staff.

To comply with Title VI of the Civil Rights Act of 1964 and all other applicable Federal laws and regulations so that the admissions and continued occupancy are conducted without regard to race, color, national origin, age, religion, sex, familial (family) or disability or disability status.

C. PURPOSE OF THE POLICY

The purpose of this Admissions and Continued Occupancy Policy (ACOP) is to establish guidelines for the HABC staff to follow in determining eligibility for admission and continued occupancy. These guidelines are governed by the requirements of the Department of Housing and Urban Development (HUD) with latitude for local policies and procedures. These policies and procedures for admissions and continued occupancy are binding upon applicants, residents, and the HABC.

The HABC Board of Commissioners must approve the original policy and any subsequent changes. This policy, or portions of it, will be provided to HUD, as may be required.

D. FAIR HOUSING POLICY

It is the policy of HABC to comply fully with all Federal, State, and local nondiscrimination laws and with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment.

HABC shall not deny any family or individual the equal opportunity to apply for or receive assistance under the Public Housing Programs on the basis of race, color, sex, religion, national origin, ancestry, age, familial status, marital status, or disability or sexual orientation.

To further its commitment to full compliance with applicable Civil Rights laws, HABC will provide Federal/State/local information to residents regarding unlawful discrimination in housing and the recourse available to families who believe they are victims of such discrimination. Such information will be made available during the family briefing session, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made available upon request at the front desk.

HABC staff will be required to attend fair housing training and informed of the importance of affirmatively furthering fair housing and providing equal opportunity to all families, including providing reasonable accommodations to persons with disabilities, as a part of the overall commitment to quality customer service. Fair Housing posters are posted throughout the Housing Authority offices, including in the lobby and interview rooms and the equal opportunity logo will be used on all outreach materials. Appropriate staff will attend local “fair housing” update training programs sponsored by HUD and local organizations to keep current with new developments.

Except as otherwise provided in 24 CFR 8.21(c)(1), 8.24(a), 8.25, and 8.31, no individual with disabilities shall be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination because the HABC facilities are inaccessible to or unusable by persons

with disabilities. Posters and housing information are displayed in locations throughout the HABC office in such a manner as to be easily readable from a wheelchair.

The HABC office is accessible to persons with disabilities. Accessibility for the hearing impaired is provided through the Maryland Relay System.

Monitoring and Enforcement of HABC'S Policy and Programs

HABC's Fair Housing and Equal Opportunity Office ("FH&EO Office") is responsible for monitoring HABC's compliance with, and enforcing the requirements of fair housing laws and HABC's Fair Housing Policy. The FH&EO Office is located at 417 E. Fayette Street, Suite 922, Baltimore, Maryland (410-396-3246).

Compliance with Accessibility Requirements

In accordance with 24 CFR Part 8 Nondiscrimination Based on Handicap in Federally Assisted Programs and Activities: Final Rule, HABC has conducted a resident needs assessment, a self-evaluation study and a physical needs assessment of HABC owned properties and developed a five-year transition plan (the "Transition Plan") for achieving compliance with Section 504 of the Rehabilitation Act (Section 504), the Americans With Disabilities Act (ADA) and the Fair Housing Act, as amended, (FHA).

Based on the information provided in the Needs Assessment and the Transition Plan, HABC is amending its capital budget to fund renovations to a number of units to make them accessible in compliance with Section 504, the ADA, and the FHA.

The HABC shall not, on account of race, color, national origin, age, religion, sex, familial (family) status, disability, sexual preference or marital status:

Deny to any family the opportunity to apply for housing, or deny to any qualified applicant the opportunity to lease housing suitable to its needs;

Provide housing that is different from that provided to others;

Subject a person to segregation or disparate treatment;

Restrict a person's access to any benefit enjoyed by others in connection with the housing program;

Treat a person differently in determining eligibility or other requirements for admission; or

Deny a person access to the same level of services.

The HABC shall not automatically deny admission to a particular group or category of otherwise qualified applicants (e.g., families with children born to unmarried parents, elderly families with pets).

E. SERVICE AND ACCOMMODATIONS POLICY

It is the policy of HABC to be service-directed in the administration of our housing programs, and to exercise and demonstrate a high level of professionalism while providing housing services to the families within our jurisdiction.

HABC's policies and practices are designed to provide persons with disabilities reasonable accommodations so that they may fully access and utilize the housing program and related services. The availability of reasonable accommodations will be made known by including notices on HABC forms and letters to all families, and all requests will be verified so that HABC can properly accommodate the need presented by the disability.

The definitions of the terms "individual with a disabilities", as defined by Section 504, and "person with disabilities", as defined by the ADA, are set forth in the glossary to this ACOP.

Reasonable Accommodation Policy

The HABC policies and practices are designed to provide persons with disabilities reasonable accommodations, upon request, so that they may fully access and utilize the housing program and related services. Written information regarding this policy and the procedures for making a request for a reasonable accommodation is available at the Customer Relations Center, Public Housing Management Offices, the HABC Central Office and HABC's web site. This policy is intended to afford persons with disabilities an equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of services as those who do not have disabilities. Situations in which this policy applies include, but are not limited to, when a family initiates contact with the HABC, when the HABC initiates contact with a family including when a family applies, and when the HABC schedules or reschedules appointments of any kind.

- To be eligible for a reasonable accommodation, a person must have a disability.

A person requesting an accommodation due to a disability should submit a Request for Reasonable Accommodation Form (the Request Form). The Request Form will be available in an alternative format to accommodate those needing such a format in order to submit the request. HABC will acknowledge receipt of the request within twenty (20) business days of receiving the request and, using the Request for Information or Verification Form, submit to the requestor a list of any additional information and documentation needed in order to make a decision regarding the request. HABC will make a decision on the request within thirty (30) business days after receiving all needed information and documentation from the requestor. The decision will be communicated in writing or, if required because of the requestor's disability, in an alternative format. If HABC will be unable to make a decision within thirty (30) business days, it will advise the requestor in writing with the reason(s) for the delay.

If the HABC finds that the requested accommodation would result in a fundamental alteration in the nature of HABC's programs or activities, or in undue financial and administrative burdens, HABC will deny the request and/or present an alternate accommodation that will still meet the need of the person.

HABC may make reasonable accommodations through such means as reassignment of services to accessible buildings, alteration of existing facilities and construction of new facilities, or any other methods that result in making its programs or activities readily accessible to and usable by individuals with disabilities.

HABC is not required to make structural changes in existing housing facilities where other methods are effective in achieving compliance or to provide supportive services that are not part of the program.

If the requestor disagrees with HABC decision, the requestor may contact the Fair Housing & Equal Opportunity Office, 417 E. Fayette Street, Suite 922, Baltimore, MD 21202 (410) 396-3246 or one of the following agencies:

Baltimore Neighborhoods, Inc.
2217 St. Paul Street
Baltimore, MD 21218
(410) 243-4400

Maryland Commission on Human Rights
6 St. Paul Street, 9th Floor
Baltimore, MD 21202
(410) 767-8600

US Dept of Housing and Urban Development
10 South Howard Street
Baltimore, MD 21201
(410) 962-2520

Baltimore Community Relations Commission
10 N. Calvert Street, Suite 915
Baltimore, MD 21202
(410) 396-3141

Reasonable accommodation will be made for persons with a disability that requires an advocate or accessible offices. A designee will be allowed to provide some information, but only with the permission of the person with the disability.

All HABC mailings will be made available in an accessible format upon request, as a reasonable accommodation.

Verification of Disability

The HABC may verify a requestor's disability only to the extent necessary to ensure that the requestor is qualified for the housing for which he or she had applied, is qualified for deductions used in determining adjusted income, is entitled to preferences that have been claimed, and that the requested accommodation is needed. The HABC will not require applicants to provide access to confidential medical records in order to verify a disability and will not require specific details about the disability. HABC may require documentation of the manifestation of the disability that causes a specific need for a specific accommodation or accessible unit.

Recertification by Mail

HABC will permit the family to submit annual and interim recertification forms through the mail, when the HABC has determined that the request is necessary as a reasonable accommodation.

The mail-in packet will include notice to the family of HABC's deadline for returning the completed forms to HABC.

If there is more than one adult member in the household, but only one is disabled, re-certification will not be processed through the mail. In such cases, the family may choose to have the HABC conduct the re-certification by a home visit or to have the non-disabled adult family members come in for the appointment and then take the necessary forms home to the member with a disability for completion and signature.

Home Visits

When requested and where the need for reasonable accommodation has been established, the HABC will conduct home visits to residents to conduct annual and interim re-certifications.

Requests for home visit re-certifications must be received by the HABC at least five working days before the scheduled appointment date in order for the request to be considered.

Other Accommodations

HABC utilizes organizations that provide assistance for hearing- and sight-impaired persons when needed.

Families will be offered an accessible unit, or a unit with accessible features unless it would result in undue financial and administrative burdens.

The HABC will refer families who have persons with disabilities to agencies in the community that offer services to persons with disabilities per the family's request.

F. TRANSLATION OF DOCUMENTS

In determining whether it is feasible to translate documents written in English into other languages, HABC will consider the following factors:

- Number of applicants and residents who do not speak English and speak the other language.
- Estimated cost to HABC per client of translation of English written documents into the other language.
- The availability of local organizations to provide translation services to non- English speaking families.
- The availability of bilingual staff who can provide translation for non-English speaking families.

G. LANGUAGE ASSISTANCE

HABC will provide readers to assist persons with literacy barriers in completing the application and certification process.

H. PUBLIC HOUSING ASSESSMENT SYSTEM (PHAS) OBJECTIVES [24 CFR 901 & 902]

The HABC operates its public housing program with efficiency and can demonstrate to HUD or independent auditors that the HABC is using its resources in a manner that reflects its commitment to quality and service. The HABC policies and practices are consistent with the new Public Housing Assessment System (PHAS) outlined in the 24 CFR Parts 901 and 902 final published regulations.

The HABC is continuously assessing its program and consistently strives to make improvements. The HABC acknowledges that its performance ratings are important to sustaining its capacity to maintain flexibility and authority. The HABC intends to diligently manage its current program operations and continuously make efforts to be in full compliance with PHAS. The policies and procedures of this program are established so that the standards set forth by PHAS are demonstrated and can be objectively reviewed by an auditor whose purpose is to evaluate performance.

I. FAMILY OUTREACH

The HABC will publicize and disseminate information to make known the availability of housing assistance and related services for very low income families on a regular basis. When the HABC waiting list is open, the HABC will publicize the availability and nature of housing assistance for very low income families through the:

- Baltimore Sun
- Afro-American Newspaper
- City Paper

The Housing Authority will extend outreach subject to determination of any minority group reaching 5% of the total population, based on the most recent census or amendment thereto.

To reach those who cannot read newspapers, the HABC will distribute fact sheets to the broadcasting media, and initiate personal contacts with members of the news media and community service personnel. The HABC will also utilize public service announcements.

The HABC will communicate the status of housing availability to other service providers in the community, and advise them of housing eligibility factors and guidelines in order that they can make proper referrals for housing assistance.

J. PRIVACY RIGHTS

Applicants and participants, including all adults (i.e., 18 years of age) in their households, are required to sign the HUD 9886 Authorization for Release of Information. This document authorizes the HABC to request income information from the State wage information collection agency and other Federal collection agencies in order to verify household income. This document incorporates the Federal Privacy Act Statement and does not provide authorization for the release of family information. Failure to sign the consent form will result in the denial of eligibility or termination of assisted housing benefits.

HABC policy regarding release of information is in accordance with State and local laws. Information to be supplied to a landlord, upon request, is limited to that specified in Chapter 7, Section B of this ACOP.

HABC practices and procedures are designed to safeguard the privacy of applicants and program participants. All applicant and participant files will be stored in a secure location that is only accessible by authorized staff.

HABC staff will not discuss family information contained in files unless there is a business reason to do so. Inappropriate discussion of family information, or improper disclosure of family information by staff will result in disciplinary action.

All files must be signed for when removed from the secured file storage area.

Any and all information that would lead one to determine the nature and/or severity of a person's disability, or eligibility based on a criminal background check, must be kept in a separate folder and marked "confidential". The personal information in this folder must not be released except on an "as needed" basis in cases where an accommodation or a criminal eligibility determination is under consideration. All requests for access and the granting of accommodations based on this information must be approved by the Chief of Housing Applications.

K. POSTING OF REQUIRED INFORMATION

The HABC will maintain a bulletin board in a conspicuous area of the management office lobby that will contain:

Statement of policies and procedures governing Admissions and Continued Occupancy Policy (ACOP) or a notice of where the policy is available

A notice of where the HABC 5-year Plan and HABC Annual Plan are available

Information on application taking

Directory of the HABC's housing sites including names, address of offices and office hours at each facility.

Income limits for Admission

Current schedule of routine maintenance charges

A copy of the lease

The HABC's grievance procedures

A Fair Housing Poster

An Equal Opportunity in Employment poster

Current Resident Notices

Required public notices

Security Deposit Charges

Information on preferences

Schedule of Utility Allowances (if applicable)

Information on Screening and Eviction for Drug Abuse and other Criminal Activity

Mold Prevention Notice.

Site developments will maintain a bulletin board in a conspicuous place which will contain:

Tenant Selection policies (960.202 and 960.203)

Information on application taking

Income limits for admission

Current schedule of maintenance charges

Copy of lease

HABC's grievance procedures

Fair Housing poster

Equal Opportunity in Employment poster

Current Resident Notices

Security Deposit charges

Zero Tolerance Policy (sexual harassment)

Fraud Hotline Information

Mission Statement

Information on Screening and Eviction for Drug Abuse and Other Criminal Activity.

L. TERMINOLOGY

The Housing Authority of Baltimore City is referred to as the "Housing Authority" or "HABC" throughout this document.

"Disability" is used where "handicap" was formerly used.

"Family" is used interchangeably with "Applicant," "Resident" or "Participant" and includes a single-person family.

"INS" refers to the Immigration and Naturalization Service, or its successor agency.

"Landlord" refers to the HABC.

"Noncitizens Rule" refers to the regulation effective June 19, 1995, restricting assistance to U.S. citizens and eligible immigrants.

"Resident" or "Tenant" is used to refer to lessees of the HABC.

See Glossary for other terminology.

Chapter 2 ELIGIBILITY FOR ADMISSION

[24 CFR Part 960, Subpart B, and as amended]

INTRODUCTION

This Chapter defines both HUD's and the HABC's criteria for admission and denial of admission to the program. The policy of HABC is to strive for objectivity and consistency in applying these criteria to evaluate the qualifications of families who apply. The HABC staff will review all information provided by the family carefully and without regard to factors other than those defined in this Chapter. Families will be provided the opportunity to explain their circumstances, to furnish additional information, if needed, and to receive an explanation of the basis for any decision made by the HABC pertaining to their eligibility.

A. QUALIFICATION FOR ADMISSION

It is the HABC's policy to admit qualified applicants only. An applicant is qualified if he or she meets the following criteria:

Is a family as defined in this Chapter;

Heads a household where at least one member of the household is either a citizen or eligible non-citizen. (24 CFR Part 5, Subpart E).

Has an Annual Income at the time of admission that does not exceed the low income limit for occupancy established by HUD and posted separately in the HABC offices.

Provides a Social Security number for all family members, age 6 or older, or will provide written certification that they do not have Social Security numbers;

Meets or exceeds the tenant Selection and Suitability Criteria as set forth in this policy including the attendance and successful completion of the HABC's pre-occupancy class.

Timing for the Verification of Qualifying Factors

The qualifying factors of eligibility will not be verified until the family is in a position on the waiting list to be offered a housing unit.

B. FAMILY COMPOSITION

Definition of Family

The applicant must qualify as a Family. A Family may be a single person or a group of persons. Discrimination on the basis of familial status is prohibited, and a group of persons may not be denied solely on the basis that they are not related by blood, marriage or operation of law. For occupancy standards purposes, the applicant may claim a spousal relationship (see chapter on Occupancy Guidelines).

A group of persons is defined herein as two or more persons who intend to share residency, whose income and resources are available to meet the family's needs, and who will live together in HABC housing.

Elderly, disabled, and displaced families are defined by HUD in CFR 5.403.

The term "Family" also includes, but is not limited to:

- A family with or without children;

- An elderly family;

- A disabled family;

- A displaced family;

- The remaining member of a tenant family;

- A single person who is not elderly, displaced, or a person with disabilities, or the remaining member of a tenant family;

- Two or more elderly or disabled persons living together, or one or more elderly or disabled persons living with one or more live-in aides is a family;

- Two or more near-elderly persons living together, or one or more near-elderly persons living with one or more live-in aides.

The temporary absence of a child from the home due to placement in foster care shall not be considered in determining the family composition and family size.

Occupancy by Police Officers

In order to provide an increased sense of security for public housing residents the HABC may allow public housing units to be occupied by police officers.

Police officers will not be required to be income eligible to qualify for admission to the HABC's public housing program.

Head of Household

The head of household is the adult member of the household who is designated by the family as head, is wholly or partly responsible for paying the rent, and has the legal capacity to enter into a lease under State/local law.

Emancipated minors who qualify under State law will be recognized as head of household if there is a court order recognizing them as an emancipated minor.

Persons who are married are legally recognized as adults under State law.

A family may designate an elderly or disabled family member as head of household solely to qualify the family as an Elderly Family, provided that the person is at least partially responsible for paying the rent.

Spouse of Head

Spouse means the husband or wife of the Head of Household.

For proper application of the Noncitizens Rule, the definition of spouse is: the marriage partner who, in order to dissolve the relationship, would have to be divorced. It includes the partner in a common law marriage. The term "spouse" does not apply to boyfriends, girlfriends, significant others, or co-heads.

Co-head

An individual in the household who is equally responsible for the lease with the Head of Household. A household may have either a spouse or co-head, but not both. A co-head never qualifies as a dependent.

Live-in Aide

A household may include a live-in aide provided that such live-in aide:

Is determined by the **HABC** to be essential to the care and well being of an elderly person, a near-elderly person, or a person with disabilities,

Is not obligated for the support of the person(s), and

Would not be living in the unit except to provide care for the person(s).

A live-in aide is not considered to be an assisted family member and has no rights or benefits under the program:

Income of the live-in aide will not be counted for purposes of determining eligibility or level of benefits.

Live-in aides are not subject to Noncitizen Rule requirements.

Live-in aides may not be considered as a remaining member of the tenant family.

Relatives are not automatically excluded from being live-in aides, but they must meet all of the elements in the live-in aide definition described above.

Family members of a live-in attendant may also reside in the unit, providing doing so does not increase the subsidy by the cost of an additional bedroom and that the presence of the family member(s) does not overcrowd the unit.

A Live-in Aide may only reside in the unit with the approval of the HABC. Written verification will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or caseworker. The verification provider must certify that a live-in aide is needed for the care of the family member who is elderly, near-elderly (50-61) or disabled.

Verification of the need for a live-in aide must include the hours the care will be provided.

After the HABC approves the addition of a live-in aide on behalf of a resident, the resident must submit a specific live-in aide's name and information for approval by the HABC within 30

calendar days of the HABC's notification.

If the 30 calendar days expire, the resident will have to resubmit an application for approval of a live-in aide.

A specific live-in aide may only reside in the unit with the approval of the HABC. The HABC shall make the live-in aide subject to the agency's normal screening criteria.

The HABC will require the live-in aide to execute a lease rider agreeing to abide by the terms and conditions of occupancy set forth in the lease agreement. If the live-in aide violates provisions of the lease rider, the HABC may take action against the live-in aide separate from action against the assisted family.

If the live-in aide or their family members participate in drug-related or criminal activity, the HABC will rescind the aide's right to occupy the unit. When the agency takes such action against the live-in aide, the aide is not entitled to the grievance hearing process of the agency.

The HABC has the right to disapprove a request for a live-in aide based on the "Other Eligibility Criteria" described in this Chapter.

C. MANDATORY SOCIAL SECURITY NUMBERS [24 CFR 5.216]

Families are required to provide verification of Social Security Numbers for all family members age 6 and older prior to admission, if they have been issued a number by the Social Security Administration. This requirement also applies to persons joining the family after admission to the program.

Failure to furnish verification of social security numbers is grounds for denial of admission or termination of tenancy.

If a member does not have a Social Security Number they must sign a certification stating that they do not have one. The certification shall:

state the individual's name,

state that the individual has not been issued a Social Security Number;

state that the individual will disclose the Social Security Number, if they obtain one at a later date;

be signed and dated.

D. CITIZENSHIP/ELIGIBLE IMMIGRATION STATUS

In order to receive assistance, a family member must be a U.S. citizen or eligible immigrant. Eligible immigrants are persons who are in one of the six immigrant categories as specified by HUD.

For the Citizenship/Eligible Immigration requirement, the status of each member of the family is considered individually before the family's status is defined.

Mixed Families. A mixed family means a family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status. As long as one family member is either a citizen or an eligible immigrant, the family will qualify as a mixed family and will have their housing assistance pro-rated (which means that such family will pay a higher rent than they would if all family members were either citizens or eligible immigrants). Such applicant families will be given notice that their income-based assistance (TTP) will be pro-rated and that they may request a hearing if they contest this determination.

HABC shall prorate the family's assistance by:

1. Determining total tenant payment in accordance with 24 CFR 913.107(a), as amended. (Annual income includes income of all family members, including any family member who has not established eligible immigration status.)

2. Subtracting the total tenant payment from a HUD-supplied "public housing maximum rent" applicable to the unit or the HABC. (Such "Public Housing Maximum Rent" shall be determined by HUD using the 95th percentile rent for the HABC.) The result is the maximum subsidy for which the family could qualify if all members were eligible ("Family Maximum Subsidy").

3. Dividing the Family Maximum Subsidy by the number of persons in the family (all persons) to determine the maximum subsidy per each family member who has citizenship or eligible immigration status ("Eligible Family Member"). The subsidy per Eligible Family Member is the "Member Maximum Subsidy".

4. Multiplying the Member Maximum Subsidy by the number of Eligible Family Members.

5. The product of steps 1 through 4 is the amount of subsidy for which the family is eligible ("Eligible Subsidy"). The family's rent is the "Public Housing Maximum Rent" minus the amount of the Eligible Subsidy.

If such a family chooses flat rent, the flat rent will not be pro-rated if the flat rent is greater than the Public Housing Maximum Rent. If the Public Housing Maximum Rent is greater than the flat rent, and the family chooses flat rent, the flat rent will be pro-rated

No eligible members. Applicant families that include no eligible members will be ineligible for assistance. Such families will be denied admission and offered an opportunity for a hearing.

Noncitizen students defined by HUD in the noncitizen regulations are not eligible for assistance.

The HABC will establish and verify eligibility no later than the date of the family's annual reexamination.

No individual or family applying for financial assistance may receive such financial assistance prior to the affirmative establishment and verification of eligibility of at least one individual or family member.

E. OTHER ELIGIBILITY CRITERIA

All applicants will be processed in accordance with HUD's regulations (24 CFR Part 960) and sound management practices. Applicants will be required to demonstrate ability to comply with essential provisions of the lease as summarized below.

All applicants must demonstrate through an assessment of current and past behavior the ability: to

pay rent and other charges as required by the lease in a timely manner;

to care for and avoid damaging the unit and common areas;

to use facilities, appliances and equipment in a reasonable way;

to create no health or safety hazards, and to report maintenance needs in a timely manner;

not to interfere with the rights and peaceful enjoyment of others and to avoid damaging the property of others;

not to engage in criminal activity or alcohol abuse that threatens the health, safety or right to peaceful enjoyment of other residents or staff and not to engage in drug-related criminal activity on or off the HABC premises;

not to have ever been convicted of manufacturing or producing methamphetamine, also known as "speed," on the premises of assisted housing;

not to contain a household member subject to lifetime sex offender registration requirement under a State Sex offender registration program;

to comply with necessary and reasonable rules and program requirements of HUD and the HABC; and,

to comply with local health and safety codes.

Denial of Admission for Previous Debts to HABC or Any Other Public Housing Authority

Previous outstanding debts to HABC or any public housing authority resulting from a previous tenancy in the public housing or Section 8 program must be paid in full prior to admission. No Payment Agreement will be accepted.

At the time of initial application, the applicant must pay any previous debt prior to being placed on the waiting list.

Either spouse is responsible for the entire debt incurred as a previous HABC tenant. Children of the head or spouse who had incurred a debt to the HABC will not be held responsible for the parent's previous debt.

F. DENIAL OF ADMISSION FOR DRUG-RELATED AND/OR OTHER CRIMINAL ACTIVITY

Purpose

All federally assisted housing is intended to provide a place to live and raise families, not a place to commit crime, to use or sell drugs or terrorize neighbors. It is the intention of the HABC to fully endorse and implement a policy that is designed to:

Help create and maintain a safe and drug-free community;

Keep our program participants free from threats to their personal and family safety;

Support parental efforts to instill values of personal responsibility and hard work;

Help maintain an environment where children can live safely, learn and grow up to be productive citizens; and

Assist families in their vocational/educational goals in the pursuit of self-sufficiency.

Administration

All screening procedures shall be administered fairly and in such a way as not to discriminate on the basis of race, color, nationality, religion, sex, familial status, disability or against other legally protected groups, and not to violate right to privacy.

To the maximum extent possible, the HABC will involve other community and governmental entities in the promotion and enforcement of this policy.

This policy will be posted on the HABC's bulletin board and copies made readily available to applicants and tenants upon request.

HUD Definitions

"Drug" means a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

"Drug-related criminal activity" means the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug.

Drug-related criminal activity means *on or of the premises, not just on or near the premises*.

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

"Drug" means a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

"Guest" for purposes of this Chapter, means a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

"Household" means the family and HABC-approved live-in aide.

"Other Criminal Activity" includes any criminal activity that threatens the health, safety or right to peaceful enjoyment of the resident's public housing premises by other residents or employees of the HABC.

"Other person under the tenant's control," for the purposes of the definition of "covered person," means that the person, although not staying as a guest (as defined above) in the unit is, or was at the time of the activity in question, on the premises (as defined in this section) because of an invitation from the tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

"Premises" means the building or complex or development in which the public housing dwelling unit is located, including common areas and grounds.

"Violent criminal activity" means any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

Screening for Drug Abuse and Other Criminal Activity

In an effort to prevent drug related, violent and other criminal activity, or other patterns of behavior that pose a threat to the health, safety or the right to peaceful enjoyment of the premises by other residents, the HABC will endeavor to screen applicants as thoroughly and fairly as possible.

HABC will deny eligibility for admission based upon felony or misdemeanor convictions for a period of no more than 18 months for a misdemeanor offense and three years for a felony offense beginning on the date of conviction or the release from incarceration, whichever date is later.

Use of Law Enforcement Records

The HABC will check criminal history for all members of the applicant's household who are 18 years of age and older to determine whether any such member has engaged in drug-related, violent or other criminal activity.

The HABC will check criminal history for all member in the applicant household who are 18 years of age and older to determine whether any member of the family is subject to a lifetime sex offender registration requirement.

Verification of any past criminal activity will be done prior to final eligibility and will include a

check of conviction records.

The HABC has applied to the Federal Bureau of Investigation (FBI) and obtained a unique Originating Agency Identifier (ORI) number in order to maximize its efforts in obtaining applicant criminal record history.

HABC uses the Judicial Information System (JIS) which provides us with the ability to search District Court and Circuit Court records for the State of Maryland. A search is completed of the District Court records for all applicants and household members age 18 and older. A search of the Circuit Court records may be complete when information gleaned from the District Court indicates that a case was transferred to the Circuit Court for processing.

The HABC acknowledges that a name check only may result in an inconclusive result without a positive fingerprint comparison. The results of an inconclusive name check will not be used to deny an applicant admission to housing.

Standard for Violation

Admission of an applicant is prohibited if any household member was evicted from public housing, Indian housing, Section 23, or any Section 8 program because of drug-related criminal activity, for a three-year period beginning on the date of such eviction.

The HABC will not waive this requirement.

No member of the applicant's family may have been convicted of drug related or violent criminal activity within the past three years.

The HABC will deny participation in the program to applicants where the HABC determines there is reasonable cause to believe that the person is currently engaging in or is engaged in drug-related, violent, or other criminal activity. The same will apply if it is determined that the person abuses alcohol in a way that may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents. This includes cases where the HABC determines that there is a pattern of illegal use of controlled substances or a pattern of alcohol abuse.

"Currently engaging in or engaged in " drug-related criminal activity means that the individual has, within the past three years, engaged in the behavior recently enough to justify a reasonable belief that the individual's behavior is current. "Currently engaging in or engaged in other criminal activity means that the individual has, within the past three years, engaged in the behavior recently enough to justify a reasonable belief that the individual's behavior is current. The HABC will not waive this requirement.

Permanent Denial of Admission

The HABC will permanently deny admission to an applicant to HABC's public housing program if any household member has ever been convicted of drug related criminal activity for the manufacture or production of methamphetamine on the premises of federally assisted housing. "Premises" is defined as the building or complex in which the dwelling unit is located, including common areas and grounds. The **HABC** will not waive this requirement.

Prohibition on Persons Subject to Lifetime Sex Offender Registration Requirement

The HABC will deny admission to public housing to any family in which a family member is subject to a lifetime sex offender registration requirement. This requirement will not be waived. The HABC shall perform necessary criminal history background checks in the State where the housing is located and in any other States where household members are known to have resided.

Evidence

The HABC must have evidence of the violation.

"Preponderance of evidence" is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. The intent is not to prove criminal liability, but to establish that the act(s) occurred.

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

"Credible evidence" may be obtained from police and/or court records. Testimony from neighbors, when combined with other factual evidence, can be considered credible evidence. Other credible evidence includes documentation of drug raids or arrest warrants, evidence gathered by HABC inspectors and/or investigators, and evidence gathered from any HABC Hotline.

The HABC may pursue fact-finding efforts as needed to obtain credible evidence.

Confidentiality of Criminal Records

The HABC will ensure that any criminal record received is maintained confidentially, not misused or improperly disseminated, and destroyed once the purpose for which it was requested is accomplished.

The HABC will document in the family's file that the family was denied admission due to findings in the Criminal History Report.

Disclosure of Criminal Records to Family

Before the HABC takes any adverse action based on a criminal conviction record, the applicant and subject of record will be provided with a copy of the criminal record and an opportunity to dispute the record. Applicants will be provided an opportunity to dispute the record at an informal hearing. **Hearings**

(See Chapter titled "Complaints, Grievances and Appeals.")

If information is revealed that would cause the HABC to deny admission to the household and the person disputes the information, s/he shall be given an opportunity for an informal hearing

according to the HABC's hearing procedures outlined in the Chapter on Complaints, Grievances and Appeals.

G. SCREENING FOR SUITABILITY [24 CFR 960.203, 960.204, 960.205]

In developing its admission policies, the aim of the HABC is to attain a tenant body composed of families with a broad range of incomes and to avoid concentrations of the most economically deprived families and families with serious social problems. Therefore, it is the policy of the HABC to deny admission to applicants whose habits and practices may reasonably be expected to have a detrimental effect on the operations of the development or neighborhood, or on the quality of life for its residents.

The HABC will conduct a detailed interview of all applicants. The interview form will contain questions designed to evaluate the qualifications of applicants to meet the essential requirements of tenancy. Answers will be subject to third party verification.

An applicant's intentional misrepresentation of any information related to eligibility, award of preference for admission, housing history, allowances, family composition or rent will result in denial of admission.

In the absence of satisfactory landlord documentation, applicants must be able to demonstrate the ability and willingness to comply with the terms of the lease, with assistance as necessary, that the applicant has or will have at the time of admission. (24 CFR 8.3, Definition: Qualified Individual with Handicaps) The availability of assistance is subject to verification by the HABC.

The HABC does not permit a parent or legal guardian to co-sign the lease on the applicant's behalf if the head of household is under 18 and, under State/local law, does not have the legal capacity to enter into a legally binding contract

The HABC will complete a rental history check on all applicants.

The HABC shall rely upon sources of information which may include, but are not limited to, HABC records, personal interviews with the applicant or tenant, interviews with previous landlords, employers, family social workers, parole officers, criminal and court records, clinics, physicians or the police department, and home visits for persons who have had negative landlord reference(s) for poor housekeeping habits.

This will be done in order to determine whether the individual attributes, prior conduct, and behavior of a particular applicant is likely to interfere with other tenants in such a manner as to diminish their enjoyment of the premises by adversely affecting their health, safety or welfare.

Factors to be considered in the screening are housekeeping habits, rent paying habits, prior history as a tenant, criminal records, the ability of the applicant to maintain the responsibilities of tenancy, and whether the conduct of the applicant in present or prior housing has been such that admission to the program would adversely affect the health, safety or welfare of other residents, or the physical environment, or the financial stability of the project.

The HABC's examination of relevant information pertaining to past and current habits or

practices will include, but is not limited to, an assessment of:

The applicant's past performance in meeting financial obligations, especially rent.

Eviction or a record of disturbance of neighbors sufficient to warrant a police call, destruction of property, or living or housekeeping habits at present or prior residences which may adversely affect the health, safety, or welfare of other tenants or neighbors.

Any history of criminal activity on the part of any applicant family member involving criminal acts, including drug-related criminal activity.

Any history or evidence of repeated acts of violence on the part of an individual, or a pattern of conduct constituting a danger to peaceful occupancy by neighbors.

Any history of initiating threats or behaving in a manner indicating an intent to assault employees or other tenants.

Any history of alcohol or substance abuse that would threaten the health, welfare, or right to peaceful enjoyment of the premises by other residents.

The ability and willingness of an applicant to comply with the essential lease requirements will be verified and documented by the HABC. The information to be considered in the screening process shall be reasonably related to assessing the conduct of the applicant and other family members listed on the application in present and prior housing.

The history of applicant conduct and behavior must demonstrate that the applicant family can reasonably be expected not to:

Interfere with other residents in such a manner as to diminish their peaceful enjoyment of the premises by adversely affecting their health, safety, or welfare. [24CFR 960.203(c)]

Adversely affect the physical environment or financial stability of the project. [24CFR 960.203 (c)]

Violate the terms and conditions of the lease. [24CFR 960.203(c)].

Require services from HABC staff that would alter the fundamental nature of the HABC's program. [24 CFR 8.3]

Rent Paying Habits

The HABC will examine any records from a prior tenancy, and will request written references from the applicant's current landlord and may request written references from former landlords **up to the past three years.**

Based upon these verifications, the HABC will determine if the applicant was chronically late with rent payments, was evicted at any time during the past **three years** for nonpayment of rent, or had other legal action initiated against him/her for debts owed. Any of these circumstances could be grounds for an ineligibility determination, depending on the amount of control the applicant had over the situation.

The HABC will undertake a balancing test that will consider: (1) amount of former rent; (2) loss of employment; (3) death or divorce from primary support; (4) illness or other circumstances beyond applicant's control. Any of these circumstances could be grounds for an ineligibility determination, depending on the amount of control the applicant had over the situation.

Applicants will not be considered to have a poor credit history if they were late paying rent because they were withholding rent due to substandard housing conditions in a manner consistent with a local ordinance; or had a poor rent paying history clearly related to an excessive rent relative to their income (using 50% of their gross income as a guide), and responsible efforts were made by the family to resolve the nonpayment problem.

Screening Applicants Who Claim Mitigating Circumstances

Mitigating circumstances are facts relating to the applicant's record of unsuitable rental history or behavior, which, when verified would indicate both: (1) the reason for the unsuitable rental history and/or behavior; and (2) that the reason for the unsuitable rental history and behavior is no longer in effect or is under control, and the applicant's prospect for lease compliance is an acceptable one, justifying admission.

If unfavorable information is received about an applicant, consideration shall be given to the time, nature, and extent of the applicant's conduct and to factors that might indicate a reasonable probability of favorable future conduct. In order to be factored into the HABC's screening assessment of the applicant, mitigating circumstances must be verifiable.

If the mitigating circumstances claimed by the applicant relate to a change in disability, medical condition or course of treatment, the HABC shall have the right to refer such information to persons who are qualified and knowledgeable to evaluate the evidence and to verify the mitigating circumstance. The HABC shall also have the right to request further information reasonably needed to verify the mitigating circumstance, even if such information is of a medically confidential nature. Such inquiries will be limited to the information necessary to verify the mitigating circumstances or, in the case of a person with disabilities, to verify a reasonable accommodation.

Examples of Mitigating Circumstances

Evidence of successful rehabilitation;

Evidence of the applicant family's participation in and completion of social service or other appropriate counseling service approved by the HABC;

Evidence of successful and sustained modification of previous disqualifying behavior.

Consideration of mitigating circumstances does not guarantee that the applicant will qualify for admission. The HABC will consider such circumstances in light of:

The applicant's ability to substantiate through verification the claim of mitigating circumstances and his/her prospects for improved future behavior; and

The applicant's overall performance with respect to all the screening requirements.

Qualified and Unqualified Applicants

Information that has been verified by the HABC will be analyzed and a determination will be made with respect to:

The eligibility of the applicant as a *family*;

The eligibility of the applicant with respect to income limits for admission;

The eligibility of the applicant with respect to citizenship or eligible immigration *status*;

Any local preference to which the family is entitled.

Assistance to a family may not be delayed, denied or terminated on the basis of the family's ineligible immigration status unless and until the family completes all the verification and appeals processes to which they are entitled under both INS and HABC procedures, except for a pending HABC hearing.

Applicants who are determined to be unqualified for admission will be promptly notified with a Notice of Denial of Admission stating the reason for the denial. The HABC shall provide applicants an opportunity for an informal hearing (see Chapter titled "Complaints, Grievances, and Appeals").

Applicants who have requested a reasonable accommodation as a person with a disability and who have been determined eligible, but fail to meet the Applicant Selection Criteria, will be offered an opportunity for a second meeting to have their cases examined to determine whether mitigating circumstances or reasonable accommodations will make it possible for them to be housed in accordance with the screening procedures.

The HABC will make every effort to accurately estimate an approximate date of occupancy. However, the date given by the HABC does not mean that applicants should expect to be housed by that date. The availability of a suitable unit to offer a family is contingent upon factors not directly controlled by the HABC, such as turnover rates, and market demands as they affect bedroom sizes and project location.

Documenting Findings

An authorized representative of the HABC will document any pertinent information received relative to the following:

Criminal Activity - includes the activities listed in the definition of criminal activity in this Chapter.

Pattern of Violent Behavior - includes evidence of repeated acts of violence on the part of an individual, or a pattern of conduct constituting a danger to peaceful occupancy of neighbors.

Pattern of Drug Use - includes a determination by the PHA that the applicant has exhibited a pattern of illegal use of a controlled substance which might interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

Drug-Related Criminal Activity - includes a determination by the HABC that the applicant has been involved in the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with the intent to manufacture, sell, distribute or use the drug.

Pattern of Alcohol Abuse - includes a determination by the HABC that the applicant's pattern of alcohol abuse might interfere with the health, safety or right to peaceful enjoyment of the premises by other residents.

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

Abandonment of a Public Housing Unit - without advising HABC officials so that staff may secure the unit and protect its property from vandalism.

Non-Payment of Rightful Obligations - including rent and/or utilities and other charges owed to the HABC or any other public housing authority.

Intentionally Falsifying an Application for Leasing - including uttering or otherwise providing false information about family income and size, using an alias on the application for housing, or making any other material false statement or omission intended to mislead.

Grossly Unsanitary or Hazardous Housekeeping - includes the creation of a fire hazard through acts such as hoarding rags, papers, or other materials; severe damages to premises and equipment, if it is established that the family is responsible for the condition; seriously affecting neighbors by causing infestation, foul odors, depositing garbage in halls; or serious neglect of the premises. This category does not include families whose housekeeping is found to be superficially unclean or due to lack of orderliness, where such conditions do not create a problem for neighbors.

Destruction of Property from previous rentals.

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

Prohibited Criteria for Denial of Admission

Applicants will NOT be rejected because they:

Have no income;

Are not employed;

Do not participate in a job training program;

Will not apply for various welfare or benefit programs;

Have children;

Have children born out of wedlock;

Are on welfare;

Are students.

H. HEARINGS

If information is revealed that would cause the HABC to deny admission to the household and the person disputes the information, s/he shall be given an opportunity for an informal hearing according to the HABC's hearing procedures outlined in the Chapter on Complaints, Grievances and Appeals.

Chapter 3

APPLYING FOR ADMISSION

INTRODUCTION

The policy of the HABC is to ensure that all families who express an interest in housing assistance are given an equal opportunity to apply, and are treated in a fair and consistent manner. This Chapter describes the policies and procedures for completing an initial application for assistance, placement and denial of placement on the waiting list, and limitations on who may apply. The primary purpose of the intake function is to gather information about the family, but the HABC will also utilize this process to provide information to the family so that an accurate and timely decision of eligibility can be made. Applicants will be placed on the waiting list in accordance with this policy.

A. HOW TO APPLY

Families who wish to apply for any of the HABC's programs must complete a written application form when application-taking is open. Applications will be made available in an accessible format upon request from a person with a disability.

Persons with disabilities may call the HABC to receive an application through the mail or make other arrangements to complete their pre-application.

Applications will be mailed to interested families upon request.

Applications will be accepted at a central location for all waiting lists.

For site based waiting list, applications will be accepted at the site. The

application process will involve two phases.

- The first is the "initial" application for admission (referred to as a pre-application). This first phase is to determine the family's eligibility for, and placement on, the waiting list.

The pre-application will be dated, time-stamped, and referred to the HABC's office where tenant selection and assignment is processed.

- The second phase is the "final determination of eligibility for admission" (referred as the full application). The full application takes place when the family reaches the top of the waiting list. At this time the HABC ensures that verification of all HUD and HABC eligibility factors is current in order to determine the family's eligibility for an offer of a suitable unit.

B. "INITIAL" APPLICATION PROCEDURES

The HABC will utilize a preliminary-application form (pre-application) for the initial application for public housing. The application can be requested over the phone or in person. The application may also be mailed to the applicant and, if requested, it will be mailed in an alternative format.

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

Translation will be provided for non-English-speaking applicants.

The pre-application will contain questions designed to obtain the following information:

- Names of head and spouse
- Names of adult members and age of all members
- Number of family members (used to estimate bedroom size needed)
- Street address and phone numbers
- Mailing address (if PO Box or other permanent address)
- Annual income
- Source(s) of income received by household members to determine preference qualification
- Sufficient additional information to determine preference qualification
- Information regarding request for reasonable accommodation or for accessible unit - Social Security Numbers
- Race/ethnicity
- Convictions for Drug Related or Violent Criminal Activity
- Emergency contact person and address
- Questions regarding previous participation in HUD programs

Pre-applications will not require interviews. Information on the application will not be verified until the applicant has been selected for final eligibility determination. Final eligibility will be determined when the full application process is completed and all information is verified.

Applicants are requested to inform the HABC in writing of changes in family composition, income, and address. Applicants are also required to respond to requests from the HABC to update information on their application, or to determine their continued interest in assistance.

Applicants will be added to the waiting list only after they have submitted complete applications. Failure to provide information or to respond to mailings will result in the applicant being removed from the waiting list. (See Chapter on Complaints, Grievances and Appeals.)

C. NOTIFICATION OF APPLICANT STATUS

If after a review of the pre-application the family is determined to be preliminarily eligible, they will be notified in writing (in an accessible format upon request, as a reasonable accommodation).

This written notification of preliminary eligibility will be distributed to the applicant in the manner requested as a special accommodation.

If the family is determined to be ineligible based on the information provided in the pre-application, the HABC will notify the family in writing (in an accessible format upon request as a reasonable accommodation), state the reason(s), and inform them of their right to an informal hearing. Persons with disabilities may request to have an advocate attend the informal hearing as an accommodation. See Chapter on "Complaints, Grievances and Appeals."

D. COMPLETION OF A FULL APPLICATION

The application will contain questions designed to obtain the following information:

- Names of head and spouse
- Names of adult members and age of all members
- Number of family members (used to estimate bedroom size needed)
- Street address and phone numbers
- Mailing address (if PO Box or other permanent address)
- Annual income
- Source(s) of income received by household members to determine preference qualification
- Sufficient additional information to determine preference qualification
- Information regarding request for reasonable accommodation or for accessible unit - Social Security Numbers
- Race/ethnicity
- Charges/Convictions for Drug Related or Violent Criminal Activity
- Previous addresses
- Names and addresses of current and previous landlords
- Emergency contact person and address
- Questions regarding previous participation in HUD programs

Applicants on the waiting list who will be selected in the near future will be sent an eligibility appointment letter (see Chapter on Tenant Selection and Assignment Plan). The letter will notify the applicant of an application interview and request the applicant to bring all documents which verify all factors to be verified. Factors to be verified will be listed in the letter.

These documents will be used for verification only if third party verification cannot be obtained.

When the HABC is ready to select applicants, the HABC will send the applicant a letter notifying him/her of an appointment. Applicants will be required to:

- Complete a Personal Declaration Form prior to the full application interview.
- Participate in a full application interview with a HABC representative during which the applicant will be required to furnish complete and accurate information verbally as requested by the interviewer. The HABC interviewer will complete the full application form with answers supplied by the applicant. The applicant will sign and certify that all

information is complete and accurate.

The full application will be completed when the applicant attends the interview.

Requirement to Attend Interview

The HABC utilizes the full application interview to discuss the family's circumstances in greater detail, to clarify information that has been provided by the family, and to ensure that the information is complete. The interview is also used as a vehicle to meet the informational needs of the family by providing information about the application and verification process, as well as to advise the family of other HABC services or programs which may be available.

If the head of household cannot attend the interview, the spouse may attend to complete the application and certify for the family. The head of household, however, will be required to attend an interview within 10 working days to review the information and to certify by signature that all of the information is complete and accurate.

It is the applicant's responsibility to reschedule the interview if s/he misses the appointment. If the applicant does not reschedule or misses three scheduled meeting(s), the HABC will reject the application.

Reasonable accommodation will be made for persons with a disability who require an advocate or accessible offices. A designee will be allowed to provide some information, but only with permission of the person with a disability.

If an application is denied due to failure to attend the full application interview, the applicant will be notified in writing and offered an opportunity to request an informal hearing. (See Chapter on Complaints, Grievances and Appeals.)

All adult members, and head of household and spouse regardless of age, must sign form HUD-9886, "Release of Information," the declarations and consents related to citizenship/immigration status and any other documents required by the HABC. Applicants will be required to sign specific verification and/or consent forms for information that is not covered by the HUD-9886. Failure to do so will be cause for denial of the application for failure to provide necessary certifications and releases as required by the HABC.

Information provided by the applicant will be verified, including information related to family composition, income, allowances and deductions, assets, eligible immigration status, full time student status and other factors related to eligibility and rent calculation.

If the HABC determines at or after the interview that additional information or document(s) are needed, the HABC will request the document(s) or information in writing. The family will be given 10 working days to supply the information.

If the information is not supplied in this time period, the HABC will provide the family a notification of denial for assistance. (See Chapter on Complaints, Grievances and Appeals.)

E. PROCESSING APPLICATIONS

As families approach the top of the waiting list, the following items will be verified to determine qualification for admission to the HABC's housing:

- Preference verification
- Family composition and type (elderly/non elderly)
- Annual Income
- Assets and Asset Income
- Deductions from Annual Income
- Social Security Numbers of all family members
- Information used in applicant screening
- Citizenship or eligible immigration status
- Criminal History Report

F. FINAL DETERMINATION AND NOTIFICATION OF ELIGIBILITY

After the verification process is completed, the HABC will make a final determination of eligibility. This decision is based upon information provided by the family, the verification completed by the HABC, and the tenant suitability determination (see Chapter on Eligibility for Admission).

Because HUD can make changes in rules or regulations and family circumstances may have changed during the review process that affect an applicant's eligibility, it is necessary to make final eligibility determination.

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

Any time after final eligibility determination, applicants must report changes in family status, including income, family composition, and address, in writing, within 10 days of the change. If the family did not report the change within the required time frame, the family will be determined ineligible and offered an opportunity for informal hearing.

Chapter 4

TENANT SELECTION AND ASSIGNMENT PLAN

(Includes Preferences and Managing the Waiting List)

[24 CFR 960.203, 960.204, 960.205, 960.206, and as amended]

INTRODUCTION

It is the HABC's policy that each applicant shall be assigned an appropriate place on a jurisdiction-wide waiting list.

Applicants will be listed in sequence based upon:

- date and time the application is received,
- the size and type of unit they require,
- and factors of preference or priority.

In filling an actual or expected vacancy, the HABC will offer the dwelling unit to an applicant in the appropriate sequence, with the goal of accomplishing deconcentration of poverty and income-mixing objectives. The HABC will offer the unit until it is accepted. This Chapter describes the HABC's policies with regard to the number of unit offers that will be made to applicants selected from the waiting list.

HABC's Objectives

HABC policies will be followed consistently and will affirmatively further HUD's fair housing goals.

It is the HABC's objective to ensure that families are placed in the proper order on the waiting list so that the offer of a unit is not delayed to any family unnecessarily or made to any family prematurely. This chapter explains the policies for the management of the waiting list.

When appropriate units are available, families will be selected from the waiting list in their preference-determined sequence.

By maintaining an accurate waiting list, the HABC will be able to perform the activities which ensure that an adequate pool of qualified applicants will be available to fill unit vacancies in a timely manner. Based on the HABC's turnover and the availability of appropriate sized units, groups of families will be selected from the waiting list to form a final eligibility "pool." Selection from the pool will be based on completion of verification.

A. MANAGEMENT OF THE WAITING LIST

The HABC will administer its waiting list as required by 24 CFR Part 5, Part 945 and Part 960, Subparts A and B, and as amended. The waiting list will be maintained in accordance with the following guidelines:

- The application will be a permanent file.
- All applicants in the pool will be maintained in order of preference and in order of date and time of application receipt.
- Applications equal in preference will be maintained by date and time sequence.
- All applicants must meet applicable income eligibility requirements as established by HUD.

Opening and Closing the Waiting Lists

The HABC, at its discretion, may restrict application intake, suspend application intake, and close waiting lists in whole or in part.

The decision to close the waiting list will be based on the number of applications available for a particular size and type of unit, the number of applicants who qualify for a local preference, and the ability of the HABC to house an applicant in an appropriate unit within a reasonable period of time.

When the HABC opens the waiting list, the HABC will advertise through public notice in the following newspapers, minority publications and media entities. location(s), and program(s) for which applications are being accepted in the local paper of record, "minority" newspapers, and other media.

To reach persons with disabilities, the HABC will provide separate notice to local organizations representing the interests and needs of the disabled.

The notice will contain:

- The dates, times, and the locations where families may apply
- Any system of site based waiting list offered by the HABC
- The programs for which applications will be taken.
- A brief description of the program.
- A statement that Section 8 participants must submit a separate application if they want to apply for Public Housing.
- Limitations, if any, on who may apply.

The notices will be made in an accessible format if requested. They will provide potential applicants with information that includes the HABC address and telephone number, how to submit an application, information on eligibility requirements and the availability of local preferences

Upon request from a person with a disability, additional time will be given as an accommodation for submission of an application after the closing deadline. This accommodation is to allow persons with disabilities the opportunity to submit an application in cases when a social service organization provides inaccurate or untimely information about the closing date.

When Application Taking is Suspended

The HABC may suspend the acceptance of applications if there are enough local Preference holders to fill anticipated openings for the next 12 months.

The waiting list may not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws.

During the period when the waiting list is closed, the HABC will not maintain a list of individuals who wish to be notified when the waiting list is open.

Suspension of application taking is announced in the same way as opening the waiting list.

The open period shall be long enough to achieve a waiting list adequate to cover projected turnover over the next 12 months. The HABC will give at least 30 days notice prior to closing the list. When the period for accepting applications is over, the HABC will add the new applicants to the list by separating the new applicants into groups based on preferences and unit size and ranking applicants within each group by date and time of application.

The HABC will update the waiting list at least annually by removing the names of those families who are no longer interested, no longer qualify for housing, or cannot be reached by mail or telephone. At the time of initial intake, the HABC will advise families of their responsibility to notify the HABC when mailing address or telephone numbers change.

Reopening the List

If the waiting list is closed and the HABC decides to open the waiting list, the HABC will publicly announce the opening.

Any reopening of the list is done in accordance with the HUD requirements.

Limits on Who May Apply

When the waiting list is open, any family asking to be placed on the waiting list for Public Housing rental assistance will be given the opportunity to complete a pre-application.

When the application is submitted to the HABC, it establishes the family's date and time of application for placement order on the waiting list.

Multiple Families in Same Household

When families apply that consist of two families living together, (such as a mother and father, and a daughter with her own husband or children), if they apply as a family unit, they will be treated as a family unit.

B. SITE BASED WAITING LISTS

The HABC offerS a site-based waiting list at units created in compliance with the partial consent decree in *Thompson v. HUD* and at *Broadway Overlook* only.

Every reasonable action will be taken by the HABC to assure that applicants can make informed choices regarding the project(s) in which they wish to reside. The HABC will disclose information to applicants regarding the location of available sites, occupancy number and size of accessible units. The HABC will also include basic information relative to amenities such as day care, security, transportation, training programs, and an estimate of the period of time the applicant will likely have to wait to be admitted to units of different types.

C. WAITING LIST PREFERENCES

A preference does not guarantee admission to the program. Preferences are used to establish the order of placement on the waiting list. Every applicant must meet the HABC's Selection Criteria as defined in this policy.

The HABC's preference system will work in combination with requirements to match the characteristics for the family to the type of unit available, including units with targeted populations, and further deconcentration of poverty in public housing. When such matching is required or permitted by current law, the HABC will give preference to qualified families.

Families who reach the top of the waiting list will be contacted by the HABC to verify their preference and, if verified, the HABC will complete a full application for occupancy. Applicants must complete the application for occupancy and continue through the application processing and may not retain their place on the waiting list if they refuse to complete their processing when contacted by the HABC.

Among applicants with equal preference status, the waiting list will be organized by date and time.

Local Preferences

Local preferences will be used to select among applicants on the waiting list. A Public Hearing will be held before the HABC adopts any local preference.

The hearing will be publicized using the same guidelines as those for opening and closing the waiting list.

The HABC uses the following Local Preferences:

- Date and time of receipt of a completed pre-application.
- Families with Incomes Needed to Achieve Deconcentration of Poverty and Income-Mixing - for families with incomes needed to achieve deconcentration of poverty and income-mixing goals.
- Residency preference - for families who live, work, or have been hired to work in the jurisdiction.
- Veterans preference - for families where the Head of Household has received an honorable discharge from the United States Armed Services and received combat incentive pay. HABC will verify Veterans preference by providing a release of information form to applicants who claim this preference. Once signed, HABC will forward the release form to the Department of Retired Military and Annuity Pay [1-800-321-1080] for disclosure of applicant's discharge status in addition to benefit amount and effective dates.

The HABC also uses the following local preferences that are further described in this section.

- Involuntarily Displacement (Natural Disaster, Government Action)
- Substandard housing
- Homelessness
- High Rent Burden (rent is > 50% of income)
- Residents who live and /or work in the jurisdiction
- Households that contribute to meeting income goals (broad range of incomes)
- Working families and those unable to work because of age or disability
- Intimidated crime victim and intimidated witnesses of crime referred by MD Office of the State's Attorney and/or police agencies. To avoid reprisals because the family provided information to a law enforcement agency and, after a threat assessment, the law enforcement agency recommends rehousing the family to avoid or reduce risk of violence against the family. The family must be part of a Witness Protection Program, or the HUD Office or law enforcement agency must have informed the HABC that the family is part of a similar program. The HABC will take precautions to ensure that the new location of the family is concealed in cases of witness protection.

Involuntary Displacement Preference refers to applicants who have been involuntarily displaced and are not living in standard, permanent replacement housing, or will be involuntarily displaced within no more than six months from the date of verification by HABC. Families are considered to be involuntarily displaced if they are required to vacate housing as a result of:

- A disaster (fire, flood, earthquake, etc.) that has caused the unit to be uninhabitable; or
- Federal, State or local government action related to code enforcement, public improvement or development.

Definition of Standard Replacement Housing

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

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

Substandard Housing Preference

Applicants who live in substandard housing are families whose dwelling meets one or more of the following criteria:

- Is dilapidated, and does not provide safe, adequate shelter; has one or more critical defects or a combination of defects requiring considerable repair; endangers the health, safety, and well-being of family.
- Does not have operable indoor plumbing.
- Does not have usable flush toilet in the unit for the exclusive use of the family.
- Does not have usable bathtub or shower in unit for exclusive family use.
- Does not have adequate, safe electrical service.
- Does not have an adequate, safe source of heat.
- Should, but does not, have a kitchen. Single Room Occupancy (SRO) Housing is not substandard solely because it does not contain sanitary and/or food preparation facilities in the unit.
- Has been declared unfit for habitation by a government agency.
- Is overcrowded according to HQS/ local/ state/ BOCA code.
- Applicants living in Public Housing shall not be denied this preference if unit meets the criteria for the substandard preference.

- Families who are residing with friends or relatives on a temporary basis will be included in the definition of "substandard."
- Persons who reside as part of a family unit shall not be considered a separate household.
- Families living in overcrowded conditions will be included in the definition of "substandard."

Homelessness Preference applies to a family that:

- Lacks a fixed, regular and adequate nighttime residence; AND
- Has a primary nighttime residence that is a supervised public or private shelter providing temporary accommodations (including welfare hotels, congregate shelters and transitional housing), or an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not ordinarily used as a sleeping accommodation for human beings.

Homeless families may maintain their place on the waiting list while completing a transitional housing program.

Rent Burden Preference

Families paying more than 50% of their income for rent and utilities for at least 90 days commencing before they were selected from the Waiting List will receive this preference.

For purposes of this preference, "Family Income" is Gross Monthly Income as defined in the regulations.

"Rent" is defined as the actual amount due under a lease or occupancy agreement calculated on a monthly basis without regard to the amount actually paid, plus the monthly amount of tenant-supplied utilities which can be either:

- The HABC's reasonable estimate of the cost of such utilities, using the Section 8 Utility Allowance Schedule; or
- The average monthly payments the family actually made for these utilities in the most recent 12-month period, or if information is not obtainable for the entire period, the average of at least the past 6 months.

An applicant family may choose which method to use to calculate utility expenses. Any amounts paid to or on behalf of a family under any energy assistance program must be subtracted from the total rent burden if included in Family Income. The applicant must show that s/he actually paid the utility bills, regardless of whose name the service is under.

To qualify for the Rent Burden preference, the applicant must pay rent directly to the landlord or agent.

Members of a cooperative are "renters" for the purposes of qualifying for the preference. In this case, "Rent" would mean the charges under the occupancy agreement.

D. ORDER OF SELECTION FOR MIXED POPULATION DEVELOPMENTS

A mixed population project is a public housing project, or portion of a project that was reserved for elderly families and disabled families at its inception (and has retained that character).

In accordance with the 1992 Housing Act, elderly families whose head, spouse or sole member is at least 62 years of age, and families whose head, co-head or spouse or sole member is a person with disabilities, will receive equal preference to such units.

No limit will be established on the number of elderly or disabled families that may occupy a mixed population property. All other HABC preferences will be applied.

Per HUD regulations, equal preference must be given to Elderly Families and Disabled Families. The HABC has established the following local admissions preferences for Mixed Population developments:

- First Priority: Elderly families or disabled families who live, work or have been hired to work in the HABC's jurisdiction
- Second Priority: Elderly families or disabled families who do not live, work or have not been hired to work in the HABC's jurisdiction
- - Third Priority: Near-elderly families

E. VERIFICATION OF PREFERENCE QUALIFICATION

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

When the HABC anticipates that the family will be notified in the near future to complete a full application, the family will be sent a Preference Verification letter to the applicant's last known address, requesting verification of the family's preference. The HABC will verify the preference before the applicant's interview is conducted.

Change in Circumstances

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to notify the HABC in writing when their circumstances change. When an applicant claims an additional preference, s/he will be placed on the waiting list in the proper order of their newly-claimed preference.

F. PREFERENCE DENIAL

If the HABC denies a preference, the applicant will be placed on the waiting list without benefit of the preference.

The HABC will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for a review. The applicant will have 10 working days to request the meeting in writing. If the preference denial is upheld as a result of the meeting, or the applicant does not request a meeting, the applicant will be placed on the waiting list without benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

Any applicant who falsifies documents or makes false statements in order to qualify for any preference will be removed from the waiting list with notification to the family.

G. FACTORS OTHER THAN PREFERENCES THAT AFFECT SELECTION OF APPLICANTS

Before applying its preference system, the HABC will first match the characteristics of the available unit to the applicants available on the waiting lists. Factors such as unit size, accessible features, deconcentration or income mixing, income targeting, or units in housing designated for the elderly limit the admission of families to those characteristics that match the characteristics and features of the vacant unit available.

By matching unit and family characteristics, it is possible that families who are lower on the waiting list may receive an offer of housing ahead of families with an earlier date and time of application.

The HABC's Deconcentration Policy, as described in the HABC Plan, may include skipping of families on the waiting list in order to bring families above the established income range into developments below the established income range, and to bring families below the established income range into developments above the established income range.

Any admission mandated by court order related to desegregation or Fair Housing and Equal Opportunity will take precedence over the Preference System. Other admissions required by court order will also take precedence over the preference system. If permitted by the court order, the HABC may offer the family a housing voucher.

H. INCOME TARGETING

The HABC will monitor its admissions to ensure that at least 40 percent of families admitted to public housing in each fiscal year shall have incomes that do not exceed 30% of area median income of the HABC's jurisdiction.

Hereafter families whose incomes do not exceed 30% of area median income will be referred to as "extremely low-income families."

The HABC shall have the discretion, at least annually, to exercise the "fungibility" provision of the QHWRA by admitting less than 40 percent of "extremely low income families" to public housing in a fiscal year, to the extent that admissions of extremely low income families to the HABC's voucher

program during a HABC fiscal year exceeds the 75 percent minimum targeting requirement for the HABC's Section 8 Voucher Program. This fungibility provision discretion by the HABC is also reflected in the HABC's Administrative Plan.

The fungibility credits will be used to drop the annual requirement below 40 percent of admissions to public housing for extremely low income families by the lowest of the following amounts:

- The number of units equal to 10 percent of the number of newly available vouchers in the fiscal year; or
- The number of public housing units that 1) are in public housing projects located in census tracts having a poverty rate of 30% or more, and 2) are made available for occupancy by and actually occupied in that year by, families other than extremely low-income families.

The Fungibility Floor

Regardless of the above two amounts, in a fiscal year, at least 30% of the HABC's admissions to public housing will be to extremely low-income families. The fungibility floor is the number of units that cause the HABC's overall requirement for housing extremely low-income families to drop to 30% of its newly available units.

Fungibility shall only be utilized if the HABC is anticipated to fall short of its 40% goal for new admissions to public housing.

Low Income Family Admissions

The HABC will admit only families whose incomes do not exceed 80% of the HUD approved area median income.

I. UNITS DESIGNATED FOR THE ELDERLY

In accordance with the 1992 Housing Act, elderly families with a head, spouse or sole member at least 62 years of age will receive a preference for admission to such units or buildings covered by a HUD-approved Allocation Plan, except for the units, which are accessible, which may be offered to persons with disabilities.

Families with members who require a unit with accessible features will receive preference for such units over families who do not require such features.

Procedure to Be Used When There Are Insufficient Applicants on the List

When there are insufficient applicants on the waiting list for the elderly-designated development, the development will contact applicants on other waiting lists to determine their interest in applying for the waiting list of the development with insufficient applicants on it. If an interested elderly family is located, the housing management staff of the development with no waiting list will place the applicant on its waiting list, also, and will contact them to verify their preference and complete a full application when their name is close to the top of the waiting list.

J. UNITS DESIGNATED FOR PERSONS WITH DISABILITIES

In accordance with the 1992 Housing Act, disabled families with a head, spouse or sole member who qualifies as a person with disabilities as defined in 24 CFR 945.105 will receive a preference for admission to units that are covered by a HUD-approved Allocation Plan.

The HABC has units designed for persons with mobility, sight and hearing impairments referred to as accessibility units). These units were designed and constructed specifically to meet the needs of persons requiring the use of wheelchairs and persons requiring other modifications.

Preference for occupancy of these units will be given to families with disabled family members who require the modifications or facilities provided in the units.

K. DECONCENTRATION OF POVERTY AND INCOME-MIXING

The HABC's admission policy is designed to provide for deconcentration of poverty and income-mixing by bringing higher income tenants into lower income projects and lower income tenants into higher income projects.

Nothing in the deconcentration policy relieves the HABC of the obligation to meet the income targeting requirement.

Gross annual income is used for income limits at admission and for income-mixing purposes.

Deconcentration and Income-Mixing Goals

The HABC's deconcentration and income-mixing goal, in conjunction with the requirement to target at least 40 percent of new admissions to public housing in each fiscal year to "extremely low-income families", will be to admit families above the HABC's Established Income Range (EIR) to developments below the EIR, and families below the HABC's EIR to developments above the EIR.

Deconcentration applies to transfer families as well as applicant families.

Deconcentration Applicability

The HABC has covered developments (general occupancy, family developments) subject to the deconcentration requirement. These covered developments are described in the HABC Plan.

Project Designation Methodology

Annually, the HABC will determine on an annual basis the average income of all families residing in general occupancy developments

The HABC will then determine the average income of all families residing in each general occupancy development.

The HABC will then determine whether each general occupancy development falls above, within or below the Established Income Range (EIR). The EIR is 85 percent to 115 percent (inclusive of 85 percent and 115 percent) of the HABC-wide average income for general occupancy developments.

The HABC will then determine whether or not developments outside the EIR are consistent with local goals and strategies in the HABC Plan. Any deconcentration policy as needed is described in the HABC Plan.

Deconcentration Policy

If, at annual review, there are found to be development(s) with average income above or below the EIR, and where the income profile for a general occupancy development above or below the EIR is not explained or justified in the HABC Plan, the HABC shall list these covered developments in the HABC Annual Plan.

The HABC shall adhere to the following policies for deconcentration of poverty and income mixing in applicable developments:

- Skipping a family on the waiting list [or transfer list] to reach another family in an effort to further the goals of the HABC's deconcentration policy:
 - a) If a unit becomes available at a development below the EIR, the first eligible family on the waiting list [or transfer list] with income above the EIR will be offered the unit. If that family refuses the unit, the next eligible family on the waiting list [or transfer list] with income above the EIR will be offered the unit. The process will continue in this order.

For the available unit at the development below the EIR, if there is no family on the waiting list [or transfer list] with income above the EIR, or no family with income above the EIR accepts the offer, then the unit will be offered to the first eligible family on the waiting list [or transfer list] in preference order regardless of income.

- b) If a unit becomes available at a development above the EIR, the first eligible family on the waiting list [or transfer list] with income below the EIR will be offered the unit. If that family refuses the unit, the next eligible family on the waiting list [or transfer list] with income below the EIR will be offered the unit. The process will continue in this order.

For the available unit at the development above the EIR, if there is no family on the waiting list [or transfer list] with income below the EIR, or no family with income below the EIR accepts the offer, then the unit will be offered to the first eligible family on the waiting list [or transfer list] in preference order regardless of income.

- Skipping of families for deconcentration purposes will be applied uniformly to all families.
- A family has the sole discretion whether to accept an offer of a unit made under the HABC's deconcentration policy. The HABC shall not take any adverse action toward any

eligible family for choosing not to accept an offer of a unit under the HABC's deconcentration policy. However, the HABC shall uniformly limit the number of offers received by applicants [and transfer families], described in this Chapter.

- The HABC shall establish a preference for admission of working families in covered developments below the EIR.
- The HABC shall offer to families with incomes above the EIR willing to move into a development with average income below the EIR and/or to families with incomes below the EIR willing to move into a development with average income above the EIR. These incentives are described in the HABC Plan.

Deconcentration Compliance

If, at annual review, the average incomes at all general occupancy developments are within the Established Income Range, the HABC will be considered to be in compliance with the deconcentration requirement.

L. PROMOTION OF INTEGRATION

Beyond the basic requirement of nondiscrimination, HABC shall affirmatively further fair housing to promote racial and national origin integration.

The HABC shall not require any specific income or racial quotas for any development or developments.

HABC shall not assign persons to a particular section of a community or to a development or building based on race, color, religion, sex, disability, familial status or national origin for purposes of segregating populations.

M. REMOVAL FROM WAITING LIST AND PURGING

The waiting list will be purged at least annually by a mailing to all applicants to ensure that the waiting list is current and accurate. The mailing will ask for current information and confirmation of continued interest.

If an applicant fails to respond within 30 working days s/he will be removed from the waiting list. If a letter is returned by the Post Office without a forwarding address, the applicant will be removed without further notice, and the envelope and letter will be maintained in the file. If a letter is returned with a forwarding address, it will be re-mailed to the address indicated.

If an applicant is removed from the waiting list for failure to respond, they will not be entitled to reinstatement unless a person with a disability requests a reasonable accommodation for being unable to reply within the proscribed period.

Notices will be made available in accessible format upon the request of a person with a disability. An extension to reply to the purge notification will be considered as an accommodation if requested by a person with a disability.

The HABC allows a grace period of 30 days after completion of the purge. Applicants who respond during this grace period will be reinstated.

The HABC will give written notification to all applicants who fail to respond at the required times. If they fail to respond to this notification, they will be removed from the waiting list.

Applicants are notified with confirmation of the HABC's receipt of their application that they are responsible for notifying the HABC within 30 working days, if they have a change of address.

Applicants are required to contact the HABC in writing to confirm their continued interest.

N. OFFER OF ACCESSIBLE UNITS

The HABC has units designed for persons with mobility, sight and hearing impairments, referred to as accessible units.

No non-mobility impaired families will be offered units designed for persons with mobility impairments until all eligible mobility-impaired applicants have been considered.

Before offering a vacant accessible unit to a non-disabled applicant, the HABC will offer such units:

- First, to a current occupant of another unit of the same development, or other public housing developments under the HABC's control, who has a disability that requires the special features of the vacant unit
- Second, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

When offering an accessible/adaptable unit to a non-disabled applicant, the HABC will require the applicant to agree to move to an available non-accessible unit within 30 days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant. This requirement will be a provision of the lease agreement.

See "Leasing" chapter.

O. PLAN FOR UNIT OFFERS

The HABC plan for selection of applicants and assignment of dwelling units to assure equal opportunity and non-discrimination on grounds of race, color, sex, religion, or national origin is called HUD Plan "B".

Under this plan, the HABC will determine how many locations within its jurisdiction have available units of suitable size and type in the appropriate type of project. Plan B is based on the distribution of vacancies. If a suitable unit is available in three or more locations, the applicant will be offered a unit in the location with the highest number of vacancies. If the offer is rejected, the applicant will

be offered a suitable unit in the location with the second highest number of vacancies. If that unit is rejected, a final offer will be made in the location with the third highest number of vacancies.

If more than one unit of the appropriate type and size is available, the first unit to be offered will be the first unit that is ready for occupancy.

The HABC will maintain a record of units offered, including location, date and circumstances of each offer, each acceptance or rejection, including the reason for the rejection.

P. CHANGES PRIOR TO UNIT OFFER

Changes that occur during the period between removal from the waiting list and an offer of a suitable unit may affect the family's eligibility or Total Tenant Payment. The family will be notified in writing of changes in their eligibility or level of benefits and offered their right to an informal hearing when applicable (See Chapter on Complaints, Grievances, and Appeals).

Applicants With a Change in Family Size or Status

Changes in family composition, status, or income between the time of the interview and the offer of a unit will be processed. The HABC shall not lease a unit to a family whose occupancy will overcrowd or underutilize the unit.

The family will take the appropriate place on the waiting list according to the date they first applied.

Q. APPLICANT STATUS AFTER FINAL UNIT OFFER

When an applicant rejects the final unit offer the HABC will remove the applicant's name from the waiting list.

Removal from the waiting list means the applicant must reapply.

R. TIME-LIMIT FOR ACCEPTANCE OF UNIT

Applicants must accept a unit offer within 3 working days of the date the offer is made. Offers made over the telephone will be confirmed by letter. If unable to contact an applicant by telephone, the HABC will send a letter.

Applicants Unable to Take Occupancy

If an applicant is willing to accept the unit offered, but is unable to take occupancy at the time of the offer for "*good cause*," the applicant will not be removed from the waiting list.

Examples of "*good cause*" reasons for the refusal to take occupancy of a housing unit include, but are not limited to:

- An elderly or disabled family makes the decision not to occupy or accept occupancy in designated housing. [24 CFR 945.303(d)]
- Inaccessibility to source of employment or children's day care such that an adult household member must quit a job, drop out of an educational institution or a job training program;
- For families who have a family member with a disability, inaccessibility to the medical provider or service provider.
- A qualified, knowledgeable, health professional verifies the temporary hospitalization or recovery from illness of the principal household member, other household members, or a live-in aide necessary to care for the principal household member.
- - The unit is inappropriate for the applicant's disabilities.

S. REFUSAL OF OFFER

If the unit offered is inappropriate for the applicant's disabilities, the family will retain their position on the waiting list.

If the unit offered is refused for other reasons, the HABC will follow the applicable policy as listed in the "Plan for Unit Offers" section and the "Applicant Status After Final Offer" section.

Chapter 5

OCCUPANCY GUIDELINES

INTRODUCTION

The Occupancy Guidelines are established by the HABC to ensure that units are occupied by families of the appropriate size. This policy maintains the maximum usefulness of the units, while preserving them from excessive wear and tear or under-utilization. This Chapter explains the Occupancy Guidelines used to determine minimum and maximum unit sizes for various sized families when they are selected from the waiting list, or when a family's size changes, or when a family requests an exception to the occupancy guidelines.

A. DETERMINING UNIT SIZE

The HABC does not determine who shares a bedroom/sleeping room, but there must be at least one person per bedroom. The HABC's Occupancy Guideline standards for determining unit size shall be applied in a manner consistent with Fair Housing guidelines.

For occupancy standards, an adult is a person 18 years or older. All guidelines in this section relate to the number of bedrooms in the unit. Dwelling units will be so assigned as follows:

- Generally the HABC will assign one bedroom to two people within the following guidelines:
 - Separate bedrooms should be allocated for persons of the opposite sex (other than adults who have a spousal relationship and children under five years old).
 - Live-in aides will generally be provided a separate bedroom. No additional bedrooms are provided for the attendant's family.
 - Space may be provided for a child who is away at school but who lives with the family during school recesses.
 - Space will not be provided for a family member who will be absent most of the time, such as a member who is away in the military.
 - Single person families shall be allocated zero or one bedroom.
- The living room will not be used as a bedroom except for purposes of reasonable accommodation.

GUIDELINES FOR DETERMINING BEDROOM SIZE

Bedroom Size	Persons (Minimum #)	Persons (Maximum #)
0 Bedroom	1	1
1 Bedroom	1	2
2 Bedrooms	2	4
3 Bedrooms	3	6
4 Bedrooms	4	8
5 Bedrooms	6	10
6 Bedrooms	8	12

B. EXCEPTIONS TO OCCUPANCY STANDARDS

The HABC will grant exceptions from the guidelines in cases where it is the family’s request or the HABC determines the exceptions are justified by the relationship, age, sex, health or disability of family members, or other individual circumstances, and there is a vacant unit available. If an applicant requests to be listed on a smaller or larger bedroom size waiting list, the following guidelines will apply:

- Applicants may request to be placed on the waiting list for a unit size smaller than designated by the occupancy guidelines, (as long as the unit is not overcrowded according to local codes). The family must agree not to request a transfer until their family composition changes or they have occupied the unit for one (1) year.
- At the HABC’s discretion the family may be offered a unit smaller than the preferred unit size, based on the HABC’s occupancy standards, if in doing so the family has an opportunity to be housed earlier, or live in a preferred project. However, the HABC will not lease a one bedroom unit to a three person family that includes two adults and an adolescent or teenager.

In cases such as those above, a family that voluntarily accepts a unit that is smaller than what the family is eligible for will be required to sign a statement stating that unless there is an increase in family size the family agrees that they are not eligible for transfer to a larger unit for at least one (1) year.

- In all cases, where the family requests an exception to the general occupancy standards, the HABC will evaluate the relationship and ages of all family members and the overall size of the unit.
- The family may request to be placed on a larger bedroom size waiting list than indicated by the HABC’s occupancy guidelines. The request must explain the need or justification for a larger bedroom size, and must be verified by the HABC before the family is placed on the larger bedroom size list. The HABC will consider the following requests:

- Person with Disability - The HABC will grant an exception upon request as a reasonable accommodation for persons with disabilities if the need is appropriately verified and meets requirements in the Service and Accommodations Policy section of Chapter 1.
- Other Circumstances - Circumstances may dictate a larger size than the occupancy standards permit when:
 - Persons cannot share a bedroom because of a need for medical equipment due to its size and/or function. Requests for a larger bedroom due to medical equipment must be verified by a doctor.
 - Requests based on health related reasons must be verified by a knowledgeable licensed professional or social service professional.
- The HABC will not assign a larger bedroom size due to additions of family members other than by birth, adoption, marriage, or court-awarded custody.

An exception will be granted if the family has submitted an "Appointment of Temporary Guardian" to the HABC. If this form has been submitted, the HABC will also require that the family have initiated legal proceedings for guardianship or legal custody.

- All members of the family residing in the unit must be approved by the HABC. The family must obtain approval of any additional family member before the person occupies the unit except for additions by birth, adoption, or court-awarded custody, in which case the family must inform the HABC within 30 days.
- To avoid vacancies, the HABC may provide a family with a larger unit than the occupancy standards permit. The family must agree to move to a suitable, smaller unit when another family qualifies for the larger unit and there is a suitable smaller unit available. This requirement is a provision of the lease.

C. INCENTIVES TO ATTRACT HIGHER INCOME FAMILIES TO LOWER INCOME DEVELOPMENTS

See Chapter on Tenant Selection and Assignment.

D. ACCESSIBLE UNITS

The HABC has units designed for persons with mobility, sight and hearing impairments. These units were designed and constructed specifically to meet the needs of persons requiring the use of wheelchairs and persons requiring other modifications.

Preference for occupancy of these units will be given to families with disabled family members who require the modifications or facilities provided in the units.

No non-mobility-impaired families will be offered these units until all eligible mobility-impaired

applicants have been considered.

Accessible units will be offered and accepted by non-mobility impaired applicants only with the understanding that such applicants must accept a transfer to a non-accessible unit at a later date if a person with a mobility impairment requiring the unit applies for housing and is determined eligible.

E. FAMILY MOVES

When a change in the circumstances of a tenant family requires another unit size, the family's move depends upon the availability of a suitable size and type of unit. If the unit is not available at the time it is requested, the family will be placed on the Transfer List.

The unit considerations in this section should be used as a guide to determine whether and when the bedroom size should be changed. If an unusual situation occurs, which is not currently covered in this policy, the case should be taken to the supervisor who will make determination after review of the situation, the individual circumstances, and the verification provided.

See chapter on Reexaminations for changes in unit size for tenants.

Chapter 6

DETERMINATION OF TOTAL TENANT PAYMENT

[24 CFR 5.609, 5.611, 5.613, 5.615, 5.628, 5.630, and as amended]

INTRODUCTION

The accurate calculation of Annual Income and Adjusted Income will ensure that families are not paying more or less money for rent than their obligation under the regulations.

This Chapter defines the allowable deductions from Annual Income and how the presence or absence of household members may affect the Total Tenant Payment (TTP). Income and TTP are calculated in accordance with 24 CFR Part 5, Subpart F, and as amended and further instructions set forth in HUD Notices, Memoranda and Addenda.

A. MINIMUM RENT

HABC is required to establish a minimum rent in accordance with HUD regulations. The resident will be required to pay at least the amount established as the minimum rent, unless HABC grants an exemption due to financial hardship.

The Total Tenant Payment is the greater of:

- 30% of the adjusted monthly income
- 10% of the monthly income
- The Minimum rent as established by the HABC

The Total Tenant Payment does not include charges for excess utility consumption or other charges.

Exemption from Paying Minimum Rent.

HABC must grant an exemption from payment of minimum rent if the family is unable to pay the minimum rent because of financial hardship, as described in HABC's written policies.

Notification to Families of Hardship Exemptions

HABC will notify all families at time of lease-up of their right to request a minimum rent hardship exemption.

Such notification will advise the family that the determination regarding a financial hardship exemption is subject to HABC's grievance policy and procedures.

Requests for minimum rent exemption will be accepted by HABC from the family in person or in writing. HABC will review all tenant requests for exemption from the minimum rent due to financial hardships.

Criteria for Financial Hardship Exemption

In order for a family to qualify for a hardship exemption the family's circumstances meet one of the following criteria:

- When the family has lost eligibility for or is awaiting an eligibility determination for a Federal, State, or local assistance program, including a family that includes a member who is a noncitizen lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for Title IV of the Personal Responsibility and Work Opportunity Act of 1996;
- When the family would be evicted because it is unable to pay the minimum rent;
- When the income of the family has decreased because of changed circumstances, such as loss of employment, or death in the family, etc.;
- Other circumstances determined by HABC or HUD

HABC will use its standard verification procedures to verify the circumstances presented as the basis for a request for a financial hardship exemption, such as loss of employment, death in the family, etc.

"Loss of employment" is defined as any loss of employment, including layoff and termination.

"Death in the family." Family, for the purposes of exemption to minimum rent, includes head of house or spouse or any family member on the public housing lease having an income that is being used to set the rent.

HABC Policy Governing Verification of Zero Income

All income representations made by the family to the Baltimore Housing Authority (HABC) must be verified to ensure the accurate calculation of total tenant payment and housing assistance payment. When a family claims *zero* income, the family will be re-examined on a quarterly basis. The management staff of the housing choice voucher and/or public housing programs will use the following procedures:

- 1) Head or co-head of household must complete a *Continued Occupancy Application for Zero Income Families*. This form will inquire as to how the family is currently covering living expenses such as utilities, food, clothing, etc.

- 2) Review the family information to evaluate possible participation in programs such as TANF, unemployment, etc.
- 3) Pose questions to the family intended to probe for unreported income and to clarify any discrepancies. For example, family head with minor children should be asked if both orally (and as part of form in item 1 above, if they receive TANF, child support, SSI or any other payment in support of minor children). Request social security numbers for fathers, if known, to determine if there are benefits to minors under the father's social security number.
- 4) Have the head or co-head complete the following verification forms, even if they represent they do not receive income from these sources:
 - (i) Food Stamp verification form
 - (ii) TANF verification form
 - (iii) Unemployment benefits verification form
 - (iv) Credit bureau reporting verification form
 - (v) Income Tax Return
 - (vi) IRS Request for Information
 - (vii) Social Security Administration
 - (viii) Any other verification form that appears to fit the family's profile (e.g., Veteran's Administration for VA benefits, etc.)

If the verification form reflects income from these sources the Management staff will act on the information provided by the source. The Management staff is also to meet with the family to discuss any discrepancies and to provide the family with the opportunity to explain the discrepancies, and to supply information, which they may believe controverts the information received from the 3rd party. The PHA is generally expected to rely on the 3rd party independent verification, but should use its professional judgment and thoroughly document the file if the PHA decides to rely on the information provided by the family.

If the family generally disputes the information provided by the third party, the Management staff is to seek further clarification by phone with the third party. The family will be offered the opportunity for an informal review of any decision reached based upon the third party information, if the family feels that the HABC's decision has an adverse effect. The decision of the hearing officer will prevail.

When the credit report reflects more money going out than coming in, any recurring payments made to the family or on behalf of the family will be counted as "income" consistent with 24 CFR 5.609 as "regularly recurring cash contribution or gifts".

Temporary Hardship

If the HABC determines that the hardship is temporary (less than 90 days), a minimum rent will be imposed, including back payment from time of suspension, but the family will not be evicted for nonpayment of rent during the 90 day period commencing on the date of the family's request for exemption.

Long Term Hardship

If the HABC determines that the hardship is long term (lasting more than 90 days), HABC must exempt the family from paying the minimum rent as long as the hardship continues.

Repayment Agreements for Temporary Hardship

The HABC will offer a repayment agreement to the family for any such rent not paid during the temporary hardship period.

If the family owes the HABC money for rent arrears incurred during the minimum rent period, the HABC will calculate the total amount owed and divide it by 12 to arrive at a reasonable payment increment that will be added to the family's regular monthly rent payment. The family will be required to pay the increased amount until the arrears are paid in full.

The HABC's policies regarding repayment agreements are further discussed in the chapter entitled "Family Debts to the HABC."

B. INCOME AND ALLOWANCES

"Income" is defined as money that is to be used as income for purposes of calculating the TTP are defined by HUD in Federal regulations. In accordance with this definition, income from all sources of each member of the household is documented. (See Income Inclusions and Income Exclusions in the Glossary of Terms of this policy.)

"Annual Income" is defined as the gross amount of income anticipated to be received by the family during the 12 months after certification or recertification. Annual income is the amount of income prior to any HUD allowable expenses or deductions, and does not include income that has been excluded by HUD. Annual income is used to determine whether or not applicants are within the applicable income limits. (24 CFR 960.201)

"Adjusted Income" is defined as the Annual Income minus any HUD allowable deductions.

Permissive Deductions

The HABC does not adopt any additional permissive deductions to annual income of tenants.

Mandatory Deductions

HUD has five allowable deductions from Annual Income:

- 1) Dependent allowance: \$480 each for family members (other than the head or spouse), who are minors, and for family members who are 18 and older who are full-time students or who are disabled.
- 2) "Elderly" allowance: \$400 per household for families whose head or spouse is 62 or over or disabled.

- 3) Allowable medical expenses for all family members are deducted for elderly and disabled families. Medical deductions will only be allowed to the extent that the sum exceeds three percent of the annual income.
- 4) Childcare expenses for children under 13 are deducted when child care is necessary to allow an adult family member to work, actively seek work, or attend school (including vocational training).
- 5) Expenses for attendant care or auxiliary apparatus for persons with disabilities if needed to enable the individual or an adult family member to work.

C. TRAINING INCOME EXCLUSIONS [24 CFR 5.609(c), and as amended]

The HABC believes that training income exclusions are an important factor in helping public housing participants move from welfare and dependence to greater self-sufficiency.

The HABC will share information regarding new policies governing training income derived from qualifying employment training programs with applicants, participants and local social service providers. The HABC's objective is to encourage families to move toward self-sufficiency by excluding from their annual income certain amounts earned through participation in various qualifying training programs. These training programs are aimed at offering the resident gainful employment skills. The exclusion of training income, in the calculation of annual income, is meant to be an incentive. [In order to be eligible for the exclusion the resident must actually receive training under the provisions of the program. For purposes of this exclusion, it is not enough for the resident to merely be enrolled.

Training Income Exclusions in Accordance with 24 CFR 5.609(c)(8)

- Exclusion of amounts received under training programs funded by HUD 24 CFR 5.609(c)(8)(i).
- Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program. 24 CFR 5.609(c)(8)(iii).
- Exclusion of amounts received from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. 24 CFR 5.609(c)(8)(v). 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.

[A training program qualifying under 24 CFR 5.609 (c)(8)(v) is defined as one with goals and objectives designed to lead to a higher level of proficiency, and one which enhances the individual's ability to obtain employment. The training program may have

performance standards to measure proficiency. Training may include, but is not limited to:

- Classroom training in a specific occupational skill;
- On-the-job training with wages subsidized by the program, or
- Basic education.

For this purpose Annual Income does not include incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs.

Components Applicable to the Training Programs

All other amounts, (such as child support and alimony), are treated in the usual manner in determining annual income. Child support, or other income that is not *earnings or benefits*, is not a factor and will not be considered in regard to training income exclusions, regardless of whether they have increased or decreased.

Who is Eligible for the Exclusion

Any member of the resident's family is eligible for the exclusion, provided the individual is enrolled in the qualifying employment training program.

If a family has members who enroll in training programs at different times, the exclusion may be taken at different periods. The rules will be applied individually to each member based on which type of program they are enrolled in.

Verification

Upon verification, residents who are actively enrolled in a qualifying training program will have the incremental income from the training program excluded from their annual income.

Employment Before Completion of Training Program

A resident who has substantially completed a training program in order to accept a job offer will be eligible for the 18-month exclusion of income.

"Substantial completion" of a training program will be completion of 75% of the program.

If a resident has completed that portion of the training program necessary to get a job and continues simultaneously with the training program, the 18-month exclusion period will begin on the date the resident started the new job, not the date they complete the training program.

The resident is not required to get a job that is directly related to the training program to be eligible for the exclusion.

Other Factors to Be Considered

For self-employed residents, the HABC will exclude only the net income of a resident when factoring the earnings.

The resident is required to notify the HABC within 10 working days of enrolling in a qualifying training program. Residents who have a decrease in income as a result of enrolling in a training program may request an interim examination. The HABC will determine the decrease in incremental income as a result of the training program and adjust the resident's rent accordingly.

Residents who do not notify the HABC within 10 working days of starting a training program, and have a decrease in income, will not have their rent adjusted retroactively.

D. DISALLOWANCE OF EARNED INCOME FROM RENT DETERMINATIONS

The annual income for qualified families may not be increased as a result of increases in earned income beginning on the date on which the increase in earned income begins and continuing for a cumulative 12-month period. After the family receives 12 cumulative months of the full exclusion, annual income will include a phase-in of half the earned income excluded from annual income.

A family qualified for the earned income exclusion is a family that occupies a dwelling unit in a public housing project, is paying income-based rent; and

- 1) Whose annual income increases as a result of employment of a family member who was previously unemployed for one or more years prior to employment;
- 2) Whose annual income increases as a result of increased earnings by a family member during participation in any economic self-sufficiency or other job training program; or
- 3) Whose annual income increases, as a result of new employment or increased earnings of a family member during or within six months after receiving assistance, benefits or services under any State program for TANF provided that the total amount over a six-month period is at least \$500. The qualifying TANF assistance may consist of any amount of monthly income maintenance, and/or at least \$500 in such TANF benefits and services as one-time payments, wage subsidies, and transportation assistance.

The HUD definition of "previously unemployed" includes a person who has earned in the previous 12 months no more than the equivalent earnings for working 10 hours per week for 50 weeks at the minimum wage. Minimum wage is the prevailing minimum wage in the State or locality.

The HUD definition of economic self-sufficiency program is: any program designed to encourage, assist, train or facilitate economic independence of assisted families or to provide work for such families. Such programs may include job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as substance abuse or mental health treatment).

Amounts to be excluded are any earned income increases of a family member during participation in an economic self-sufficiency or job training program and not increases that occur after participation, unless the training provides assistance, training or mentoring after employment.

The amount that is subject to the disallowance is the amount of incremental increase in income of a family member. The incremental increase in income is calculated by comparing the amount of the family member's income before the beginning of qualifying employment or increase in earned income to the amount of such income after the beginning of employment or increase in earned income.

Initial Twelve-Month Exclusion:

During the cumulative 12-month period beginning on the date a member of a qualified family is first employed or the family member first experiences an increase in employment income, the HABC will exclude from annual income any increase in income of the family member as a result of employment over the prior income of that family member.

Second Twelve-Month Phase-in Exclusion:

During the second cumulative 12-month period after the expiration of the initial cumulative 12-month period referred to above, the HABC must exclude from annual income of a qualified family 50 percent of any increase in income of a family member as a result of employment over income of that family member prior to the beginning of such employment.

Maximum Four-Year Disallowance:

The earned income disallowance is limited to a lifetime 48-month period for each family member. For each family member, the disallowance only applies for a maximum of 12 months of full exclusion of incremental increase, and a maximum of 12 months of phase-in exclusion during the 48-month period starting from the date of the initial exclusion.

If the period of increased income does not last for 12 consecutive months, the disallowance period may be resumed at any time within the 48-month period and continued until the disallowance has been applied for a total of 12 months of each disallowance (the initial 12-month full exclusion and the second 12-month phase-in exclusion).

No earned income disallowance will be applied after the 48-month period following the initial date the exclusion was applied.

Applicability to Training Income Exclusions: If a tenant meets the criteria for the mandatory earned income disallowance as outlined in 24 CFR 960.255, and as amended, the HABC shall not deny a tenant the disallowance based on the tenant's receipt of any prior training income exclusion.

Applicability to Child Care and Disability Assistance Expense Deductions

The amount deducted for child care and disability assistance expenses necessary to permit employment shall not exceed the amount of employment income that is included in annual income. Therefore, for families entitled to the earned income disallowance, the amounts of the full and phase-in exclusions from income shall not be used in determining the cap for child care and disability assistance expense deductions.

Tracking the Earned Income Exclusion

The earned income exclusion will be reported on the HUD 50058 form. Documentation will be included in the family's file to show the reason for the reduced increase in rent.

Such documentation will include:

- Date the increase in earned income was reported by the family
- Name of the family member whose earned income increased
- Reason (new employment, participation in job training program, within 6 months after receiving TANF) for the increase in earned income
- Amount of the increase in earned income (amount to be excluded)
- Date the increase in income is first excluded from annual income
- Date(s) earned income ended and resumed during the initial cumulative 12-month period of exclusion (if any)
- Date the family member has received a total of 12 months of the initial exclusion
- Date the 12-month phase-in period began
- Date(s) earned income ended and resumed during the second cumulative 12-month period (phase-in) of exclusion (if any)
- Date the family member has received a total of 12 months of the phase-in exclusion
- Ending date of the maximum 48-month (four year) disallowance period (48 months from the date of the initial earned income disallowance)

The HABC will maintain a tracking system to ensure correct application of the earned income disallowance.

Inapplicability to Admission

The earned income disallowance is only applied to determine the annual income of families residing in public housing, and therefore does not apply for purposes of admission (including the determination of income eligibility or any income targeting that may be applicable).

E. INDIVIDUAL SAVINGS ACCOUNTS

The HABC shall establish a system of individual savings accounts for families paying income-based rent who qualify for the disallowance of earned income. A qualified family paying income-based rent may choose an individual savings account instead of being given the earned income disallowance.

Families who choose the individual savings account will pay the higher rent and the HABC will deposit the increased amount in the savings account.

The HABC shall deposit in any savings account established under this section an amount equal to the total amount that otherwise would be applied to the family's rent payment as a result of increased employment income that is excluded under the mandatory earned income disallowance.

Amounts deposited in a savings account established under this section may only be withdrawn by the family for the purpose of:

- Purchasing a home;
- Paying education costs of family members;
- Moving out of public or assisted housing; or
- Paying any other expense authorized by the HABC for the purpose of promoting the economic self-sufficiency of residents of public and assisted housing.

The individual savings account will:

- Provide for payment of interest and annual notification to the resident of account status; and
- Provide that any balance in the account is the property of the family when the family moves out, minus any amounts owed to HABC.
- Be identical to the Family Self-Sufficiency escrow savings account.

F. TRAINING PROGRAMS FUNDED BY HUD

All training income from a HUD sponsored or funded training program, whether incremental or not, is excluded from the resident's annual income while the resident is in training. Income from a Resident Services training program, which is funded by HUD, is excluded.

G. WAGES FROM EMPLOYMENT WITH THE HABC OR RESIDENT ORGANIZATION

Upon employment with the HABC or officially-recognized Resident Organization, the full amount of employment income received by the person is counted. There is no exclusion of income for wages funded under the 1937 Housing Act Programs, which includes public housing and Section 8.

H. AVERAGING INCOME

When Annual Income cannot be anticipated for a full twelve months, the HABC will annualize current income and conduct an interim reexamination if income changes.

If there are bonuses or overtime which the employer cannot anticipate for the next twelve months, bonuses and overtime received the previous year will be used.

Income from the previous year may be analyzed to determine the amount to anticipate when third-party or check-stub verification is not available.

If by averaging, an estimate can be made for those families whose income fluctuates from month to month, this estimate will be used so that the housing payment will not change from month to month.

The method used depends on the regularity, source and type of income.

I. MINIMUM INCOME

There is no minimum income requirement. Families who report zero income are required to complete a written certification every 60 days. Families that report zero income will be required to provide information regarding their means of basic subsistence, such as food, utilities, transportation, etc.

J. INCOME OF PERSON PERMANENTLY CONFINED TO NURSING HOME

If a family member is permanently confined to a hospital or nursing home and there is a family member left in the household, the HABC will calculate the Total Tenant Payment by excluding the income of the person permanently confined to the nursing home and not giving the family deductions for medical expenses of the confined family member.

K. REGULAR CONTRIBUTIONS AND GIFTS [24 CFR 5.609(a)(7), and as amended]

Regular contributions and gifts received from persons outside the household are counted as income for calculation of the Total Tenant Payment.

Any contribution or gift received every 2 months or more frequently will be considered a "regular" contribution or gift, unless the amount is less than \$600.00 per year. This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis. It does not include casual contributions or sporadic gifts. (See Chapter on "Verification Procedures," for further definition.)

If the family's expenses exceed their known income, the HABC will make inquiry of the family about contributions and gifts.

L. ALIMONY AND CHILD SUPPORT [24 CFR 5.609(a)(7), and as amended]

Regular alimony and child support payments are counted as income for calculation of Total Tenant Payment.

If the amount of child support or alimony received is less than the amount awarded by the court, the HABC must use the amount awarded by the court unless the family can verify that they are not receiving the full amount.

The HABC will accept as verification that the family is receiving an amount less than the award if the HABC receives verification from the agency responsible for enforcement or collection.

It is the family's responsibility to supply a certified copy of the divorce decree.

M. LUMP-SUM RECEIPTS [24 CFR 5.609(b)(4 and 5), (c)(3 and 14), and as amended]

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

Lump-sum payments caused by delays in processing periodic payments (unemployment or welfare assistance) are counted as income. Lump sum payments from Social Security or SSI are excluded from income, but any amount remaining will be considered an asset. Deferred periodic payments which have accumulated due to a dispute will be treated the same as periodic payments which are deferred due to delays in processing.

In order to determine amount of retroactive tenant rent that the family owes as a result of the lump sum receipt the HABC will always calculate retroactively to date of receipt.

Retroactive Calculation Methodology

The HABC will go back to the date the lump-sum payment was received, or to the date of admission, whichever is closer.

The HABC will determine the amount of income for each certification period, including the lump sum, and recalculate the tenant rent for each certification period to determine the amount due the HABC.

The family has the choice of paying this "retroactive" amount to the HABC in a lump sum.

At the HABC's option, the HABC may enter into a Repayment Agreement with the family.

The amount owed by the family is a collectible debt even if the family becomes unassisted.

Attorney Fees

The family's attorney fees may be deducted from lump-sum payments when computing annual income if the attorney's efforts have recovered a lump-sum compensation, and the recovery paid to the family does not include an additional amount in full satisfaction of the attorney fees.

N. CONTRIBUTIONS TO RETIREMENT FUNDS - ASSETS

Contributions to company retirement/pension funds are handled as follows:

- While an individual is employed, count as assets only amounts the family can withdraw without retiring or terminating employment.
- After retirement or termination of employment, count any amount the employee elects to receive as a lump sum.

O. ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE

The HABC must count assets disposed of for less than fair market value during the two years preceding certification or reexamination. The HABC will count the difference between the market value and the actual payment received in calculating total assets. The difference will be included in calculating total assets for two years.

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

The HABC's minimum threshold for counting assets disposed of for less than Fair Market value is \$5,000.00. If the total value of assets disposed of within the two-year period is less than \$5,000.00, they will not be considered an asset.

P. CHILD CARE EXPENSES

Unreimbursed child care expenses for children under 13 may be deducted from annual income if they enable an adult to work, actively seek work, attend school full time, or attend full-time vocational training.

In the case of a child attending private school, only before or after-hours care can be counted as child care expenses.

If a tenant is eligible for the earned income disallowance, the amount of deduction for child care expenses necessary to permit employment shall not exceed the amount of employment income that is included in annual income. Therefore, the disregarded or excluded amounts cannot be used in determining the cap for the child care expense deduction.

Child care expenses must be reasonable. Reasonable is determined by what the average child care rates are in the HABC's jurisdiction.

Allowability of deductions for child care expenses is based on the following guidelines:

- Child care to work: The maximum child care expense allowed must be less than the amount earned by the person enabled to work. The "person enabled to work" will be the adult member of the household who earns the least amount of income from working.
- Amount of Expense: The HABC will survey the local care providers in the community to determine what is reasonable. The HABC will use the collected data as a guideline. If the hourly rate materially exceeds the guideline, the HABC may calculate the allowance using the guideline.

Q. MEDICAL EXPENSES [24 CFR 5.611(a)(3), and as amended]

When it is unclear in the HUD rules as to whether or not to allow an item as a medical expense, IRS Publication 502 will be used as a guide.

Nonprescription medicines, unless prescribed by a licensed medical professional, will not be considered a medical expense.

Chiropractic services will be considered allowable medical expenses.

R. PRORATION OF ASSISTANCE FOR "MIXED" FAMILIES [24 CFR 5.520, and as amended]

Applicability

Proration of assistance must be offered to any "mixed" applicant or participant family. A "mixed" family is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible members.

"Mixed" families that were participants on June 19, 1995, and that do not qualify for continued assistance must be offered prorated assistance. (See Chapter titled "Recertifications.") Applicant mixed families are entitled to prorated assistance. Families that become mixed after June 19, 1995, by addition of an ineligible member are entitled to prorated assistance.

Prorated TTP Calculation for Mixed Families

Prorated assistance will be calculated by subtracting the Total Tenant Payment from the applicable Maximum Rent for the unit the family occupies to determine the Family Maximum Subsidy. The family's TTP will be calculated by:

- Dividing the Family Maximum Subsidy by the number of persons in the family to determine Member Maximum Subsidy

- Multiplying the Member Maximum Subsidy by the number of eligible family members to determine Eligible Subsidy.
- Subtracting the amount of Eligible Subsidy from the applicable Maximum Rent for the unit the family occupies to get the family's Revised Total Tenant Payment.

Prorated Flat Rent for Mixed Families

The HABC has no public housing units in which the applicable Maximum Rent is greater than the flat rent. Therefore, if the Mixed Family chooses flat rent, the family will pay the flat rent for the unit.

S. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS

The HABC will not reduce the public housing rent for families whose welfare assistance is reduced specifically because of:

- Fraud; or
- Failure to participate in an economic self-sufficiency program; or
- Noncompliance with a work activities requirement.

However, the HABC will reduce the rent if the welfare assistance reduction is a result of:

- The expiration of a lifetime time limit on receiving benefits; or
- A situation where a family member has complied with welfare agency economic self-sufficiency or work activities requirements but cannot or has not obtained employment; or
- A situation where a family member has not complied with other welfare agency requirements.

Imputed welfare income is the amount of annual income not actually received by a family as a result of a specified welfare benefit reduction that is included in the family's income for rental contribution.

Imputed welfare income is not included in annual income if the family was not an assisted resident at the time of sanction.

The amount of imputed welfare income is offset by the amount of additional income a family receives that begins after the sanction was imposed.

When additional income is at least equal to the imputed welfare income, the imputed welfare income is reduced to zero.

Verification Before Denying a Request to Reduce Rent

The HABC will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance *before* denying the family's request for rent reduction.

The welfare agency, at the request of the HABC, will inform the HABC of:

- Amount and term of specified welfare benefit reduction for the family;
- Reason for the reduction; and
- Subsequent changes in term or amount of reduction.

Cooperation Agreements

HABC has established an effective working relationship between HABC and the local welfare agency for the purpose of targeting economic self-sufficiency programs throughout the community that are available to public housing residents.

T. UTILITY ALLOWANCE AND UTILITY REIMBURSEMENT PAYMENTS

If the cost of utilities (excluding telephone) is not included in the Tenant Rent, a utility allowance will be deducted from the total tenant payment. The Utility Allowance is intended to help defray the cost of utilities not included in the rent. The allowances are based on the monthly cost of reasonable consumption of utilities in an energy conservative household, *not* on a family's actual consumption.

When the Utility Allowance exceeds the family's Total Tenant Payment, the HABC will provide a Utility Reimbursement Payment for the family each month. The check will be made out directly to the tenant

Resident-Paid Utilities

The following requirements apply to residents living in developments with resident-paid utilities or applicants being admitted to such developments:

- If a resident or applicant is unable to get utilities connected because of a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer to a scattered site or that an applicant cannot be admitted to a unit with resident-paid utilities.
- Paying the utility bill is the resident's obligation under the lease. Failure to pay utilities is grounds for eviction.

U. EXCESS UTILITY PAYMENTS

Residents in units where the HABC pays the utilities may be charged for excess utilities if additional appliances or equipment are used in the unit. This charge shall be applied as specified in the lease. [24CFR 966.4(b)(2)]

V. FAMILY CHOICE IN RENTS

Authority for Family to Select

The HABC shall provide for each family residing in a public housing unit to elect annually whether the rent paid by such family shall be 1) determined based on family income or 2) the flat rent. The HABC may not at any time fail to provide both such rent options for any public housing unit owned, assisted or operated by the HABC.

Annual choice: The HABC shall provide for families residing in public housing units to elect annually whether to pay income-based or flat rent.

Allowable Rent Structures

Flat Rents

HABC has established, for each dwelling unit in public housing, a flat rent amount for the dwelling unit, which:

- Is based on the rental value of the unit, as determined by a Fair Market Analysis; and
- Is designed so that the rent structures do not create a disincentive for continued residency in public housing by families who are attempting to become economically self-sufficient through employment or who have attained a level of self-sufficiency through their own efforts.

The rental policy developed by HABC encourages and rewards employment and self-sufficiency.

The sources used to establish flat rents is identified in the HABC Plan.

HABC shall review the income of families paying flat rent not less than once every three years. Family composition will be reviewed annually for all families, including those paying flat rent.

Income-Based Rents

The monthly Total Tenant Payment amount for a family shall be an amount, as verified by the HABC, that does not exceed the greatest of the following amounts:

- 30 percent of the family's monthly adjusted income

- 10 percent of the family's monthly income; or
- As-paid welfare rent, or
- The Minimum Rent.

Switching Rent Determination Methods Because of Hardship Circumstances

In the case of a family that has elected to pay the flat rent, HABC shall immediately provide for the family to pay rent in the amount determined under income-based rent, during the period for which such choice was made, upon a determination that the family is unable to pay the flat rent because of financial hardship, including:

- Situations in which the income of the family has decreased because of changed circumstances, loss of or reduction of employment, death in the family, and reduction in or loss of income or other assistance;
- An increase, because of changed circumstances, in the family's expenses for medical costs, child care, transportation, education, or similar items; and
- Such other situations as may be determined by HABC.
- **All hardship situations will be verified.**

Once a family switches to income-based rent due to hardship, the family must wait until the next annual reexamination to elect whether to pay income-based rent or flat rent.

Annual Reexamination

HABC will schedule the annual reexamination at least 90 days prior to the Annual Review date. One Hundred Twenty (120 days) in advance of the annual reexamination, the family will be sent a form from HABC, on which the family will indicate whether they choose flat rent or income-based rent. HABC form will state what the flat rent would be, and an estimate, based on current information, what the family's income-based rent would be.

- If the family indicates they choose flat rent, the family will fill out and return a HABC form to certify family composition. This form will be retained in the tenant file.
- If the family indicates they choose income-based rent, a reexamination appointment will be scheduled according to HABC policy.

Chapter 7

VERIFICATION PROCEDURES

[24 CFR, Part 5, Subpart B; 24 CFR 960.259, and as amended]

INTRODUCTION

HUD regulations require that the factors of eligibility and Total Tenant Payment be verified by the HABC. Applicants and program tenants must furnish proof of their statements whenever required by the HABC, and the information they provide must be true and complete. The HABC's verification procedures are designed to meet HUD's requirements and to maintain program integrity. This Chapter explains the HABC's procedures and standards for verification of preferences, income, assets, allowable deductions, family status, and when there are changes in family members. The HABC will ensure that proper authorization for release of information is always obtained from the family before making verification inquiries.

A. METHODS OF VERIFICATION AND TIME ALLOWED

The HABC will verify information through the five methods of verification acceptable to HUD in the following order:

- 1) **Up-front Income Verification:** The HABC's first choice is to pursue computer matching agreements with federal, state, and local government agencies as a verification tool. The HABC will use computer-matching systems, such as the Tenant Assessment Sub-System (TASS), to supplement other verification documentation.
- 2) **Third-Party Written:** The HABC's second choice is a written third party verification to substantiate claims made by an applicant or resident.
- 3) **Third-Party Oral:** The HABC may also use telephone verifications.
- 4) **Review of Documents:** The HABC will review documents, when relevant, to substantiate the claim of an applicant or resident.
- 5) **Family Certification:** A notarized family certification will be accepted when no other form of verification is available.

If third party verification is not received directly from the source, HABC staff will document the file as to why third party verification was impossible to obtain and another method was used (such as reviewing documents families provide.) (See Chapter on Applying for Admission.)

For applicants, verifications may not be more than 90 old at the time of a unit offer. For tenants, they are valid for 90 from date of receipt.

Regardless of these timeframes, criminal history reports will be useable as a valid verification for no longer than 30 calendar days.

Up-front Income Verification

Up-front Income Verification is not an automatic substitute for third party verification. Up-front Income Verification is used in conjunction with the review of documents provided by the applicant or resident. Third party verification must be obtained in order to resolve substantial differences between the Up-front Income Verification and the applicant or resident reported income.

Third-Party Written Verification

Third-party verification is used to verify information directly with the source. Third-party written verification forms 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.

Verifications received electronically directly from the source are considered third party written verifications.

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 form for certification of the document reviewed or the person contacted, noting with whom they spoke, the date of the conversation, and the facts provided. If oral third party verification is not available, the HABC will compare the information to any documents provided by the Family. If provided by telephone, the HABC 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 two weeks, the HABC will 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 HABC will accept the following documents from the family provided that the document is such that tampering would be easily noted:

- Printed wage stubs
- Computer printouts from the employer
- Signed letters (provided that the information is notarized or confirmed by phone)
- Other documents noted in this Chapter as acceptable verification

The HABC will accept faxed documents

The HABC will not accept photocopies.

If third-party verification is received after documents have been accepted as provisional verification, and there is a discrepancy, the HABC 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 self-certification.

Self-certification means a notarized statement.

B. RELEASE OF INFORMATION

All adults, and head of house and spouse regardless of age, are required to sign HUD form 9886, Authorization for Release of Information/Privacy Act Notice.

In addition, the family will be required to sign specific authorization and/or consent forms when information is needed that is not covered by the HUD form 9886.

Each member requested to consent to the release of information will be provided with a copy of the appropriate forms for their review and signature.

Family refusal to cooperate with the HUD prescribed verification system will result in denial of admission or termination of tenancy because it is a family obligation under tenancy to supply any information requested by the HABC or HUD.

C. COMPUTER MATCHING

When the HABC receives notification from HUD that a family has been sent an “income discrepancy” letter, the HABC will:

- Within 14 days, contact the tenant by mail asking the family to promptly furnish any letter or other notice by HUD concerning the amount or verification of family income.

The HABC will fully document the contact in the tenant’s file, including a copy of the letter to the family/ written documentation of phone call.

When the family provides the required information, the HABC will verify the accuracy of the income information received from the family, review the HABC’s interim recertification policy, will identify unreported income, will charge retroactive rent as appropriate, and change the amount of rent or terminate assistance, as appropriate, based on the information.

If the amount of rent owed to the HABC exceeds \$2,500, the HABC will seek to terminate assistance.

If tenant fails to respond to HABC:

- At 28 days, the HABC will send a letter to the head of household, warning of the consequences if the family fails to contact the HABC within two weeks.

If tenant claims a letter from HUD was not received:

- At 42 days, the HABC will contact the tenant family to set up a meeting to complete IRS forms 4506 and 8821.
- If the tenant family fails to meet with the HABC or will not sign the IRS forms, the HABC will notify the family that termination proceedings will begin within 7 days if the tenant fails to meet with the HABC and/or sign forms.

If tenant receives a discrepancy letter from HUD:

- The HABC will set up a meeting with the family.
- If the family fails to attend the meeting, the HABC will reschedule the meeting.
- If the family fails to attend the second meeting, the HABC will send a termination warning.
- The family must bring the original HUD discrepancy letter to the HABC.

If tenant disagrees with the Federal tax data contained in the HUD discrepancy letter:

- The HABC will ask the tenant to provide documented proof that the tax data is incorrect.
- If the tenant does not provide documented proof, the HABC will obtain proof to verify the Federal tax data using third party verification.

HABC has established a working relationship with State and local welfare and wage information collection agencies to share information in order to verify income and benefits.

D. ITEMS TO BE VERIFIED

- All income not specifically excluded by the regulations.
- Zero-income status of household.
- Zero income applicants and residents will be required to complete a family expense form at each certification or recertification interview.
- 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, seek employment 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 that allow an adult family member to be employed.
- Legal Identity
- U.S. citizenship/eligible immigrant status.
- Social Security Numbers for all family members 6 years of age or older or certification that a family member does not have a Social Security Number.
- Preference status, based upon HABC preferences.
- Familial/Marital status when needed for head or spouse definition.
- Disability for determination of preferences, allowances or deductions.

E. VERIFICATION OF INCOME

This section defines the methods the HABC will use to verify various types of income.

Employment Income

Verification forms request the employer to specify the:

- Dates of employment
- Amount and frequency of pay
- Date of the last pay increase
- Likelihood of change of employment status and effective date of any known salary increase during the next 12 months
- Estimated income from overtime, tips, bonus pay expected during next 12 months

Acceptable methods of verification include:

- Employment verification form completed by the employer.
- Check stubs or earning statements that indicate the employee's gross pay, frequency of pay or year to date earnings.
- W-2 forms plus income tax return forms.

- Self-certification or income tax returns signed by the family may be used for verifying self-employment income, or income from tips and other gratuities.
- State Wage Information Collection Agency (SWICA) means 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]

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

Social Security, Pensions, Supplemental Security Income (SSI), Disability Income

Acceptable methods of verification include:

- Benefit verification form completed by agency providing the benefits
- Computer report electronically obtained or in hard copy.
- Award or benefit notification letters prepared [and signed] by the providing agency.

Unemployment Compensation

Acceptable methods of verification include:

- Computer report electronically obtained or in hard copy, stating payment dates and amounts
- Verification form completed by the unemployment compensation agency.
- Payment Stubs

Welfare Payments or General Assistance

Acceptable methods of verification include:

- HABC 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.

Alimony or Child Support Payments

Acceptable methods of verification include:

- 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.
- 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 statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.

Net Income from a Business

In order to verify the net income from a business, the HABC 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:

- IRS 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, cash books, 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.

The HABC may request the documentation identified above, regardless of the verification used.

- Family's notarized statement as to net income realized from the business during previous years.

Child Care Business

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

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

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

Recurring Gifts

The family must furnish a notarized statement that 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.

Full-Time Student Status

Only the first \$480 of the earned income of full time students 18 years of age or older, 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.

Verification of Income Exclusions

The HABC will attempt third party verification of income exclusions wherever possible.

When third party verification of income exclusions are not possible or practical, a review of documents or notarized self-certification will be obtained.

Exclusions from income that must be verified and reported on the Form 50058 include the following:

- Expenditures for business expansion.

- Amortization of capital indebtedness as deductions in determining net income of a business.
- Withdrawals of cash or assets from a professional or business operation if the withdrawal is a reimbursement for cash or assets invested in the operation by the family.
- Allowance for business asset depreciation, based on straight line depreciation, as provided in the Internal Revenue Service (IRS) regulations.
- Income from employment of children or foster children under 18 years old.
- Earnings in excess of \$480 for each full-time student 18 years old or older (excluding head or household and spouse).
- Earned income disallowance.
- Amounts earned by temporary Census employees; terms of employment may not exceed 180 days for the purposes of the exclusion.
- Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by the resident for performing a service for the HABC, 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, resident initiatives coordination, and serving as a member of HABC's governing board. **No resident may receive more than one such stipend during the same period of time.**

Stipends to reimburse residents for expenses for serving as members of the HABC governing board or commission.

- The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.
- The full amount of military pay of any family member other than the head and spouse. If other family members are away from home in the military, the HABC may remove their name from the lease and exclude their income.
- Other military pay specifically excluded by law (e.g. Desert Storm active duty).
- Income of a live-in aide.
- Earnings and benefits from employment training programs funded by HUD.
- Reimbursement for out-of-pocket expenses while attending a public assisted training program.
- Incremental earnings and benefits from participation in qualifying state and local employment programs.
- Payments to volunteers under the Domestic Volunteer Services Act.

- Payments received under programs funded in whole or in part under the Workforce Investment Act (WIA) (formerly known as the Job Training Partnership Act (JTPA)).
- Earnings and benefits to any family member from an employment training and supportive services program during the exclusion period. The exclusion is applicable only if the family was admitted to the qualifying program prior to October 1, 1999.
- 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.
- Food stamps.
- Annual Imputed Welfare Income if the family was not an assisted resident at the time of sanction.
- Nonrecurrent, short-term benefits under TANF assistance that:
 - Are designed to deal with a specific crisis situation or episode of need;
 - Are not intended to meet recurrent or ongoing needs; and
 - Will not extend beyond four months.
- Work subsidies under TANF assistance (i.e., payments to employers or third parties to help cover the costs of employee wages, benefits, supervision, and training).
- Supportive services under TANF assistance such as child care and transportation provided to families who are employed.
- Refundable earned income tax credits.
- Individual Development Accounts under TANF.
- Services provided under TANF assistance such as counseling, case management, peer support, child care information and referral, transitional services, job retention, job advancement, and other employment-related services that do not provide basic income support.
- Transportation benefits under TANF assistance provided under a Job Access or Reverse Commute project, pursuant to section 404(k) of the Act, to an individual who is not otherwise receiving assistance.
- Lump-sum pension benefits payable as a death benefit.
- Deferred periodic amounts from SSI benefits that the family member received in a lump sum amount or in prospective monthly amounts.

- Amounts received by a person with a disability that are disregarded for a limited time for purposes of SSI eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS).
- Deferred periodic amounts from Social Security benefits that the family member received in a lump sum amount or in prospective monthly amounts.
- Child care arranged or provided under the Child Care and Development Block Grant Act.
- Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member.
- Payments received under the Alaska Native Claims Settlement Act.
- Income derived from certain submarginal land or the United States that is held in trust for certain Indian tribes.
- Income derived from the disposition of funds of the Grand River Band of Ottawa Indians.
- The first \$2000 of per capita shares from judgement funds awarded by Indian Claims.
- Payments received under the Maine Indian Claims Settlement Act of 1980.
- Payments received by Indian Claims Commission to the Confederate Tribes and Bands of the Yakima Indian Nation or the Apache Tribe of the Mescalero Reservation.
- The first \$2000 of income received by individual Indians derived from interests or trust or restricted land.
- 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).
- 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.
- Full amount of student financial assistance and paid directly to the student or to the educational institution.
- Temporary, nonrecurring or sporadic income (including gifts).
- 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.
- Adoption assistance payments in excess of \$480 per adopted child.
- Refunds or rebates under state or local law for property taxes paid on dwelling unit.

- Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply.
- Payments or allowances under DHHS' low-income home energy assistance program (LIHEAP).
- Federal scholarships funded under Title IV of The Higher Education Act of 1965, including awards under the Federal work study program or under the Bureau of Indian Affairs student assistance program.
- Payments received from programs funded under Title V of the Older Americans Act of 1965.
- Payments received on or after January 1, 1989 from the Agent Orange Settlement Fund or any fund established pursuant to the settlement in the In Re Agent Orange product liability litigation.
- Earned Income Tax Credit refund tax payments.
- Any allowance paid under provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is a child of a Vietnam Veteran.
- Any amount of crime victim compensation that the applicant (under the Victims Crime Act) receives through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims Crime Act because of the commission of a crime against the applicant.

F. INCOME FROM ASSETS

Acceptable methods of verification include:

Savings Account Interest Income and Dividends

Will be verified by:

- Account statements, passbooks, certificates of deposit, or HABC verification 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 HABC must adjust the information to project earnings expected for the next 12 months.

Interest Income from Mortgages or Similar Arrangements

- 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

- 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 payments to the family and family's notarized statement as to net income realized.

G. VERIFICATION OF ASSETS

Family Assets

The HABC 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 assessment.
- 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 Notarized Statement 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 HABC 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:

- all assets disposed of for less than FMV,
- the date they were disposed of,
- the amount the family received, and
- the market value of the assets at the time of disposition. Third party verification will be obtained wherever possible.

H. VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME

Child Care Expenses

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

- Verifications must specify:
- the child care provider's name, address, telephone number,
- the names of the children cared for,
- the number and schedule 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 and Disability Assistance Expenses

Families who claim medical expenses or expenses to assist a person(s) with disabilities 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, pharmacist, of
 - the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and
 - 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 or other record of medical expenses incurred during the past 12 months that can be used to anticipate future medical expenses. HABC 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 HABC will use mileage at the IRS's 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.

I. VERIFYING NON-FINANCIAL FACTORS

Verification of Legal Identity

In order to prevent program abuse, the HABC will require 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 (DD 214)
- U.S. passport
- Department of Motor Vehicles Identification Card

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

- Certificate of Birth
- Adoption papers
- Custody agreement
- 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 be required if certification is insufficient:

- Verification of relationship:
 - Official identification showing name
 - Birth Certificates
 - Baptismal certificates
- Verification of guardianship is:
 - Court-ordered assignment
 - Affidavit of parent
 - Verification from social services agency
 - School records
- Evidence of an established family relationship:
- Joint bank accounts or other shared financial transactions

Split Households: Domestic Violence

Verification of domestic violence when assessing applicant split households includes:

- Shelter for battered persons
- Police reports
- District Attorney's office

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 HABC 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 that the adult family member is no longer living at that location.
- If no other proof can be provided, the HABC will accept a Notarized Statement 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 HABC 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 42 U.S.C. Section 423(d)(1)(A) of the Social Security Act or 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(8) or verified by appropriate diagnostician such as physician, psychiatrist, psychologist, therapist, rehabilitation specialist, or licensed social worker, using the HUD language as the verification format.

Verification of Citizenship/Eligible Immigrant Status

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants. Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS). Each family member must declare their status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while the HABC hearing is pending.

- Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury.
- Eligible Immigrants who are 62 or over are required to sign a declaration of eligible immigration status and provide proof of age.
- Noncitizens with eligible immigration status must sign a declaration of status and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. The HABC verifies the status through the INS SAVE system. If this primary verification fails to verify status, the HABC must request within ten days that the INS conduct a manual search.
- Family members who do not claim to be citizens or eligible immigrants must be listed on a statement of non-contending family members signed by the head of household or spouse.
- Noncitizen students on student visas are ineligible members even though they are in the country lawfully. They must provide their student visa but their status will not be verified and they do not sign a declaration but are listed on the statement of non-contending members.

Failure to Provide. If an applicant or tenant family member fails to sign required declarations and consent forms or provide documents, as required, they must be listed as an ineligible member. If the entire family fails to provide and sign as required, the family may be denied or terminated for failure to provide required information.

Time of Verification. For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same time as verification of other factors of eligibility for final eligibility determination. For tenant families, it is done immediately or at the first regular recertification after June 19, 1995. For family members added after other members have been verified, the verification occurs at the first recertification after the new member moves in. Once verification has been completed for any covered program, it need not be repeated except that, in the case of port-in families, if the initial HABC does not supply the documents, the HABC must conduct the determination.

Extensions of Time to Provide Documents. The HABC will grant an extension of 30 days for families to submit evidence of eligible immigrant status.

Acceptable Documents of Eligible Immigration. The regulations stipulate that only the following documents are acceptable unless changes are published in the Federal Register.

- Resident Alien Card (I-551)
- Alien Registration Receipt Card (I-151)
- Arrival-Departure Record (I-94)
- Temporary Resident Card (I-688)
- Employment Authorization Card (I-688B)
- Receipt issued by the INS for issuance of replacement of any of the above documents that shows individual's entitlement has been verified

A birth certificate is not acceptable verification of status. All documents in connection with U.S. citizenship/eligible immigrant status must be kept five years.

The HABC will verify the eligibility of a family member at any time such eligibility is in question, without regard to the position of the family on the waiting list.

Verification of Social Security Numbers

Social security numbers must be provided as a condition of eligibility for all family members six and over if they have been issued a number. Verification of Social Security numbers will be done through a Social Security Card issued by the Social Security Administration.

If a family member cannot produce a Social Security Card, only the documents listed below showing his/her Social Security Number may be used for verification. The family is also required to certify in writing that the document(s) submitted in lieu of the Social Security Card information provided is/are complete and accurate:

- Benefit award letters from government agencies
- Verification of benefits or SSN from Social Security Administration

New family members ages six and older will be required to produce their Social Security Card or provide the substitute documentation described above together with their certification that the substitute information provided is complete and accurate. This information is to be provided at the time the change in family composition is reported to the HABC.

If an applicant or tenant is able to disclose the Social Security Number but cannot meet the documentation requirements, the applicant or tenant must sign a certification to that effect provided by the HABC. The applicant/tenant or family member will have an additional 60 days to provide proof of the Social Security Number. If they fail to provide this documentation, the family's tenancy will be terminated.

In the case of an individual at least 62 years of age, the HABC may grant an extension for an additional 60 days up to a total of 120 days. If, at the end of this time, the elderly individual has not provided documentation, the family's tenancy will be terminated.

If the family member states they have not been issued a number, the family member will be required to sign a certification to this effect.

Medical Need for Larger Unit

A written certification that a larger unit is necessary must be obtained from a reliable, knowledgeable professional.

J. VERIFICATION OF SUITABILITY FOR ADMISSION

Sources to be used to determine suitability include but are not limited to:

- Criminal History Reports
- Prior landlord references
- HABC and other Housing Authority's (to whom the family may owe debt)

(See chapter on Eligibility.)

Ability to meet financial obligations under the lease

All applicants will be subject to the following procedures to ensure their ability to meet financial obligations under the lease:

- All applicants will be interviewed and asked questions about the basic elements of tenancy.
- The HABC will determine if applicants owe any monies from previous tenancy or participation in any HUD housing program.
- The HABC will independently verify the rent-paying history of all applicants for the previous one (1) year directly with the landlord(s).

Drug-related or violent criminal activity

The HABC will complete a criminal background check of all applicants including other adult members in the household, or any adult member for which criminal records are available

K. VERIFICATION OF WAITING LIST PREFERENCES [24 CFR 960.206]

Local Preferences

- 1) Date and Time: Receipt of completed pre-application.
- 2) Families with Incomes Needed to Achieve Deconcentration of Poverty and Income-Mixing: For families with incomes needed to achieve deconcentration of poverty and income-mixing goals.
- 3) Residency Preference: For families who live, work or have been hired to work in the jurisdiction of the HABC.

In order to verify that an applicant is a resident, the HABC will require a minimum of three (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 have been hired to work in jurisdiction of the HABC, a statement from the employer will be required.
- 4) Veterans Preference: For families where the Head of Household has received an honorable discharge from the United States Armed Services and received combat incentive pay.
 - 5) Involuntary Displacement: (Natural Disaster, Government Action) For families who claim they are being or have been displaced due either a disaster or government action.
 - 6) Substandard Housing: For families who claim to be living in substandard housing units.
 - 7) Homelessness: For families who claim to be living in a public or private facility providing shelter

- 8) High Rent Burden: For families paying more than 50% of income for rent.
- 9) Working Preference: For working families and those unable to work because of age or disability.
- 10) Other Preference(s): Intimidated crime victim and intimidated witness of crime referred by MD Office of State's Attorney and /or police agencies.

Chapter 8

TRANSFER POLICY

INTRODUCTION

The transferring of families is a very costly procedure, both to the HABC and to the families. However, it is the policy of the HABC to permit a resident to transfer within or between housing developments; when it is necessary to comply with occupancy standards; or when it will help accomplish the Affirmative Housing goals of the HABC. The transfer policy will be carried out in a manner that does not violate fair housing.

For purposes of this transfer policy the "losing development" refers to the development/unit from which the family is moving and the "gaining development" refers to the development/unit to which the family is transferring.

A. GENERAL STATEMENT

It is the policy of the HABC to require or permit resident transfers, within and/or between HABC public housing developments for the following reasons:

- To abate dangerous and/or substandard living conditions.
- To abate emergency life-threatening living conditions caused by third-party criminal activity.
- To accommodate verified physical conditions caused by long-term illness and/or disability.
- To accommodate resident families that are determined to be over- or under-housed by virtue of their family size.
- To permit rehabilitation of the resident's unit.
- To offer standard alternative accommodations when repairs to the unit cannot be made within a reasonable time.

A family may request and may be approved to transfer for valid and certifiable reasons such as enabling the family to:

- Live closer to a required medical treatment center; or
- Move from an upstairs to a downstairs unit for medical or accessibility reasons.

The HABC will always consider a request to transfer as a reasonable accommodation for a person with a disability.

B. ELIGIBILITY FOR TRANSFER

In order to be determined eligible to receive a transfer, residents must submit the requisite documentation to the HABC, to substantiate their request, and must be in good standing with the HABC.

Families transferring to another development must have paid the security deposit in full at the losing development. Any move-out charges will be posted to the new unit.

It will be up to the gaining development to collect the charges. The HABC will charge the families for any damages to the previous unit that exceed that unit's security deposit.

Except in emergency situations, transfers will be avoided when the family is:

- Delinquent in its rent;
- About to be asked to move for reasons other than non-payment of rent.
- Not in good standing with the HABC due to rental history or a history of disturbances.

The HABC will not grant a transfer request solely to accommodate neighbors who "cannot get along."

C. PRIORITY OF TRANSFERS

The Transfer Waiting list will be maintained in rank order according to date and time of receipt and by the following priorities:

Emergency

- Executed within 72 hours of documentation, verification and approval
- Transfer will be within the housing development unless emergency transfer cannot be accomplished in this manner.
- Emergency transfers are initiated by the HABC and/or written family request.

Medical hardship and accessibility

- Executed within 60 days where possible of documentation, verification and approval.
- Transfer will be within the housing development unless appropriate unit is not available to meet the family's needs within the development.
- Medical hardship and accessibility transfers are initiated by the HABC and/or written family request.

Underhoused (Overcrowded)

- Executed when family's name reaches the top of transfer list and authorized unit available
- Transfer will be within the housing development unless size and type of unit required does not exist within that development's inventory
- Ratio shall be one transfer for every 10 move-ins from the public housing waiting list
- Transfers are initiated by the HABC and/or written family request.
- Family Split transfers are processed for underhoused families when:
 - The persons who would be the family heads (original head and new head) must both be listed on the most recent lease and recertification ;
 - The family must be overcrowded according to HABC's occupancy standards;
 - A lease shall be entered into between HABC and the Resident of each dwelling unit. The Heads of Household for each dwelling unit must be legally capable of executing a lease; and
 - The reason for the family split must be the addition of children through birth, adoption or court-awarded custody.

Overhoused

- Executed when family's name reaches top of transfer list and authorized unit available.
- Transfer will be within the housing development unless the size and type of unit required does not exist within that development's inventory.
- Ratio shall be one transfer for every 10 move-in(s) from the public housing waiting list.
- Transfers are initiated by the HABC and/or written family request.

D. EMERGENCY TRANSFER

The HABC will authorize an emergency transfer for a participant family if the resident's unit has been damaged by fire, flood, or other causes to such a degree that the unit is not habitable, provided the damage was not the result of an intentional act, carelessness/or negligence on the part of the resident or a member of the resident's household.

E. SPECIAL CIRCUMSTANCES TRANSFER

The HABC will authorize transfers under special circumstances for a participant family if one of the following conditions occurs:

- The resident's unit is being modernized or significantly remodeled. In such cases the family may only be offered temporary relocation if allowed under Relocation Act provisions and may be allowed to return to their unit once rehabilitation is complete.
- There is a reasonable fear of direct violence against the resident. Such transfer requests may include a fear of retaliation for witnessing an incident, or providing testimony or evidence in an eviction or criminal proceeding, or fear of being the victim of a hate crime. The HABC will seek input from local law enforcement regarding all requests for transfers due to threat of violence.

F. MANDATORY TRANSFERS

Mandatory transfers involve emergencies, demolition, disposition, revitalization and rehabilitation. All families requiring a mandatory transfer are placed on the transfer list. These transfer requests are “need-based” rather than elective transfers.

The family requiring a “mandatory transfer” will be offered the next appropriately sized unit that becomes available before other such families desiring an “elective” transfer who are in need of the same size unit.

G. NON-MANDATORY TRANSFERS

When a unit becomes available, and after the transfer list has been reviewed for families requiring a mandatory transfer based on occupancy standards, the transfer list will be reviewed for other families desiring a transfer.

If there is a participant family waiting for transfer to an available and appropriately sized unit, the participant family will be offered the unit.

A transfer, rather than a new admission from the waiting list, will fill one in 10 units filled. For every 10 vacancies, a family who had requested a transfer will be housed.

If a family is on an inventory-wide transfer list and refuses an offered unit, they will be removed from the transfer list unless the HABC determines that the refusal was made for good cause. If so, the family will be allowed to remain in their unit and will remain on the transfer list until another unit is offered.

“Good cause” may be for any of the following reasons:

- Travel for medical treatment from the new unit would create a hardship for an elderly or disabled person.
- The inconvenience or undesirability of changing schools for any minor child will be considered good cause.

H. MOVING COSTS

The resident, except when the transfer is due to un-inhabitability, through no fault of the resident, or when the transfer is due to the need of the HABC, will pay all moving costs related to the transfer. In the case of transfers due to threat of violence, the HABC will determine on a case-by-case basis whether the resident shall be responsible for moving costs.

HABC will also bear the expense of moving families who need an accessible unit or accessible unit feature(s).

I. SECURITY DEPOSITS

Security deposits will always be transferred from the losing development to the gaining development minus any damage or cleaning charges applicable to the losing unit.

The resident will be billed for any charges that occur as a result of the resident moving out of the apartment. The office of the gaining development is responsible for collecting any maintenance charges due the HABC.

A transfer between developments will not be considered a move-out.

J. PROCESSING TRANSFERS

Transfers will be processed so that the resident's records will show a continuous residence in public housing in one development or the other, but not in both projects at the same time.

Both losing and gaining developments involved must have a definite agreement as to when the losing development will move the resident out and the gaining development will move the resident in.

Losing Developments

Transfers to other developments will be processed in the same manner as move-outs. The name of the transferred resident and the name of the development s/he transferred to, with other required information, will be reported as a transfer move-out on the Project Daily Report.

Gaining Developments Transfers from other developments will be processed in the same manner as move-ins, including a new lease. The name of the transferred resident and the name of the development s/he transferred from, with other required information, will be reported as a transfer move-in on the Project Daily Report.

The transferred resident, between public housing projects, does not have to meet the admission eligibility requirements pertaining to income or preference.

K. TRANSFER REQUEST PROCEDURE

Residents requesting transfer to another unit or development will be required to submit a written Request for Transfer form.

Residents applying for a transfer will have to complete a transfer request form stating the reason a transfer is being requested. The Housing Manager will interview the resident and evaluate the request to determine if a transfer is justified.

If the interview reveals that there is a problem at the family's present site, the manager will address the problem and until solved to the manager's satisfaction, the request for transfer will be denied.

The housing manager's endorsement will be completed and the original of the written Request for Transfer form will be transmitted to the HABC Leasing Unit and a copy maintained at the housing office until the family is offered and accepts a unit and a copy will be sent to the family for their records.

The approved request for transfer will be kept in a file and on a computerized list arranged by priority, chronological order and bedroom size.

Mandatory transfers will be maintained on the transfer list in a manner that allows the HABC to easily distinguish between those that are not mandatory.

If the request is approved, the family will be sent a letter stating that their name has been placed on the transfer list for the unit type and/or bedroom size desired.

The resident will be informed of the security deposit procedures.

If the request is denied the family will be sent a letter stating the reason for denial, and informing the family of the opportunity to challenge such decision in accordance with HABC's Grievance Policy and Appeals Procedure.

NOTE: A transfer will require good coordination and communication between the gaining and losing developments.

L. RENT ADJUSTMENTS OF TRANSFERRED RESIDENTS

A resident will pay the same rent at the gaining development as s/he paid at the losing development during the month of the transfer. If warranted, the resident's rent will be adjusted by the gaining development to be effective the first of the month following the month of the transfer.

The HABC will notify the resident of the rent change by use of the Notice of Rent Adjustment Letter.

M. REEXAMINATION DATE

The date of the transfer does not change the reexamination date.

The gaining development should be certain that the annual review is properly scheduled to give the staff time to redetermine rent in order to meet the established reexamination date.

The losing development will send the family's file to the gaining development once they have been notified that the family has accepted the unit and before the family is leased up.

To reduce vacancy time, the losing development may fax the required information to the gaining office, if requested, while the family's file is en route to the gaining development.

Chapter 9

LEASING

[24 CFR 966.4, and as amended]

INTRODUCTION

It is the HABC's policy that all units must be occupied pursuant to a dwelling lease agreement that complies with HUD's regulations [24 CFR Part 966]. This Chapter describes pre-leasing activities and the HABC's policies pertaining to lease execution, security deposits, other charges, and additions to the lease.

A. LEASE ORIENTATION

Upon execution of the lease, a HABC representative will provide a lease orientation to the family head and spouse. The orientation may be conducted with more than one family.

The family must attend an orientation before taking occupancy of the unit.

Orientation Agenda

When families attend the lease orientation, they will be provided with:

- A copy of the Lease
- A copy of the HABC's lease and grievance procedure
- A copy of the House Rules

Topics to be discussed will include, but are not limited to:

- Applicable deposits and other charges
- Provisions of the Lease
- Family Choice of Rents
- Orientation to the community
- Unit maintenance and work orders
- Explanation of occupancy forms
- Terms of occupancy
- Community Service

B. LEASE REQUIREMENTS

The initial term of the lease will be for 12 months. The lease will renew automatically for 12-month terms except for noncompliance with the community service requirement, as described in the chapter on community service.

Because the lease automatically renews for terms of 12 months, an annual signing process is not required.

C. EXECUTION OF LEASE

The lease shall be executed by the head of household, spouse, and by an authorized representative of the HABC, prior to admission.

The head of household is the person who assumes legal and financial responsibility for the household and is listed on the application as head.

An appointment will be scheduled for the parties to execute the lease. One executed copy of the lease will be given to the tenant, and the HABC will retain one in the tenant's file. The lease is incorporated into this policy by reference. The lease document will reflect current HABC policies as well as applicable Federal, State and Local law.

The following provisions govern lease execution and amendments:

- A lease is executed at the time of admission for all new tenants.
- A new lease is executed at the time of the transfer of a tenant from one HABC unit to another (with no change in reexamination date).
- If, for any reason, any signer of the lease ceases to be a member of the household, the lease will be amended by drawing a line through the party's name and both parties will be required to initial and date the change.
- Lease signers must be persons legally eligible to execute contracts.
- The names and date of birth of all household members are listed on the lease at initial occupancy and on the Application for Continued Occupancy each subsequent year. Only those persons listed on the most recent certification shall be permitted to occupy a dwelling unit.
- Changes to tenant rents are made upon the preparation and execution of a "Notice of Rent Adjustment" by the HABC, which becomes an attachment to the lease. Documentation will be included in the tenant file to support proper notice.
- Households that include a Live-In Aide will contain file documentation that the Live-In Aide is not a party to the lease and is not entitled to HABC assistance, with the exception of occupancy while serving as the attendant for the participant family member.

The HABC may modify its form of lease from time to time, giving tenants an opportunity to comment on proposed changes and advance notice of the implementation of any changes. A tenant's refusal to accept permissible and reasonable lease modifications, or those modifications required by HUD, is grounds for termination of tenancy.

D. ADDITIONS TO THE LEASE

Requests for the addition of a new member of the household must be approved by the HABC, prior to the actual move-in by the proposed new member.

Following receipt of a family's request for approval, the HABC will conduct a pre-admission screening, including the Criminal History Report, of the proposed new member. Only new members approved by the HABC will be added to the household.

Factors determining household additions:

1. Household additions subject to screening:
 - Resident plans to marry;
 - Resident is awarded custody of a child over the age for which juvenile justice records are available;
 - Resident desires to add a new family member to the lease, employ a live-in aide, or take in a foster child(ren).
 - A unit is occupied by a remaining family member(s) under age 18 (not an emancipated minor) and an adult who was not a member of the original household requests permission to take over as the head of household.
2. Factors determining household additions that are not subject to screening:
 - Children born to a family member or whom a family member legally adopts are exempt from the pre-screening process.
3. Factors determining household additions that may be subject to screening, depending on HABC discretion:
 - Children below the age under which juvenile justice records are made available, who are added through a kinship care arrangement are not exempt from the prescreening process.
4. In such cases where the addition of a new member who has not been born, married, or legally adopted into the family, and the addition will affect the bedroom size required by the family, according to the HABC occupancy standards, the HABC will not approve the addition.
5. The HABC will not approve adding a family consisting of more than one member to

the lease. Such applicants will be encouraged to apply to the waiting list.

6. Residents who fail to notify the HABC of additions to the household, or who permit persons to join the household without undergoing screening, are in violation of the lease.

Such persons are considered to be unauthorized occupants by the HABC, and the entire household will be subject to eviction [24 CFR 966.4(f)(2 and 3)].

7. Family members age 18 and over who move from the dwelling unit to establish new households shall be removed from the lease. The tenant must notify the HABC of the move-out within 30 calendar days of its occurrence.

These individuals may not be readmitted to the unit and must apply as a new applicant for placement on the waiting list.

The HABC in making determinations under this paragraph will consider medical hardship or other extenuating circumstances.

8. The resident may not allow visitors to stay overnight more than 2 weeks in a 52-week period.

The family must request HABC approval prior to visitors arriving who will be in the unit in excess of 2 weeks in any 52-week period.

Visitors who remain beyond this period shall be considered trespassers, and their presence constitutes a breach of the lease.

If an individual other than a leaseholder is representing to an outside agency that they are residing in the lessee's unit, the person will be considered an unauthorized member of the household.

9. Roomers and lodgers are not permitted to occupy a dwelling unit, nor are they permitted to move in with any family occupying a dwelling unit.

E. LEASING UNITS WITH ACCESSIBLE OR ADAPTABLE FEATURES

[24 CFR 8.27(a)(1)(2) and (b)]

Before offering a vacant accessible unit to a non-disabled applicant, the HABC will offer such units:

- First, to a current occupant of another unit of the same development, or other public housing developments under the HABC's control, who has a disability that requires the special features of the vacant unit.
- Second, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

The HABC will require a non-disabled applicant to agree to move to an available non-accessible unit

within 20 working days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant. This requirement will be a provision of the lease agreement.

F. UTILITY SERVICES

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

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

Non-payment of excess utility charge payments to the HABC is a violation of the lease and is grounds for eviction.

G. SECURITY DEPOSITS

Security Deposit

New tenants must pay a security deposit to the HABC at the time of admission.

The amount of the security deposit required is specified in the lease. The HABC will hold the security deposit for the period the tenant occupies the unit.

The HABC will refund to the Tenant the amount of the security deposit, less any amount needed to pay the cost of:

- Unpaid Rent;
- Damages listed on the Move-Out Inspection Report that exceed normal wear and tear;
- Other charges under the Lease.

The HABC will refund the Security Deposit less any amounts owed, within 45 calendar days after move out and tenant's notification of new address.

The HABC will provide the tenant or the person designated by the former tenant in the event of the former tenant's incapacitation or death with a written list of any charges against the security deposit. If the tenant disagrees with the amount charged to the security deposit, the HABC will provide a meeting to discuss the charges.

The resident must leave the dwelling unit in a clean and undamaged (beyond normal wear and tear) condition and must furnish a forwarding address to the HABC. All keys to the unit must be returned to the Management upon vacating the unit.

The HABC will not use the security deposit for payment of rent or other charges while the tenant is living in the unit.

If the tenant transfers to another unit, the HABC will transfer the security deposit to the new unit.

The tenant will be billed for any maintenance or other charges.

Pet Deposit

See chapters on pet policy.

H. RENT PAYMENTS

The tenant rent is due and payable at the HABC-designated location on the 1st of every month. If the 1st falls on a weekend or holiday, the rent is due and payable on the first business day thereafter.

If the HABC does not receive payment by the agreed-upon date, a delinquent rent notice will be sent.

I. FEES AND NONPAYMENT PENALTIES

A copy of the lease is attached to this chapter and is incorporated into this ACOP. Any modification of the lease or new form lease adopted by HABC shall be deemed to be incorporated by reference in this policy, as if fully set forth herein.

The requirements relating to fees and nonpayment penalties are set forth in the lease.

A charge of \$25.00 will be assessed against the tenant for checks that are returned for non-sufficient funds (NSF), or checks written on a closed account. When the HABC has been informed that a tenant's check has been returned for non-sufficient funds (NSF), the tenant will be notified immediately. The rent is considered unpaid. The rent is to be satisfied by the payment of the outstanding amount, money order only, within 30 days of the original notification to the tenant.

The HABC will always consider the rent unpaid when a check is returned as NSF or a check is written on a closed account.

If the HABC has not agreed to accept payment at a later date, a Notice to Vacate will be issued for failure to pay rent.

Any rent payment received will be applied to the oldest rent charges in the resident's account.

.J SCHEDULES OF SPECIAL CHARGES

Schedules of special charges for services, repairs, utilities and rules and regulations which are required to be incorporated into the lease by reference shall be publicly posted in a conspicuous manner in the project office, and they will be provided to applicants and tenants upon request.

K. MODIFICATIONS TO THE LEASE

Schedules of special charges and rules and regulations are subject to modification or revision. Residents and resident organizations will be provided at least thirty days written notice of the reason(s) for any proposed modifications or revisions, and they will be given an opportunity to present written comments. Comments will be taken into consideration before any proposed

modifications or revisions become effective.

A copy of such notice shall be posted in the central office, and:

- Mailed by first class mail to the tenant.
- Posted in at least two conspicuous places within each structure or building in which tenants affected by the modifications or revisions are located.

Any modifications of the lease must be accomplished by a written addendum to the lease and signed by both parties.

L. CANCELLATION OF THE LEASE

Cancellation of the tenant's lease is to be in accordance with the provisions contained in the lease agreement and as stated in this policy.

M. INSPECTIONS OF PUBLIC HOUSING UNITS

Initial Inspections

The HABC and the family will inspect the premises prior to occupancy of the unit in order to determine the condition of the unit and equipment in the unit. A copy of the initial inspection, signed by the HABC and the tenant, will be kept in the tenant file.

Any adult member may sign the inspection form for the head of household.

Vacate Inspections

The HABC development maintenance supervisor will access the Weekly Vacate Unit Report prepared by housing management staff and will perform a move-out inspection when the family vacates the unit, and the family will be encouraged to participate in the move-out inspection.

The purpose of this inspection is to determine necessary maintenance and whether there are damages that exceed normal wear and tear. The HABC will determine if there are damages to the unit caused by the tenant. Damages caused by the tenant may affect part or all of the family's security deposit.

The move-out inspection also assists the HABC in determining the time and extent of the preparation and repairs necessary to make the unit ready for the next tenant.

The resident is encouraged to participate in the move-out inspection.

Annual Inspections

The HABC will inspect all units annually using HUD's Uniform Physical Condition Standards (UPCS) as a guideline. In addition, the HABC will determine whether the unit has any accessible features during the annual inspection.

The unit will be considered to have failed HUD's Uniform Physical Condition Standards ("UPCS") if there are any *life-threatening* Health and Safety deficiencies.

If a unit fails inspection due to housekeeping or tenant-caused damages, the resident will be given 30 days to correct noted items, after which a follow-up inspection will be conducted.

Residents will be issued a copy of the inspection report with required corrections.

If necessary to bring the unit into UPCS compliance, needed repairs will be completed by the HABC.

All inspections will include a check of all smoke alarms to ensure proper working order.

Inspection report will indicate whether required corrections are to be charged to the resident or covered by the HABC.

Required corrections will be repaired by the HABC within 30 days of the inspection date.

Resident will be notified at least 72 hours before the date of the required repairs. Damages beyond "normal wear and tear" will be billed to the tenant.

Residents who repeatedly "fail" the inspection or cause excessive damage to the unit may be in violation of their lease.

Quality Control Inspections

The housing management staff will conduct periodic quality control inspections to determine the condition of the unit and to identify problems or issues in which the HABC can be of service to the family.

The HABC Inspection staff will conduct quality control inspections on all units

- In which housing management staff requested an inspection
- Where repairs were made to vacant units generated by move-out inspections
- That are under general contract maintenance or contracted out to low bid contractors

The purpose of these quality control inspections is to assure that repairs were completed at an acceptable level of craftsmanship and within an acceptable time frame.

The HABC inspection staff will conduct quality control inspections for 25 % of units receiving a preventive maintenance inspection within 30 days of the preventive maintenance inspection.

The property manager will conduct periodic inspections to determine the condition of the unit and to identify problems or issues in which the HABC can be of service to the family.

Special Inspections

Housing management staff may request special inspections for housekeeping, unit condition, or suspected lease violation.

HUD representatives or local government officials may review HABC operations periodically and as a part of their monitoring may inspect a sampling of the HABC's inventory.

Other Inspections

The HABC inspector will periodically conduct windshield and/or walk-through inspections to determine whether there may be lease violations, adverse conditions or local code violations.

Playground inspections are conducted quarterly to determine playground safety.

Building exterior and grounds inspections are conducted at all Public Housing properties to determine hazardous conditions as well as to assist in budget preparation.

Emergency Inspections

Housing management staff, including HABC inspectors may initiate an emergency inspection report to generate a work order if they believe that an emergency exists in the unit or on a Public Housing site. In addition, the inspector may conduct an emergency inspection without a work order and generate a work order after the inspection has been conducted (see Entry of Premises Notice in this chapter.) Repairs are to be completed within 24 hours from the time the work order is issued.

Emergency Repairs to be Completed in Less than 24 Hours

The following items are to be considered emergency in nature and require immediate (less than 24 hour) response:

- Lock-out (with proper identification of resident) - Broken lock which affects unit security
- Broken window glass which affects unit security, is a cutting hazard, or occurs within inclement weather (to be secured or abated)
- Escaping gas
- Plumbing leaks that can cause flooding or damage to the unit
- Natural gas leaks or smell of fumes
- Backed-up sewage
- Electrical hazard
- Units with elderly residents in which the HABC-owned air conditioner or heater (seasonal) or refrigerator is inoperable
- Inoperable smoke detectors will be treated as a 24-hour emergency and will be made operable by the HABC if the smoke detector is in need of repair.

Residents who disengage smoke detectors for convenience purposes will be cited. (See "Housekeeping Citations" in this chapter.)

Entry of Premises Notices

The HABC will give prior written notice for non-emergency inspections. Non-emergency entries to the unit will be made during reasonable hours of the day.

The HABC will provide the family with 72-hour notice prior to entering the unit for non-emergency reasons other than the annual inspection.

An adult family member must be present in the unit during the inspection.

If no one is in the unit, the person(s) who enters the unit will leave a written notice to the resident explaining the reason the unit was entered and the date and time.

Where the HABC is conducting regular annual examinations of its housing units, the family will receive reasonable advance notice of the inspection to allow the family to prepare and be able to pass the inspection.

Reasons the HABC will enter the unit are:

- Inspections and maintenance
- To make improvements and repairs
- To show the premises for leasing
- In cases of emergency

The family must call the HABC at least 48 hours prior to the scheduled date of inspection to reschedule the inspection, if necessary.

The HABC will reschedule the inspection no more than twice unless the resident has a verifiable medical reason that has hindered the inspection. The HABC may request verification.

Non-Inspection Emergency Entry

The HABC staff will allow access to the unit to proper authorities when issues of health or safety of the tenant are concerned.

Family Responsibility to Allow Inspection

The HABC must be allowed to inspect the unit at reasonable times with reasonable notice. 72-hour

written notice will be considered reasonable in all cases.

The resident is notified of the inspection appointment by mail. The family must call the HABC at least 48 hours before the inspection date to reschedule the inspection, if necessary.

The HABC will reschedule the inspection no more than twice unless the resident has a verifiable medical reason that has hindered the inspection. The HABC may request verification.

If the resident refuses to allow the inspection, the resident will be in violation of the lease.

Housekeeping Citations

Residents who "fail" an inspection due to housekeeping will be issued a Housekeeping Citation, and a re-inspection will be conducted within 30 working days by housing management staff.

If the family fails to comply with the re-inspection it can result in lease termination.

Tenant Damages

Repeated failed inspections or damages to the unit beyond normal wear and tear may constitute serious or repeated lease violations.

"Beyond normal wear and tear" is defined as items that could be charged against the tenant's security deposit under state law or court practice.

Chapter 10

PET POLICY –PROJECTS FOR ELDERLY AND PERSONS WITH DISABILITIES [24 CFR Part 5, Subpart C, as amended]

INTRODUCTION

This Chapter incorporates HABC's policy on the keeping of pets and any criteria or standards pertaining to the policy for elderly/disabled projects. The rules adopted are reasonably related to the legitimate interest of HABC to provide a decent, safe and sanitary living environment for all tenants, to protecting and preserving the physical condition of the property, and the financial interest of the HABC.

The purpose of this policy is to establish the HABC's policy and procedures for ownership of pets in elderly and disabled units and to ensure that no applicant or resident is discriminated against regarding admission or continued occupancy because of ownership of pets. It also establishes reasonable rules governing the keeping of common household pets.

ANIMALS THAT ASSIST PERSONS WITH DISABILITIES

Pet rules will not be applied to animals that assist persons with disabilities. To be excluded from the pet policy, the resident/pet owner must certify:

- That there is a person with disabilities in the household;
- That the animal has been trained to assist with the specified disability.

**HOUSING AUTHORITY OF BALTIMORE CITY
PET OWNERSHIP RULES
FOR PROJECTS FOR THE ELDERLY AND PERSONS WITH DISABILITIES**

I. GENERAL.

A. Authority.

The "Pet Ownership Rules" contained herein were promulgated by Housing Authority of Baltimore City (HABC) in accordance with 24 C.F.R. Part 5, Subpart C pertaining to Pet Ownership in Public Housing for the Elderly and Handicapped. HABC has complied with the procedures for promulgating these Rules as stated in 24 C.F.R. 5.312 (Notice to residents) and 5.353 (Consultation with residents on pet rules).

B. Scope.

The Rules contained herein **govern the ownership or keeping of common household pets by residents of HABC buildings designated for occupancy by the elderly or handicapped.** These Rules do not apply to animals that are used to assist the handicapped (such as seeing-eye dogs), although such animals may be subject to other HABC policies as well as State and local laws concerning the ownership or keeping of animals.

C. Definitions.

1. "Common household pet" or "pet" means a domesticated animal, such as a dog, cat, bird, rabbit, hamster, fish, or turtle, that is traditionally kept in the home for pleasure and not for commercial purposes.
2. "Dwelling Unit" means any residence designated for occupancy by one family.
3. "Elderly Family" means a family whose head or spouse or whose sole member is at least sixty-two years of age, a Disabled Person (as defined in Section I.C.2) or a Handicapped Person (as defined in Section I.C.5). An Elderly Family may include two or more Elderly, Disabled or Handicapped persons living together, or one or more such persons living with another person who is determined to be essential to his or her care and well being.
4. "Owner" means any person who keeps, has custody of, possesses, harbors, regularly feeds, exercises control over or has a property right in any animal regulated by these Rules.
5. "Person With Disabilities" means: as defined in 42 U.S.C. §8013 a household composed of one or more persons at least one of whom is an adult who has a disability. A person shall be considered to have a disability if such person is determined, pursuant to regulations issued by the Secretary to have a physical, mental, or emotional impairment which (A) is expected to be of long-continued and indefinite duration, (B) substantially impedes his or her ability to live independently, and (C) is of such a nature that such ability could be improved by more suitable housing conditions. A person shall also be considered to have a disability if such person has a developmental disability as defined in section 15002 of 42 U.S.C.
 - An "individual with handicaps", as defined in 24 CFR 8.3, for purposes of reasonable accommodation and program accessibility for persons with disabilities
 - Does not exclude persons who have AIDS or conditions arising from AIDS
 - Does not include a person whose disability is based solely on any drug or alcohol dependence (for low income housing eligibility purposes)
6. "Restraint" means a state of being secured by a leash or otherwise, or confined within the dwelling unit of its Owner.
7. "Wild Animal" means any such reptile (poisonous or otherwise), non-human primate such as a monkey, raccoon, skunk, opossum, fox, member of the cat family other than domesticated cat, or any other warm-blooded animal which is normally found in the wild state.

8. "Vicious or Dangerous Animal" means:
 - a. Any animal that constitutes a physical threat to human beings or other animals.
 - b. Any animal which, due to its disposition or natural tendency to cause injury or behave in a manner, could reasonably cause injury to human beings or other animals, whether or not such behavior is hostile.
 - c. Any animal which has bitten or attacked a human being or animal.

II. OWNERSHIP.

A. Ownership Right.

Each resident of an HABC dwelling unit in a building designated for use by elderly or handicapped persons may own or keep a common household pet. Such ownership may be restricted by these Rules and any applicable state and local laws. HABC reserves the right, after providing reasonable advance notice to residents, designate certain floors, and/or buildings exclusively for residents who own pets.

B. Number.

Each resident of a project for the elderly and/or person with disabilities may own or keep one common household pet. In no event shall more than one common household pet be permitted in a dwelling unit at any time.

C. Size/Weight.

1. Fully-grown cats and dogs shall not exceed TWENTY-FIVE (25) pounds at any time during the lease term. HABC reserves the right to prohibit ownership of a pet that is likely to outgrow the size/weight limitation.
2. Size/weight of other common household pets shall not exceed FIVE (5) pounds.

D. Type.

1. The following full or mixed breeds of dogs shall not be kept by HABC residents: Afghan Hound, Great Dane, Collie, Retriever (Golden, Labrador), Pointer, Irish Setter, Dalmatian, Boxer, Doberman Pinscher, German Shepherd, Rottweiler, Giant Schnauzer, Siberian Husky and Pit Bull.
2. HABC reserves the right to prohibit resident ownership of other full or mixed breeds of dogs when necessary to protect the health or safety of HABC residents. HABC also reserves the right to prohibit resident ownership of any animal deemed to be vicious or dangerous.

E. Discrimination.

1. HABC shall not, as a condition of tenancy or otherwise, prohibit or prevent any resident of a development for the elderly or handicapped from owning a common household pet or keeping such a pet living in the resident's unit. However, if resident has been deemed physically or mentally incapable of caring for the pet, management reserves the right to deny same.
2. HABC shall not restrict or discriminate against any person in connection with admission to or continued occupancy of such housing by reason of the person's ownership of a common household pet or the presence of such pet in that person's dwelling unit.

F. Pets Temporarily on the Premises.

1. Pets **only** may be kept "temporarily" if such pets are to be kept in the resident's dwelling unit for **less than 14 consecutive days and nights within a twelve month period.**
2. Elderly or handicapped residents may participate in a visiting pet program sponsored by a humane society or other non-profit organization. Any such resident who desires to participate in such a program shall notify HABC Management in writing at least two weeks before the first visit. This notification shall identify the agency that provides the service and the frequency of the pet visitation. Pets which are a part of this program must be confined to the resident's home, and shall adhere to all provisions of this policy which governs a pet's conduct while on HABC property.

1) **Resident's Absence. Resident's Absence.**

No dog or cat shall be left alone in any Dwelling Unit over twenty-four (24) hours. Any Resident who is away twenty-four (24) hours or longer for any reason must make arrangements for such Pet to be kept elsewhere during his/her absence.

2) **Responsibility for Pet in an Emergency.**

The Pet owner shall file with the Management an affidavit of agreement signed by one (1) person who is not a Resident of the Dwelling Unit who will assume immediate responsibility for the Pet in case of an emergency or in case the Pet owner becomes unable to provide proper care for the Pet. In addition, the Owner shall file with Management an affidavit authorizing Management to have the Pet removed in the event that the Pet owner cannot care for the Pet and the responsible party cannot be reached. Management will contact the SPCA or an appropriate authority for removal of the Pet in such event

3) **Fire Emergency.**

When a fire alarm or smoke detector sounds, Pets are to be placed in the bathroom and the door is to be closed. If evacuation is necessary the fire department will be responsible for the evacuation of Residents first, and then the Pet.

III. REGISTRATION.

A. Registration.

1. **Management Office.** All pets that may be owned or kept pursuant to these Rules must be registered with the Management Office before being brought onto HABC premises.

2. **Annual Review.** HABC will review all pet registrations during the Annual Review.

3. **Registration requirements.** A pet will not be registered unless its Owner complies with the following requirements (where appropriate for type of pet).

a. Dogs, cats and other pets must be vaccinated as indicated in Section IV (A) (2) of these Rules. The Owner shall provide evidence that such vaccinations were administered in the form of certificate signed by a licensed veterinarian.

b. Dogs and cats shall be given a physical examination by a licensed veterinarian once a year. The animal must be certified as healthy or be under the veterinarian's care. Proof of the examination (a certificate signed by a licensed veterinarian) must be submitted to the Management Office before the animal is brought onto HABC premises and during each Annual Review.

c. The Owner shall provide the Management Office with the name, address and telephone number of a responsible person(s) who will care for the pet if the Owner is unable to care for the pet (the owner becomes disabled, hospitalized, or dies).

d. The Owner of any dog four months old or older shall provide the Management Office with a current dog license issued by the City of Baltimore.

IV. PET CARE/HYGIENE.

A. Veterinary Care.

1. **Annual Examination.** Each dog and cat shall receive an annual physical examination by a licensed veterinarian. Proof of such examination shall consist of a receipt indicating that the examination was conducted.

2. **Vaccinations.** The following vaccinations are mandatory: Dogs must be vaccinated for distemper, parvo-virus, hepatitis, leptospirosis and rabies. Cats must be vaccinated for distemper (feline 3-way vaccination) and rabies. Proof that these vaccinations were obtained shall consist of a certificate signed by a licensed veterinarian. The certificate shall indicate when the vaccine is no longer effective.

B. Pet Care.

1. Sanitary Conditions. Each Owner shall ensure that the pet is not subjected to unsanitary living conditions. Cat owners shall change the litter box at least twice each week, and more often if necessary to control odor or to ensure sanitary living conditions.

2. Food/Water. Owners shall ensure that the pet has sufficient food and water.

3. Hygiene. Each Owner shall regularly wash the pet as appropriate for the particular type and breed. Each dog should periodically receive de-worming treatment from a licensed veterinarian.

V. PET CONDUCT.

A. Restraint.

1. The Owner shall keep the pet restrained and under Owner's physical control at all times while on HABC premises. All pets must be secured by a leash or cage when they are not in the Owner's dwelling unit. (The leash must be 4 feet or under.)

2. All pets are prohibited from such common areas as lobbies, laundry rooms, elevators, stairwells, hallways, social rooms, parking lots, lawns, shared hallways unless entering or leaving the building.

B. Exercise Areas.

Owners shall use only those areas designated by HABC for pet exercise.

C. Pet Waste.

Owners shall use only those areas designated by HABC for the deposit of pet waste. The Owner will be charged \$5.00 for each incident in which HABC staff must remove pet waste.

D. Noise/Odor.

Any pet noise or odor must be controlled by the Owner so that other HABC residents are not offended. Failure to control the noise or odor of a pet could result in termination of the Owner's right to keep the pet on HABC property.

VI. LIABILITY/SECURITY DEPOSIT.

A. Liability.

1. HABC Property. The Owner is liable for any and all damages caused to HABC property by the pet. The Owner remains liable for such damages even if the amount of damages exceeds the pet security deposit required under Section VI (B) of these Rules.

2. Property or Person of Others. The Owner is liable for any and all harm caused to the person or property of other HABC residents, visitors or other persons who are lawfully on HABC property.

3. Insurance. Although it is not required by these Rules, HABC encourages each pet owner to purchase an appropriate amount of insurance to protect against potential harm a pet could cause to the property or person of other.

B. Pet Security Deposit.

1. A refundable Pet security deposit of twenty-five dollars (\$25.00) shall be required for each Pet. The Pet security deposit can be paid over a three (3) month consecutive period, and will be held in the manner required for applicable security deposits under Maryland law. THE PET SECURITY DEPOSIT WILL BE RETURNED WITHIN 45 DAYS OF MOVE-OUT OR IF A PET IS REMOVED BEFORE RESIDENT MOVES FROM THE DWELLING UNIT, WITHIN 45 DAYS OF PET REMOVAL.

2. Upon move-out or Pet removal the cost to de-flea, deodorize, and clean the carpet and/or floor tile will be deducted from the Pet security deposit if deemed necessary by Management. The Dwelling Unit will be inspected and the remainder of the Pet security deposit will be refunded, if the Dwelling Unit is free of damage. The move-out inspection will be performed by the Resident and Management.

3. The Pet security deposit may only be applied to damages caused by the Pet.

VII. VIOLATIONS.

A. Violations.

1. Owners must keep their pets at all times in conformance with provisions of the dwelling lease and these Pet Ownership Rules. Nothing in these Rules shall prohibit HABC, or any other appropriate representative of state or local government, from requiring the removal of any pet if the pet's conduct or condition is determined to constitute, under provisions of these Rules, state or local law, a nuisance or a threat to the health or safety of other occupants of the building or other persons in the community where the building is located.

2. In particularly deplorable circumstances, violation of the Pet Ownership Rules could result in termination of the tenancy or permanent revocation of the resident's right to own or keep a pet.

B. Pet Violation Notice.

HABC staff will attempt to resolve an alleged problem prior to the issuance of a 60-Day Notice for a lease violation in the following manner:

1. An Owner shall be issued a Written Pet Violation Notice for a violation of these "Pet Ownership Rules".

2. The Owner may request a meeting with HABC management within 15 calendar days of receiving the Pet Violation Notice. The deadline shall be stated on the notice.

3. If it is determined, as a result of the meeting, that corrective action is warranted, a deadline by which the problem must be corrected will be issued.

4. If the problem is not corrected by the deadline, HABC management shall issue a written order to remove the pet within 10 calendar days of the Owner's receipt of the removal order.

5. If the Owner fails to comply with the removal order, HABC management shall issue a 60-Day Notice to Vacate. The Owner may then file an official grievance in accordance with HABC Lease and Grievance Procedures. If HABC management determines that the circumstances warrant immediate action due to a threat in maintaining the housing development in a decent, safe, and sanitary condition; then, HABC management reserves the right to enter the premises and remove the pet.

HOUSING AUTHORITY OF BALTIMORE CITY

PET REGISTRATION FORM

1. **OWNER: Name**
Address _____
Telephone _____

2. **PET:**
Name _____
Breed/Type Age _____
Weight _____
Color _____

3. **VACCINATION** (*Dog and Cats only*):
Type _____

(Provide certificate indicating date vaccinations given and when next vaccination due.)
Date _____

4. **DATE OF MOST RECENT PHYSICAL EXAMINATION** (*Dogs and Cats only*):

(Provide proof (Receipt) that indicated physical examination was conducted.)

5. **VETERINARIAN** (*Provide name, address and telephone number of veterinarian who provides regular care.*):

6. **BALTIMORE CITY LICENSE NUMBER:**
DATE LICENSE (*Dogs only*): _____
(Provide actual license for inspection by HABC Management.)

7. **RESPONSIBLE PERSON** (*provide name, address and telephone number of person who will care for pet in the event that the Owner is unable to do so.*):

I, the undersigned pet Owner, state that the information supplied on this Pet Registration Form is true and complete, and acknowledge that I have read and am able to comply with the current Pet Ownership Rules.

DATE:

Signature of Pet Owner

Chapter 11

PET POLICY – GENERAL OCCUPANCY (FAMILY) PROJECTS

[24 CFR Part 960, Subpart G, and as amended]

INTRODUCTION

This Chapter sets forth the HABC's policies on the keeping of pets in general occupancy projects and any criteria or standards pertaining to the policy. The rules adopted are reasonably related to the legitimate interest of HABC to provide a decent, safe and sanitary living environment for all tenants, to protecting and preserving the physical condition of the property, and the financial interest of the HABC.

This policy does not apply to animals that are used to assist, support or provide service to persons with disabilities, or to service animals that visit public housing developments.

The referenced pet policy is incorporated herein.

HOUSING AUTHORITY OF BALTIMORE CITY PET POLICY

INTRODUCTION

This Public Housing Policy for Pet Ownership (“**Pet Policy**”) sets forth the requirements of the Housing Authority of Baltimore City (“**HABC**”) to permit ownership of certain pets by residents of public housing (Residents) in accordance with the Quality Housing and Work Responsibility Act of 1998 (“**QHWRA**”), and its regulations.

APPLICABILITY

This Pet Policy and any amendments thereto, shall apply to all Residents of public housing. This Pet Policy, as it may be amended from time to time, shall be incorporated into and made a part of the Resident’s current lease, as Attachment No. 7.

Exclusion from Applicability. This Pet Policy does not apply to animals that assist, support, or provide service to persons with disabilities. HABC shall not apply nor enforce this Pet Policy against animals that are necessary as a reasonable accommodation to assist, support, or provide service to persons with disabilities. This exclusion applies to such animals that reside in public housing, as such term is defined herein, and such animals that visit public housing developments.

SECTION I. DEFINITIONS.

1. The term “**Pet**” is defined as a domesticated small animal limited to dogs, cats, gerbils, hamsters, guinea pigs, birds, (parakeet, canary, finches, cockatoo, small parrot) and fish. **The following breeds are excluded from the definition of Pet, and shall be expressly prohibited from being kept, owned or harbored in, on or about the Premises (as that term is defined in the Lease) by any Resident or any member of the Resident’s household: PIT BULLS, ROTTWEILERS, CHOW-CHOWS, BULL MASTIFFS, DOBERMAN PINSCHERS, AND ANY CROSS-BREED THEREOF, AND ANY WOLF OR PART WOLF.**
2. The term “**public housing**” is defined as housing assisted under the 1937 Act, other than Section 8. Public housing includes dwelling units in a mixed finance project that are assisted by a public housing authority with capital or operating assistance, but does not include public housing developments for the elderly or persons with disabilities.

SECTION II. REQUIREMENTS

1. **Number Limitations** - No more than one domesticated Pet, and/or one 20-gallon tank of fish will be kept in a Dwelling Unit. Heads of household shall be responsible for their Pet. The Resident must maintain the Pet responsibly and in accordance with applicable State and

local public health, animal control, and animal anti-cruelty laws and regulations.

2. **Size of Pet** - Dogs or cats or others defined in paragraph 1 shall weigh no more than twenty (25) pounds at maturity. Fish are limited to a single bowl or steel framed glass fish tank having a capacity of not more than twenty (20) gallons. Birds can be no larger than one (1) pound.
3. **Residents Health** - A Pet owner must be physically and mentally capable of taking care of the Pet.
4. **Security Deposit** - A refundable Pet security deposit of twenty-five dollars (\$25.00) shall be required for each Pet. The Pet security deposit can be paid over a three (3) month consecutive period, and will be held in the manner required for applicable security deposits under Maryland law. THE PET SECURITY DEPOSIT WILL BE RETURNED WITHIN 45 DAYS OF MOVE-OUT OR IF A PET IS REMOVED BEFORE RESIDENT MOVES FROM THE DWELLING UNIT, WITHIN 45 DAYS OF PET REMOVAL.
5. Upon move-out or Pet removal the cost to de-flea, deodorize, and clean the carpet and/or floor tile will be deducted from the Pet security deposit if deemed necessary by Management. The Dwelling Unit will be inspected and the remainder of the Pet security deposit will be refunded, if the Dwelling Unit is free of damage. The move-out inspection will be performed by the Resident and Management.

The Pet security deposit may only be applied to damages caused by the Pet.

6. **Hold Harmless** – The HABC, its agent and staff are in no way responsible for any actions or injuries or damages caused by the Resident’s Pet. A Pet is the sole responsibility of the Resident.
7. **Vaccinations** – Every Pet, if required by law, must wear a current City Animal license and be vaccinated. Resident must submit registration papers to the Management Office. A copy of the Pet’s (dog or cat) current inoculation and treatment is to be furnished and verified annually by a licensed veterinarian which must indicate dates of most recent shots and treatment against disease and parasites as follows:
 - (a) Dogs – rabies, parvo-virus, para-influenza, distemper, hepatitis, leptospirosis (D.H.L.), hookworm, heartworm, roundworm, tapeworm, and other internal and other parasites, fleas, ticks and other external parasites and other diseases of the skin including eczemas.
 - (b) Cats – rabies, rhinotracheitis, calici virus, pnemonitis, tapeworms, hookworms, heartworms, and other internal parasites, fleas, lice, ticks and other external parasites.

Female cats and dogs over six months of age must be spayed and males over eight months must be neutered, unless a licensed veterinarian gives medical reasons why such is detrimental to the Pet’s health.

8. **Housekeeping** – The Dwelling Unit must be kept free of odors and maintained in a clean and sanitary condition. Cats must be litter box trained and dogs must be able to exercise outside the Dwelling Unit. Litter boxes must be changed a minimum of once a week and scooped once a day. Kitty litter is to be bagged securely in a heavy plastic trash bag, tied, and disposed of in an approved trash receptacle. **DO NOT FLUSH LITTER INTO COMMODE.**
- (a) Birds must be maintained in a cage and never allowed to fly free within the Dwelling Unit.
 - (b) Dog and cat bedding and the Dwelling Unit are to be kept free of and treated regularly on an ongoing basis against infestations by fleas, ticks, lice, pet worms, mites, and other parasites. If infestation of any such parasites or vermin occur which shall be determined by Management to have occurred due to inattentive care by the Pet owner, and/or if such infestation shall spread to other Dwelling Units, Management shall have the right to eradicate in all affected areas at Pets owner’s expense.
 - (c) Pet owners must control excessive noise and odor caused by their Pets.
9. **Pet Control in Public Area** – Pets must be on a leash outside of the Dwelling Unit and in all public areas. Under no circumstances may any Pet of any kind be taken into, or permitted to be in, the recreation/community rooms, or any other “common” room.
10. **Waste Control** – Pet owners shall be responsible for immediate clean up of Pet feces in accordance with applicable law. Resident must insure that their yard is kept clear of Pet feces. Resident will not place any animal fecal waste, kitty litter, etc., or other articles in the sinks, plumbing fixtures or on the grounds. Residents must place all Pet waste in a heavy plastic trash bag, tied and disposed of in an approved trash receptacle. If a toilet has to be unclogged or a sink unstopped because of animal waste, kitty litter, and/or stones from a fish bowl, the Resident will pay all associated cost.
11. **Nuisance** – If, in the judgement of Management, any Pet becomes a threat to the safety and comfort or quiet enjoyment of the Premises to any other Resident, employee, or visitor to the Premises, or if such Pet causes substantial damage to any part of the building or grounds or the furnishings and fixtures thereof, then, upon the written request of Management, such Pet shall be permanently removed from the Premises by the Pet’s owner within five (5) days. If the Resident files a grievance the Pet shall be allowed to remain until the grievance process is exhausted. In the case of a Pet biting a person, the Pet must be immediately removed to an area for surveillance for a period designated by a Health Officer and must then be examined by a licensed Veterinarian. Animal bites must also be reported to the local Health Department and/or the Police. A bite victim or parent of a child bitten by an animal can swear out a complaint against the owner of the Pet at the nearest district court. Refusal

by the Pet owner to abide by Management's request for a Pet's removal may result in termination of residency.

12. **Complaints/Problems** – Any and all complaints about Pets will not be considered valid (or heard) unless they are in writing, dated and signed by the person(s) making the complaint. Management will review complaints and/or problems concerning a Pet/Pet owner. Management will notify in writing the Pet owner of the complaint and the Resident will have 24 hours to answer the complaint. Two or more legitimate complaints will mean the Pet must be removed unless the Pet owner initiates a grievance procedure. Failure to comply may result in termination of residency.
13. **Resident's Absence** – No dog or cat shall be left alone in any Dwelling Unit over twenty-four (24) hours. Any Resident who is away twenty-four (24) hours or longer for any reason must make arrangements for such Pet to be kept elsewhere during his/her absence.
14. **Responsibility for Pet in an Emergency** – The Pet owner shall file with the Management an affidavit of agreement signed by one (1) person who is not a Resident of the Dwelling Unit who will assume immediate responsibility for the Pet in case of an emergency or in case the Pet owner becomes unable to provide proper care for the Pet. In addition, the Pet owner shall file with Management an affidavit authorizing Management to have the Pet removed in the event that the Pet owner cannot care for the Pet and the responsible party cannot be reached. Management will contact the SPCA or an appropriate authority for removal of the Pet in such event
15. **Fire Emergency** – When a fire alarm or smoke detector sounds, Pets are to be placed in the bathroom and the door is to be closed. If evacuation is necessary the fire department will be responsible for the evacuation of Residents first, and then the Pet.
16. **Subsequent Agreements** – If a Resident has an approved Pet and that Pet is disposed of, the Resident must notify Management. The Resident and Management will perform an inspection of the apartment. The Pet security deposit will be used towards any damages and the balance, if any, of the Pet security deposit will be returned to the Resident within 45 days. If the Resident determines they want a new Pet, the Pet must be registered with the Management Office and a new Pet security deposit must be collected in accordance with the Pet Policy.
17. **Resident's Signature** – All Residents, whether desiring a Pet or not, must sign this Attachment to the Lease, thereby acknowledging agreement and acceptance of the Pet Policy. Those Residents desiring a Pet will have to meet all requirements listed in this Attachment and sign the "Application for Pets" including Section 3 which includes the "Co-Responsibility" section for a non-Resident friend or relative to sign.
18. HABC reserves the right to rescind or change any of the foregoing rules to make such rules and regulations as may be deemed necessary for the safety, care and cleanliness of the Premises, and for the security, comfort and convenience of all Residents. Any changes

deemed necessary by HABC will be made in compliance with the Lease Agreement.

19. This Pet Policy is made a part of the HABC Dwelling Lease as Attachment No. 7, and any violation of the terms and conditions contained herein, will be considered a breach of the Lease. If any Court declares a particular provision of this Pet Policy to be invalid or illegal, all other terms of this Pet Policy will remain in effect, and both HABC and the Resident will continue to be bound by all valid, legitimate terms of the Pet Policy.

AGREED AND ACCEPTED BY RESIDENT(S):

DATE:

ADDRESS:

MANAGER'S SIGNATURE: _____

DE

APPLICATION FOR PETS

Date: _____

SECTION I I, _____ and
Resident(s) of _____, living at _____ verify

I have received, reviewed, understand and accept the Pet Policy Regarding Pets Admittance and
Ownership at _____. I am also aware that the Pet Policy is an
official part of my Lease, and that I am to abide by all its terms.

Resident Signature:

Date:

SECTION II

Pet Description: _____ Type: _____ Sex: _____

Weight: _____ Age: _____
_____ Name: _____

Color and Markings: _____

Security Deposit Required: _____ Security Deposit Paid: _____

Veterinarian's Name: _____

Address: _____

Telephone Number: _____

SECTION III

I, _____, (non Resident) relative /friend (circle one) of
Resident _____,
(Resident 's Name)

live at _____, and I agree
(Non-Resident 's Address)

to accept full responsibility of the Pet listed above in the event the said Resident is unable to care for
the Pet in any twenty-four hour period.

Print Name: _____ Date: _____

Signed: _____ Date: _____

Telephone Number: _____

Resident Signature: _____ Date: _____

Telephone Number: _____

Manager Signature: _____ Date: _____

SECTION IV I,

(Name of Housing Manager)

Housing Manager, permit the ownership by Resident of the Pet described as
at the following address: _____ .

Manager's Signature: _____

Date: _____

RESIDENT LEASE AGREEMENT

**I hereby acknowledge my right as a Resident to keep a household Pet as defined in
paragraph 1 of the Pet Policy.**

**I agree to comply with HABC's Pet Policy (an Attachment to the Lease) with the
understanding that violation of this Pet Policy may be grounds for Pet removal or
termination of tenancy.**

HABC: _____

RESIDENT:

By: _____

RESIDENT:

Title: _____

Date: _____

Date:

Chapter 12

REEXAMINATIONS

[24 CFR 5.613, 24 CFR 5.615, 24 CFR Part 960 Subpart C, and as amended]

INTRODUCTION

HUD requires that the HABC offer all families the choice of paying income-based rent or flat rent at least annually. Families who choose to pay flat rent are required to complete a reexamination of income, deductions and allowances at least once every three years. To determine the amount of income-based rent, it is necessary for the HABC to perform a reexamination of the family's income. At the annual reexamination, families who choose to pay income-based rent must report their current household composition, income, deductions and allowances. Between regular annual reexaminations, HUD requires that families report all changes in household composition, but the HABC decides what other changes must be reported and the procedures for reporting them. This Chapter defines the HABC's policy for conducting annual reexaminations. It also explains the interim reporting requirements for families, and the standards for timely reporting.

A. ELIGIBILITY FOR CONTINUED OCCUPANCY

Residents who meet the following criteria will be eligible for continued occupancy:

- Qualify as a family as defined in this policy;
- Are in full compliance with the obligations and responsibilities described in the dwelling lease;
- Whose family members, age 6 and older, each have submitted their Social Security numbers or have certifications on file that they do not have a Social Security number;
- Whose family members have submitted required citizenship/eligible immigration status/noncontending documents.

B. ANNUAL REEXAMINATION

The terms *annual recertification* and *annual reexamination* are synonymous.

In order to be recertified, families are required to provide current and accurate information on income, assets, allowances and deductions, and family composition.

Families who choose flat rent are to be recertified every three years. For families who move in on the first of the month, the annual recertifications will be completed within 12 months of the anniversary of the move-in date. (Example: If family moves in August 1, the annual recertification will be conducted to be effective on August 1, the following year.)

For families who move in during the month, the annual recertifications will be completed no later than the first of the month in which the family moved in, the following year. (Example: If family moves in August 15, the effective date of the next annual recertification is August 1.)

When families move to another dwelling unit:

- An annual recertification will be conducted (unless a recertification has occurred in the last 120 days) and the anniversary date will be changed.
- The annual recertification date will not change.

Reexamination Notice to the Family

All families will be notified of their obligation to recertify by first class mail. The notification shall be sent at least 120 days in advance of the anniversary date. If requested as an accommodation by a person with a disability, the HABC will provide the notice in an accessible format. The HABC will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities. These accommodations will be granted upon verification that they meet the need presented by the disability.

The notification shall explain family choice of income-based or flat rent, with an estimate of what the income-based rent would be and a statement of what the flat rent is.

- The family will indicate whether the family chooses income-based or flat rent by checking the appropriate box on the document, signing the document, and returning the document to the HABC.
- If the family chooses flat rent, no reexamination appointment will be necessary.

Methodology

If the family chooses income-based rent, or if the family has paid the flat rent for three (3) years, the HABC will conduct the annual recertifications by scheduling the specific date and time of appointments in the written notification to the family.

Persons with Disabilities

Persons with disabilities, who are unable to come to the HABC's office will be granted an accommodation of conducting the interview at the person's home upon verification that the accommodation requested meets the need presented by the disability.

Collection of Information

The HABC representative will interview the family and enter the information provided by the family on the recertification form.

The family is required to complete a *Personal Declaration Form* prior to all annual and interim recertification interviews.

Requirements to Attend

The family members who will be required to attend the recertification interview and sign the application for continued occupancy are the head of household and spouse, co-lessee

If the head of household is unable to attend the interview, the appointment will be rescheduled.

Failure to Respond to Notification to Recertify

The written notification will explain which family members are required to attend the recertification interview. The family may call to request another appointment date up to 10 working days prior to the interview.

If the family does not appear for the recertification interview, and has not rescheduled or made prior arrangements with the HABC, the HABC will reschedule a second appointment.

If the family fails to appear for the second appointment, and has not rescheduled or made prior arrangements, the HABC will

- Not schedule a third appointment.
- Terminate tenancy for the family.

Exceptions to these policies may be made by the Housing Manager if the family is able to document an emergency situation that prevented them from canceling or attending the appointment.

Documents Required from the Family

In the notification letter to the family, the HABC will include instructions for the family to bring the following:

- Documentation of income for all family members
- Documentation to substantiate any deductions or allowances
- Personal Declaration Form completed by head of household.

Verification of Information

All information, which affects the family's continued eligibility for the program, and the family's Total Tenant Payment (TTP) will be verified in accordance with the verification procedures and guidelines described in this Policy. Verifications used for recertification must be less than 120 days old. All verifications will be placed in the file, which has been established for the family.

When the information has been verified, it will be analyzed to determine:

- The continued eligibility of the resident as a *family* or as the *remaining member* of a family;
- The unit size required by the family;
- The amount of rent the family should pay.

Changes in the Tenant Rent

If there is any change in rent, including change in family's choice in rent, the lease will be amended, or a new lease will be executed, or a Notice of Rent Adjustment will be issued [24 CFR 966.4(c)].

Tenant Rent Increases

If tenant rent increases, a thirty-day notice will be mailed to the family prior to the anniversary date.

If less than thirty days are remaining before the anniversary date, the tenant rent increase will be effective on the first day of the second month following the thirty-day notice.

If there has been a misrepresentation or a material omission by the family, or if the family causes a delay in the reexamination processing, there will be a retroactive increase in rent to the anniversary date.

Tenant Rent Decreases

If the family reports a change that results in a rent decrease **within 30** days of the annual re-certification effective date, the change will be effective on the annual re-certification date. If HABC determines that the change reported by the family is temporary, the change will be treated, as an interim. The annual recertification date will not change as a result of this action.

If a tenant reports changes in circumstances that result in a rent decrease **more than 30 -days prior to the next annual re-certification date**, the change will be treated as an interim effective on the first day of the following month that the family reported the change. The annual recertification date will not change as a result of this action.

If the family causes a delay so that the processing of the recertification is not complete by the annual recertification date, any decrease in rent will be effective on the first day of the month following completion of the recertification processing by the HABC.

C. REPORTING INTERIM CHANGES

Families must report all changes in household composition to the HABC between annual reexaminations. This includes additions due to birth, adoption and court-awarded custody. The family must obtain HABC approval prior to all other additions to the household.

The annual reexamination date will not change as a result of this action.

The U.S. citizenship/eligible immigrant status of additional family members must be declared and verified prior to the approval by the HABC of the family member being added to the lease.

Interim Reexamination Policy

Increases in Income to Be Reported

Families paying flat rent are not required to report any increases in income or assets.

Families must report all increases in income/assets of all household members to the HABC in writing within 30 calendar days of the occurrence.

Families are required to report all increases in income including but not limited to:

- Increases in earned income from the employment of a current household member;
- Increases in income because a person with income joins the household;
- Increases in household income that come as a result of a *new* income source.

Increases in Income and Rent Adjustments

The HABC will not process rent adjustments resulting from any increase in income until the next regularly scheduled recertification.

The HABC will not process rent adjustments resulting from an increase in earned income (raises) until the next regularly scheduled recertification.

The HABC will defer rent adjustments until the next scheduled recertification when a previously unemployed household member becomes employed and the family does not qualify for the earned income disallowance.

Rent increases (except those due to misrepresentation) require 30 days notice.

Decreases in Income and Rent Adjustments

Residents may report a decrease in income and other changes, such as an increase in allowances or deductions that would reduce the amount of the total tenant payment within 30 working days of when the change occurs. Any information, document or signature needed from the family that is needed to verify the change must be provided within 30 working days of the change.

The HABC will process the rent adjustment unless the HABC confirms that the decrease in income will last less than 30 calendar days.

D. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS

The HABC will not reduce the public housing rent for families whose welfare assistance is reduced due to a "specified welfare benefit reduction," which is a reduction in welfare benefits due to:

- Fraud by a family member in connection with the welfare program; or
- Noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program

A "specified welfare benefit reduction" does not include a reduction of welfare benefits due to:

- The expiration of a lifetime time limit on receiving benefits; or
- A situation where the family has complied with welfare program requirements but cannot or has not obtained employment. An example: the family has complied with welfare program requirements, but the durational time limit, such as a cap on the length of time a family can receive benefits, causes the family to lose their welfare benefits.
- Noncompliance with other welfare agency requirements.

Definition of "Covered Family":

A household that receives benefits for welfare or public assistance from a State or public agency program which requires, as a condition of eligibility to receive assistance, the participation of a family member in an economic self-sufficiency program.

Definition of "Imputed Welfare Income":

The amount of annual income, not actually received by a family, as a result of a specified welfare benefit reduction, that is included in the family's income for purposes of determining rent.

The amount of imputed welfare income is determined by the HABC, based on written information supplied to the HABC by the welfare agency, including:

- The amount of the benefit reduction
- The term of the benefit reduction
- The reason for the reduction
- Subsequent changes in the term or amount of benefit reduction

Imputed welfare income will be included at annual and interim reexaminations during the term of reduction of welfare benefits.

The amount of imputed welfare income will be offset by the amount of additional income a family receives that begins after the sanction was imposed. When additional income is at least equal to the imputed welfare income, the imputed income will be reduced to zero.

If the family was not an assisted resident of public housing when the welfare sanction began, imputed welfare income will not be included in annual income.

Verification Before Denying a Request to Reduce Rent

The HABC will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance *before* denying the family's request for rent reduction.

The HABC will rely on the welfare agency's written notice to the HABC regarding welfare sanctions.

Cooperation Agreements

The HABC has a written cooperation agreement in place with the local welfare agency that assists the HABC in obtaining the necessary information regarding welfare sanctions.

The HABC has taken a proactive approach to culminating an effective working relationship between the HABC and the local welfare agency for the purpose of targeting economic self-sufficiency programs throughout the community that are available to public housing residents.

The HABC and the local welfare agency have mutually agreed to notify each other of any economic self-sufficiency and/or other appropriate programs or services that would benefit public housing residents.

Family Dispute of Amount of Imputed Welfare Income

If the family disputes the amount of imputed income and the HABC denies the family's request to modify the amount, the HABC will provide the tenant with a notice of denial, which will include:

- An explanation for the HABC's determination of the amount of imputed welfare income.
- A statement that the tenant may request a grievance hearing.
- A statement that the information received from the welfare agency cannot be disputed at the grievance hearing, and the issue to be examined at the grievance hearing will be the HABC's determination of the amount of imputed welfare income, not the welfare agency's determination to sanction the welfare benefits.

If the tenant requests a grievance hearing, the tenant is not required to pay an escrow deposit pursuant to 966.55(e), and as amended, for the portion of tenant rent attributable to the imputed welfare income.

E. OTHER INTERIM REPORTING ISSUES

An interim reexamination will be scheduled for families with zero income every 60 days.

The HABC may conduct the interim recertification by mail as a reasonable accommodation when requested. (See Chapter titled "Statement of Policies and Objectives")

Any changes reported by residents other than those listed in this section will be noted in the file by the staff person, but will not be processed between regularly scheduled annual recertifications.

HABC Errors

If the HABC makes a calculation error at admission to the program or at an annual or interim reexamination, an interim reexamination will be conducted to correct the error, but the family will not be charged retroactively.

F. TIMELY REPORTING OF CHANGES IN INCOME (AND ASSETS)

Standard for Timely Reporting of Changes

The HABC requires that families report interim changes to the HABC within 30 working days of when the change occurs. Any information, document or signature needed from the family that is needed to verify the change must be provided within 30 working days of the change.

An exception will be made for TANF recipients who obtain employment. In such cases, families will have to report within 30 days of receipt of the Notice of Action from TANF that shows the full adjustment for employment income.

If the change is not reported within the required time period, or if the family fails to provide signatures, certifications or documentation, (in the time period requested by the HABC), it will be considered untimely reporting.

Procedures When the Change is Reported in a Timely Manner

The HABC will notify the family of any changes in Tenant Rent to be effective according to the following guidelines:

- **Increases in the Tenant Rent** are effective on the first day of the month following at least thirty days' notice.
- **Decreases in the Tenant Rent** are effective the first day of the month following the month in which the change is reported.

Procedures When the Change Is Not Reported by the Tenant in a Timely Manner

If the family does not report the change as described under Timely Reporting, the family will have caused an unreasonable delay in the interim reexamination processing and the following guidelines will apply:

- **Increase in Tenant Rent** will be effective retroactive to the date it would have been effective had it been reported on a timely basis. The family will be liable for any underpaid rent, and may be required to sign a Repayment Agreement or make a lump sum payment.

The HABC will not execute a payment agreement if the payback is so much that it will take the family longer than 18 months to complete the agreement.

- **Decrease in Tenant Rent** will be effective on the first day of the month following completion of processing by the HABC and not retroactively.

Procedures when the Change is not Processed by the HABC in a Timely Manner

"Processed in a timely manner" means that the change goes into effect on the date it should when the family reports the change in a timely manner. If the change cannot be made effective on that date, the change is not processed by the HABC in a timely manner.

Therefore, an increase will be effective after the required thirty days' notice prior to the first of the month after completion of processing by the HABC.

If the change resulted in a decrease, the overpayment by the family will be calculated retroactively to the date it should have been effective, and the family will be credited for the amount.

G. REPORTING OF CHANGES IN FAMILY COMPOSITION

The members of the family residing in the unit must be approved by the HABC. The family must inform the HABC and request approval of additional family members other than additions due to birth, adoption, marriage, court-awarded custody before the new member occupies the unit.

The HABC will not approve the addition of family members other than by birth, adoption, marriage or court-awarded custody where the occupancy standards would require a larger size unit.

All changes in family composition must be reported within 30 working days of the occurrence in writing.

If an adult family member is declared permanently absent by the head of household, the notice must contain a certification by the head of household that the member (who may be the head of household) removed is permanently absent.

Increase in Family Size

The HABC will consider a unit transfer (if needed under the Occupancy Guidelines) for additions to the family in the following cases:

- Addition of a minor who is a member of the nuclear family who had been living elsewhere.
- Addition of a HABC-approved live-in attendant.
- Addition due to birth, adoption or court-awarded custody.

Families who need a larger sized unit because of voluntary additions will have lower priority on the Transfer List than other families who are required to change unit size.

If a change due to birth, adoption, court-awarded custody, or need for a live-in attendant requires a larger size unit due to overcrowding, the change in unit size shall be made effective upon availability of an appropriately sized unit.

Definition of "Temporarily/Permanently Absent"

The HABC must compute all applicable income of every family member who is on the lease, including those who are temporarily absent.

Income of persons permanently absent will not be counted. If the spouse is temporarily absent and in the military, all military pay and allowances (except hazardous duty pay when exposed to hostile fire and any other exceptions to military pay HUD may define) is counted as income.

It is the responsibility of the head of household to report changes in family composition. The HABC will evaluate absences from the unit in accordance with this policy.

Absence of Entire Family

These policy guidelines address situations when the family is absent from the unit, but has not moved out of the unit. In cases where the family has moved out of the unit, the HABC will terminate tenancy in accordance with the appropriate lease termination procedures contained in this Policy.

Families are required to notify the HABC before they move out of a unit in accordance with the lease and to give the HABC information about any family absence from the unit.

Families must notify the HABC if they are going to be absent from the unit for more than fifteen, consecutive days. A person with a disability may request an extension of time as an accommodation.

"Absence" means that no family member is residing in the unit.

In order to determine if the family is absent from the unit, the HABC may:

- Conduct home visit;
- Write letters to the family at the unit;
- Contact emergency contact.

If the entire family is absent from the unit, without HABC permission, for more than 30 consecutive days, the unit will be considered to be vacant and the HABC will terminate tenancy.

As a reasonable accommodation for a person with a disability, the HABC may approve an extension. (See Absence Due to Medical Reasons for other reasons to approve an extension.) During the period of absence, the rent and other charges must remain current.

Absence of Any Member

Any member of the household will be considered permanently absent if s/he is away from the unit for 6 consecutive months except as otherwise provided in this Chapter.

Absence Due to Medical Reasons

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, the HABC will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent. If the verification indicates that the family member will return in less than 180 consecutive days, the family member will not be considered permanently absent, as long as rent and other charges remain current.

If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated in accordance with the HABC's "Absence of Entire Family" policy.

Absence Due to Incarceration

If the sole member is incarcerated for more than 30 consecutive days, s/he will be considered permanently absent. Any member of the household, other than the sole member, will be considered permanently absent if s/he is incarcerated for 30 consecutive days. The rent and other charges must remain current during this period.

The HABC will determine if the reason for incarceration is for drug-related or criminal activity which would threaten the health, safety and right to peaceful enjoyment of the dwelling unit by other residents.

Foster Care and Absences of Children

If the family includes a child or children temporarily absent from the home due to placement in foster care, the HABC will determine from the appropriate agency when the child/children will be returned to the home.

If the time period is to be greater than 6 months from the date of removal of the child(ren), the family will be required to move to a smaller size unit. If all children are removed from the home permanently, the unit size will be reduced in accordance with the HABC's occupancy guidelines.

Absence of Adult

If neither parent remains in the household and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, the HABC will treat that adult as a visitor for the first 15 calendar days.

If by the end of that period, court-awarded custody or legal guardianship has been awarded to the caretaker, and the caretaker qualifies under Tenant Suitability criteria, the lease will be transferred to the caretaker.

If the court has not awarded custody or legal guardianship, but the action is in process, the HABC will secure verification from social services staff or the attorney as to the status.

The caretaker will be allowed to remain in the unit, as a visitor, until a determination of custody is made.

When the HABC approves a person to reside in the unit as caretaker for the child(ren), the income of the caretaker should be counted pending a final disposition. The HABC will work with the appropriate service agencies to provide a smooth transition in these cases.

If a member of the household is subject to a court order that restricts him/her from the home for more than 60 days, the person will be considered permanently absent.

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

Full time students who attend school away from the home will be treated in the following manner:

- A student (other than head of household or spouse) who attends school away from home but lives with the family during school recesses may, at the family's choice, be considered either temporarily or permanently absent. If the family decides that the member is permanently absent, income of that member will not be included in total household income, the member will not be included on the lease, and the member will not be included for determination of unit size.
- Full time students who attend school away from the home and live with the family during school recess will be considered temporarily absent from the household.

Visitors (See Chapter on Leasing)

Any adult not included on the HUD 50058 who has been in the unit more than 15 consecutive days, or a total of fifteen cumulative days in the month will be considered to be living in the unit as an unauthorized household member.

Absence of evidence of any other address will be considered verification that the visitor is an unauthorized household member.

The HABC will consider:

- Statements from neighbors and/or HABC staff
- Vehicle license plate verification
- Post Office records
- Driver's license verification
- Law enforcement reports
- Credit reports

Use of the unit address as the visitor's current residence for any purpose that is not explicitly temporary shall be construed as permanent residence.

The burden of proof that the individual is a visitor rests on the family. In the absence of such proof, the individual will be considered an unauthorized member of the family and the HABC will terminate the family's lease since prior approval was not requested for the addition.

Minors and college students who were part of the family but who now live away from home during the school year and are not considered members of the household may visit for up to 90 days per year without being considered a member of the household.

In a joint custody arrangement, if the minor is in the household less than 90 days per year, the minor will be considered to be an eligible visitor and not a family member. If both parents reside in Public Housing, only one parent would be able to claim the child for deductions and for determination for the occupancy standards.

H. REMAINING MEMBER OF TENANT FAMILY - RETENTION OF UNIT

To be considered the remaining member of the tenant family, the person must have been previously approved by the HABC to be living in the unit.

A live-in attendant, by definition, is not a member of the family and will not be considered a remaining member of the Family.

A reduction in family size may require a transfer to an appropriate unit size per the Occupancy Standards.

I. CHANGES IN UNIT SIZE

The HABC shall grant exceptions from the occupancy standards if the family requests and the HABC determines the exceptions are justified according to this policy.

The HABC will not assign a larger bedroom size due to additions of family members other than by birth, adoption, marriage or court-awarded custody.

The HABC will consider the size of the unit and the size of the bedrooms, as well as the number of bedrooms, when an exception is requested.

When an approvable change in the circumstances in a tenant family requires another unit size, the family's move depends upon the availability of a suitable size and type of unit. If the unit is not available at the time it is requested, the family will be placed on the Transfer List.

(Reference chapter on Occupancy Standards)

J. CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES

Under the Noncitizens Rule, "Mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members.

"Mixed" families who were participants on June 19, 1995, shall continue receiving full assistance if they meet the following criteria:

- The head of household, co-head or spouse is a U.S. citizen or has eligible immigrant status;
AND
- The family does not include any ineligible immigrants other than the head or spouse, or parents or children of the head, co-head or spouse.

Mixed families who qualify for continued assistance after 11/29/96 may receive prorated assistance only.

If they do not qualify for continued assistance, the member(s) that cause the family to be ineligible for continued assistance may move, or the family may choose prorated assistance (See Chapter titled "Determination of Total Tenant Payment "). The HABC may no longer offer temporary deferral of termination (see Chapter on "Lease Terminations").

Chapter 13

LEASE TERMINATIONS [24 CFR 966.4, and as amended]

INTRODUCTION

The HABC may terminate tenancy for a family because of the family's action or failure to act in accordance with HUD regulations, and the terms of the lease. This Chapter sets forth the HABC's policies for notification of lease termination and provisions of the lease.

A. TERMINATION BY TENANT

The tenant may terminate the lease by providing the HABC with 30 days prior notice, as indicated in the lease.

B. TERMINATION BY HABC

The public housing lease is automatically renewable, except as specifically provided in the lease.

Termination of tenancy will be in accordance with the HABC's lease.

HABC shall terminate the Lease only for:

- (a) serious or repeated violation of material terms of the lease, such as the following:
 - (1) failure to make payments at the time and in the amount they are due under the Lease;
 - (2) failure to fulfill the Resident obligations set forth in Section 9 of the Lease; or
- (b) for other good cause.
 - Other good cause includes, but is not limited to, the following:
 - 1) Discovery after admission of facts that made the Resident ineligible;
 - 2) Discovery of material false statements or fraud by the Resident in connection with an application for assistance or with reexamination of income;
 - 3) Failure of a family member to comply with service requirement provisions as described in Attachment No. 5 of this Lease--as grounds only for nonrenewal of the Lease and termination of tenancy at the end of the twelvemonth Lease term;

- 4) Failure to accept HABC's offer of a lease revision to an existing Lease: that is on a form adopted by HABC; with written notice of the offer of the revision at least 60 calendar days before the lease revision is scheduled to take effect; and with the offer specifying a reasonable time limit within that period for acceptance by the family.
- 5) Failure to appear and provide all required information, once a year, at the time of annual re-examination, is a violation of the Lease which shall constitute good cause to terminate this Lease, unless Resident can show that failure to provide the information was due to circumstances beyond the Resident's control. In addition, in the event of such violation, the Resident shall pay, as rent, all sums due because of the undisclosed change in income or family composition. Such sums are collectible in the same manner as is rent. Resident's failure to pay such sums may also subject Resident to termination of the Lease.
- 6) Failure to permit HABC, upon reasonable advance notification, entry into the Dwelling Unit during reasonable hours for the purpose of performing routine inspections and maintenance and for making improvements or repairs. A written statement specifying the purpose of HABC's entry delivered to the unit at least three (3) days before such entry shall be considered reasonable advance notification.
- 7) Conviction for drug-related criminal activity for the manufacture or production of methamphetamine on the Premises of federally assisted housing by the Resident or any member of the household.
- 8) Flight to avoid prosecution, or custody or confinement after conviction of the Resident or any household member, for a crime, or attempt to commit a crime, that is a felony under the laws of the place from which the individual flees, or that, in the case of the State of New Jersey, is a high misdemeanor; or violation of a condition of probation or parole imposed under Federal or State law.

(c) Any of the following types of activity by the Resident, any member of the Resident's household or a guest shall be good cause for termination of tenancy:

- 1) Any criminal activity that threatens the health, safety or right to peaceful enjoyment of the Premises by other residents, HABC employees, or persons residing in the immediate vicinity of the Premises.
- 2) Any drug-related criminal activity on or off the Premises.
- 3) Any activity that threatens the health, safety or right to peaceful enjoyment of the Premises by other residents, employees of HABC, or persons residing in the immediate vicinity of the Premises.
- 4) Illegal use (or pattern of illegal use) of a controlled substance, or abuse (or

pattern of abuse) of alcohol, that HABC determines interferes with the health safety, or right to peaceful enjoyment of the premises by other residents.

(d) Any of the following types of activity by any other person under the Resident's control shall be good cause for termination of tenancy: 1) that threatens the health, safety or right to peaceful enjoyment of the Premises by other residents, HABC employees, or persons residing in the immediate vicinity of the Premises; or 2) any drug-related criminal activity on the Premises.

(e) This Lease may be terminated by the Resident at any time by giving thirty (30) days advance written notice to HABC in the manner specified in Section 13(b) above. Failure to give notice will result in a continuation of the rent charge not to exceed 15 days from the date the vacancy becomes known to HABC.

(f) **Non-Renewal of Lease.** Failure of a family member to comply with the requirements of the Community Service/Economic Self Sufficiency Activities are grounds only for non-renewal of the lease and termination of tenancy at the end of the twelve month lease term.

C. NOTIFICATION REQUIREMENTS

The notice of lease termination to the Resident shall state specific grounds for termination, and shall inform the Resident of the Resident's right to make such reply as the Resident may wish.

(a) When HABC is required to afford the Resident the opportunity for a grievance hearing, the notice shall also inform the Resident of the Resident's right to request a hearing in accordance with HABC's Grievance Procedure.

(b) When HABC is not required to afford the Resident the opportunity for hearing under the HABC Grievance Procedure, the notice of lease termination shall:

- (1) State that the Resident is not entitled to a grievance hearing on the termination;
- (2) Specify the judicial eviction procedure to be used by HABC for eviction of the Resident, and state that HUD has determined that this eviction procedure provides the opportunity for a hearing in Court that contains the basic elements of due process as defined in HUD regulations;
- (3) State whether the eviction is for criminal activity or for drug-related criminal activity.

Disclosure of Criminal Records to Family

In the event that HABC intends to rely on a criminal record and/or police report as the basis for

termination of a tenancy, HABC shall provide the Resident with a copy of the criminal record and/or police report before a court trial concerning such termination. The Resident must be given an opportunity to dispute the accuracy and relevance of that record in a court trial. Additionally, HABC shall provide the Resident with a reasonable opportunity to examine, at the Resident's request, before a court trial concerning a termination of tenancy, any documents, including records and regulations, which are in the possession of HABC, and which are directly relevant to the termination of tenancy. The Resident shall be allowed to copy any such document at the Resident's expense.

Timing of the Notice

If the HABC terminates the lease, written notice will be given as follows:

- 1) Fourteen (14) days which shall run concurrent with any local laws, as set forth in the applicable HUD regulations, in the case of the failure to pay rent;
- 2) A reasonable period of time considering the seriousness of the situation (but not to exceed 30 days): (A) If the health or safety of other residents, HABC employees, or persons residing in the immediate vicinity of the premises is threatened; or (B) If any member of the household has engaged in any drug-related criminal activity or violent criminal activity; or (C) If any member of the household has been convicted of a felony; or (D) If illegal drugs and/or weapons are seized in an HABC unit by any law enforcement officer; or (E) If any fire on HABC premises which results from the deliberate action or inaction of the Resident, member of the Resident's household or a guest under the Resident's control.
- 3) Sixty (60) days in all other cases.

Criminal Activity

The HABC will immediately terminate the tenancy of persons convicted of manufacturing or producing methamphetamine on the premises of the assisted housing project. "**Premises**" is defined as the building or complex or development in which the public or assisted housing dwelling unit is located, including common areas and grounds.

The HABC will terminate assistance of participants in cases where the HABC determines there is reasonable cause to believe that the person is illegally using a controlled substance or is currently engaging in drug-related or other criminal activity. The same will apply if it is determined that the person abuses alcohol in a way that interferes with the health, safety or right to peaceful enjoyment of the premises by other residents. This includes cases where the HABC determines that there is a pattern of illegal use of controlled substances or a pattern of alcohol abuse.

The HABC will consider the use of a controlled substance or alcohol to be a *pattern* if there is more than one incident during the previous 12 months.

"Currently engaging in or engaged in " drug-related criminal activity means that the individual has, within the past three years, engaged in the behavior recently enough to justify a reasonable belief that the individual's behavior is current.

"Currently engaging in or engaged in other criminal activity means that the individual has, within the past three years, engaged in the behavior recently enough to justify a reasonable belief that the individual's behavior is current.

HABC may evict all members of a household any time the relevant lease provision is violated.

HABC is authorized, although not required, to consider all of the circumstances of the case before any determination to terminate the Lease, including the seriousness of the offense, the extent of the participation by family members, such as whether the Resident has taken all reasonable steps to prevent the criminal activity, and the effects that the eviction would have on family members not involved in the proscribed activity. In appropriate cases and in accordance with the ACOP, HABC may permit continued occupancy by remaining family members and may impose a condition that family members who engaged in the proscribed activity will not reside in the Dwelling Unit.

Consideration of Rehabilitation.

In determining whether to terminate tenancy for illegal drug use or a pattern of illegal drug use by a household member who is no longer engaging in such use, or for abuse or a pattern of abuse of alcohol by a household member who is no longer engaging in such abuse, HABC may consider whether such household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program, or has otherwise been rehabilitated successfully (42 U.S.C. 13662). For this purpose, HABC may require the resident to submit evidence of the household member's current participation in, or successful completion of, a supervised drug or alcohol rehabilitation program or evidence of otherwise having been rehabilitated successfully.

D. RECORD KEEPING

A written record of every termination and/or eviction shall be maintained by the HABC at the development where the family was residing, and shall contain information, as required in the lease.

E. TERMINATIONS DUE TO INELIGIBLE IMMIGRATION STATUS [24 CFR 5.514, and as amended]

If the HABC determines that a family member has knowingly permitted another individual who is not eligible for assistance to reside in the Resident family's unit on a permanent basis, the Resident's assistance will be terminated for period of 24 months. This provision does not apply to a family if the eligibility of the ineligible individual was considered in calculating any proration of assistance provided for the family.

Chapter 14

COMPLAINTS, GRIEVANCES AND APPEALS

[24 CFR Part 966 Subpart B, and as amended]

INTRODUCTION

The informal hearing requirements defined in HUD regulations are applicable to participating families who disagree with an action, decision, or inaction of the HABC. This Chapter describes the policies to be used when families disagree with a HABC decision. It is the policy of the HABC to ensure that all families have the benefit of all protections due to them under the law.

Grievances pertaining to tenancies shall be handled in accordance with the approved Grievance Procedures. HABC Resident Grievance Policy and Appeals Procedure, which is incorporated into this document by reference and is the guideline to be used in such cases.

A. COMPLAINTS

The HABC will respond promptly to all complaints.

Each complaint regarding physical condition of the units may be reported by phone to the Housing Manager or Maintenance Supervisor. Anonymous complaints are checked whenever possible. The HABC does not require that complaints be put in writing.

Complaints from families. If a family disagrees with an action or inaction of the HABC, complaints will be referred to the Office of the Associate Deputy Director. Complaints regarding physical condition of the units may be reported by phone to the Office of the Associate Deputy Director.

Complaints from staff. If a staff person reports a family is violating or has violated a lease provision or is not complying with program rules, the complaints will be referred to the Housing Manager.

Complaints from the general public. Complaints or referrals from persons in the community in regard to the HABC or a family will be referred to the Office of the Associate Deputy Director or the Fraud Hotline.

Anonymous complaints will be checked whenever possible.

B. APPEALS BY APPLICANTS

Applicants who are determined ineligible, who do not meet the HABC's admission standards, or where the HABC does not have an appropriate size and type of unit in its inventory will be given written notification promptly, including the reason for the determination.

Ineligible applicants will be promptly provided with a letter detailing their individual status, stating the reason for their ineligibility, and offering them an opportunity for an informal hearing.

Applicants must submit their request for an informal hearing in writing to the HABC within 14 working days from the date of the notification of their ineligibility. Applicants who have a disability and need a reasonable accommodation in order to participate in the informal hearing process, may request a reasonable accommodation during any stage of the informal hearing process.

If the applicant requests an informal hearing, the HABC will provide an informal hearing within 14 working days of receiving the request. The HABC will notify the applicant of the place, date, and time.

Informal hearings will be conducted by an impartial hearing officer. The person who is designated as the hearing officer cannot be the person who made the determination of ineligibility or a subordinate of that person.

The applicant may bring to the hearing any documentation or evidence s/he wishes and the evidence along with the data compiled by the HABC will be considered by the hearing officer.

The hearing officer will make a determination based upon the merits of the evidence presented by both sides. Within 14 working days of the date of the hearing, the hearing officer will mail a written decision to the applicant and place a copy of the decision in the applicant's file.

The grievance procedures for Public Housing tenants do not apply to HABC determinations that affect applicants.

C. APPEALS BY TENANTS

Grievances or appeals concerning the obligations of the tenant or the HABC under the provisions of the lease shall be processed and resolved in accordance with the HABC Resident Grievance Policy and Appeals Procedure which is in effect at the time such grievance or appeal arises.

D. HEARING AND APPEAL PROVISIONS FOR "RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS"

Assistance to the family may not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decision on the INS appeal.

Assistance to a family may not be terminated or denied while the HABC hearing is pending but assistance to an applicant may be delayed pending the HABC hearing.

INS Determination of Ineligibility

If a family member claims to be an eligible immigrant and the INS SAVE system and manual search do not verify the claim, the HABC notifies the applicant or tenant within ten days of their right to appeal to the INS within thirty days or to request an informal hearing with the HABC either in lieu of or subsequent to the INS appeal.

If the family appeals to the INS, they must give the HABC a copy of the appeal and proof of mailing or the HABC may proceed to deny or terminate. The time period to request an appeal may be extended by the HABC for good cause.

The request for a HABC hearing must be made within fourteen days of receipt of the notice offering the hearing or, if an appeal was made to the INS, within fourteen days of receipt of that notice.

After receipt of a request for an informal hearing, the hearing is conducted as described in the "Grievance Procedures" section of this chapter for both applicants and participants. If the hearing officer decides that the individual is not eligible, and there are no other eligible family members the HABC will:

- Deny the applicant family.
- Terminate the participant.

If there are eligible members in the family, the HABC will offer to prorate assistance or give the family the option to remove the ineligible members.

All other complaints related to eligible citizen/immigrant status:

- If any family member fails to provide documentation or certification as required by the regulation, that member is treated as ineligible. If all family members fail to provide the required documentation or certification, the family will be denied or terminated.
- Participants whose assistance is pro-rated (either based on their statement that some members are ineligible or due to failure to verify eligible immigration status for some members after exercising their appeal and hearing rights described above) are entitled to a hearing based on the right to a hearing regarding determinations of Tenant Rent and Total Tenant Payment.
- Families denied or terminated for fraud in connection with the non-citizens rule are entitled to a review or hearing in the same way as terminations for any other type of fraud.

E. HABC RESIDENT GRIEVANCE POLICY AND APPEALS PROCEDURE, APPROVED AUGUST 8, 2001.

The following pages contain the Grievance Policy as currently in effect.

HOUSING AUTHORITY OF BALTIMORE CITY

RESIDENT GRIEVANCE POLICY AND APPEALS PROCEDURE

APPROVED AUGUST 8, 2001

I. PURPOSE

This procedure is established to assure that Residents are afforded an opportunity for a fair hearing if the Resident disputes any Housing Authority of Baltimore City (HABC) action or failure to act involving the Resident's Lease or HABC regulations which adversely affect the individual Resident's welfare, rights, duties or status. Tenancy shall not terminate until such time as the grievance process has been completed. This Grievance Procedure shall be incorporated by reference into the Dwelling Lease.

II. APPLICABILITY

HUD has issued a due process determination that the law of the State of Maryland requires that the Resident be given the opportunity for a hearing in court which provides the basic elements of due process (as defined below) before eviction from the dwelling unit. Therefore, in accordance with the applicable Federal regulations (24 CFR § 966.50), and public housing policies of the U.S. Department of Housing and Urban Development (HUD), this Grievance Procedure shall be applicable to all individual grievances, as defined in Section III.F. below, except the following:

- A. Refusal to pay rent when due, unless the amount of rent charged is in dispute.
- B. Disputes between Residents not involving Management.
- C. Class grievances.
- D. Any criminal activity that threatens the health, safety or the right to peaceful enjoyment of the premises of other residents or employees of HABC;
- E. Any violent or drug related criminal activity on or off the premises of other residents or employees of HABC; or
- F. Any criminal activity that resulted in felony conviction of a household member.

III. DEFINITIONS

- A. Class Grievance: Any grievance in which the decision on an individual grievance would be, as a practical matter, dispositive of the interests of other Residents.
- B. Complainant: Any Resident, as defined in Paragraph H below, who presents to the Management Office a grievance in accordance with the procedures set forth herein.
- C. Drug: A controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).
- D. Drug Related Criminal Activity: The illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug.
- E. Elements of Due Process: An eviction action or termination of tenancy in a state or local court in which the following procedural safeguards are required:
1. Adequate notice to the Resident of the grounds for terminating the tenancy and for eviction;
 2. Right of the Resident to be represented by Counsel;
 3. Opportunity for the Resident to refute the evidence presented by HABC, including the right to confront and cross-examine witnesses and to present any affirmative legal or equitable defense which the Resident may have;
 4. A decision based upon the facts presented at the hearing.
- F. Grievance: Any dispute that a Resident may have with respect to the Management's (HABC) action or failure to act in accordance with the individual Resident's lease or Management regulations which adversely affect the individual Resident's rights, duties, welfare or status, including any dispute about the amount of rent that is charged. For the purpose of the Lease and Grievance Procedure, the definition of "grievance" does not include the issues set forth in Section II. A. through F. above.
- G. Premises: The building or complex or development in which the public or assisted housing dwelling unit is located, including common areas and grounds.
- H. Resident: The adult person (or persons, other than a live-in aide, as defined in the lease): (1) who resides in the unit, and who executed the lease with HABC as lessee of the dwelling unit, or, if no such person now resides in the unit, (2) who resides in the unit, and is the remaining head of household of the Resident family residing in the dwelling unit.

- I. Reasonable Accommodation: Accessible location, effective communication (including: qualified sign language interpreters, readers, enlarged print, braille).
- J. Violent criminal activity: Any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

IV. INFORMAL SETTLEMENT OF GRIEVANCE

As much as possible should be left to the mutual efforts of Management and Resident, with both parties attempting to resolve all complaints as quickly and justly as possible. However, the Resident may present a grievance for any complaint which cannot be resolved by such methods, and the following procedure will apply:

- A. The Complainant shall, either orally or in writing, present a description of the grievance to the Management Office within twenty (20) working days after the HABC's action or failure to act, giving rise to the grievance, so that the grievance may be discussed informally and settled without a formal hearing. (Exhibit A may be used for this purpose. Refer to Section V. B. for possible waiver of this section.)
- B. The Resident shall receive a receipt upon presentation of the grievance stating the date of filing and the nature of his/her grievance, and a copy will be retained in the Management Resident file (Exhibit B).
- C. The Housing Manager, in concert with the Complainant, will establish a mutually agreeable date, time and place for the informal discussion of the grievance.
- D. The Housing Manager shall mail to the Resident within five (5) working days after the meeting, a summary of the informal discussion and his/her decision regarding the proposed disposition of the complaint and the specific reason thereof. The summary shall specify the procedures by which a hearing may be obtained if the Complainant is not satisfied. A copy of Exhibit C shall be enclosed as a suggested form that may be used for requesting a formal grievance hearing.
- E. The Resident may request a formal grievance hearing (refer to Section V.).

V. PROCEDURE TO OBTAIN A HEARING

A. Request for Hearing: If the Complainant is not satisfied with the results of the informal conference, the Complainant shall submit a written request for a hearing to the Management Office, no later than five (5) working days after the date Complainant receives the Summary of Discussion, pursuant to Section IV. above. The written request shall specify:

1. The reasons for grievance.
2. The action of relief sought.

(Suggested forms for this purpose can be obtained from the Management Office, Exhibit C.)

B. Hearing Prerequisite: All grievances shall be presented either orally or in writing pursuant to the informal procedures prescribed in Section IV. above as a condition precedent to a hearing. However, the Complainant may request a waiver of this requirement. To request such a waiver, the Complainant shall follow this procedure:

1. The Complainant shall complete and submit to the Management office a Form A, and shall attach it to a request for a waiver of Section IV.
2. A Hearing Panel will be convened.
3. The Complainant shall appear before the Hearing Panel to show why he or she failed to proceed in accordance with Section IV. above.
4. If the Hearing Panel decides the Complainant has shown good cause for his or her failure to proceed in accordance with Section IV. above, the Hearing Panel may waive the requirements of Section IV.
5. If the Hearing Panel grants such a waiver, it shall immediately set a date for a hearing on the Complainant's grievance.

Failure to request a hearing shall not constitute a waiver by the Complainant of his or her right thereafter to contest Management's action in disposing of the complaint in an appropriate judicial proceeding.

C. Failure to Make a Timely Request for a Hearing: If the Complainant does not make a request for a hearing within five (5) working days after receipt of Summary of Discussion, Management's disposition of the grievance shall become final.

However, the Complainant may request a waiver of this five (5) day requirement. To request such a waiver, the Complainant shall follow this procedure:

1. Within 15 working days after receipt of Summary of Discussion, the Complainant shall submit to the Management Office a request for waiver of this five (5) day requirement.
2. A Hearing Panel will be convened.
3. The Complainant shall appear before the Hearing Panel to show why he or she failed to proceed within the given five (5) day period.
4. If the Hearing Panel decides the Complainant has shown good cause for his or her failure to proceed within the five (5) day period, the Hearing Panel may waive the five (5) day requirement.
5. If the Hearing Panel grants such a waiver, it shall immediately set a date for a hearing on the Complainant's grievance.

Failure to request a hearing shall not constitute a waiver by the Complainant of his or her right thereafter to contest Management's action in disposing of the complaint in an appropriate judicial proceeding.

D. Escrow Deposit: In any grievance involving the amount of rent or any part thereof, as defined in the lease, which Management claims is due under the lease, and which has not been paid, the Complainant shall pay to Management at the time the Complainant files his or her request for a formal hearing, under Section V. A. above, an amount at least equal to the amount of rent due and payable as of the first of the month preceding the month in which the act or failure to act took place. The Complainant shall thereafter pay the same amount of the monthly rent to the Management Office, and the Management Office shall deposit the monies in an escrow account until the complaint is resolved by decision of the Hearing Panel. Following this decision, any amount due the Complainant from the escrow deposits shall be returned in full to him or her within 30 days. These requirements for escrow deposit must be waived by Management:

1. in the event Management determines, upon request by the Complainant, that the Complainant is unable to pay the escrow deposit because of a financial hardship exemption from the minimum rent requirements in accordance with Section 2 e of the Lease, or
2. for the portion of the Complainant's rent attributable to the imputed welfare income (as defined by HUD regulations).

Unless so waived, the failure to make such payments shall result in a termination of the grievance procedure, provided that failure to make payment shall not constitute a waiver of any right the Complainant may have to contest Management's disposition of his or her grievance in an appropriate judicial proceeding.

- E. Scheduling of Hearings: Upon Complainant's compliance with all applicable procedures or waiver, pursuant to Section V. above, the Housing Manager shall, within five (5) working days, forward the Complainant's request for a grievance hearing to the Panel Secretary. The Secretary will immediately notify the members of the Hearing Panel of the Complainant's request for a formal hearing and shall promptly schedule a hearing within 30 working days at a time mutually convenient for the panel, the Complainant and Management. A written notification shall be delivered by hand or by regular mail, specifying time, the place and the procedure governing the hearing, to the panel members, the Complainant and the appropriate Management Official.

VI. SELECTION OF HEARING PANEL

- A. Grievance shall be presented before a permanent Hearing Panel consisting of five (5) voting persons and a Secretary who will be provided by Management.
- B. The Policy Committee of the Resident Advisory Board (RAB) will select two (2) permanent panel members; Management will select two (2) panel members for each grievance hearing; and one impartial member will be selected on a rotating basis from a list of names previously compiled by agreement between Management and the Policy Committee of RAB. No one on the list may be an officer, employee or Resident of HABC.
- C. The Policy Committee of RAB will select two (2) alternate panel members, who will serve on the panel if a permanent RAB member cannot be contacted, is unable to attend the hearing or is unable to serve.
- D. No relatives of the Complainant shall serve on the Hearing Panel.
- E. No one from the Complainant's development shall serve on the Hearing Panel.
- F. No one whose duties or responsibilities involve him in any way with the grievance at issue shall serve on the Hearing Panel.
- G. The term for the permanent Hearing Panel members and alternates selected by RAB will be for one year, beginning January 1 of each year. If a permanent RAB Member leaves before the end of his or her term, the position will be filled by an alternate and a new alternate will be selected. Members may be reappointed for subsequent terms. The list from which the impartial member is selected will also be drawn up on an annual basis, effective January 1 of each year.

VII. PROCEDURES GOVERNING THE HEARING

- A. The hearing shall be held before the Hearing Panel selected pursuant to Section VI. above. The full panel or three members shall constitute a quorum for the hearing of a grievance if at least one member chosen by the Policy Committee of RAB, at least one member of Management, and the impartial member are present.
- B. The impartial member shall act as moderator at the hearing. His or her responsibilities will include coordinating all activities associated with the hearing, such as calling witnesses and maintaining order, and generally insuring that the hearing is conducted in a fair and orderly manner.
- C. The Complainant shall be afforded a fair hearing providing the basic safeguards of due process, which shall include:
 - 1. The opportunity to examine before the hearing any HABC documents and to copy all documents, records and regulations of Management, that are relevant to the hearing. Any document relevant to the hearing which Management does not make available after request thereof by the Complainant, may not be relied on by Management at the hearing. The copying of documents, which Management intends to use in responding to the grievance, shall be done at the expense of Management. All other documents shall be copied at the expense of the Complainant.
 - 2.. The right to be represented by Counsel or other person chosen by the Complainant as his or her representative.
 - 3. The right to a private hearing (which includes only panel members, the Complainant, the Housing Manager, the Panel Secretary, Counsel or representative from both sides and witnesses) unless the Complainant requests a public hearing.
 - 4. The right to present evidence and arguments in support of his or her complaint, to controvert evidence relied on by Management, and to confront and cross examine all witnesses upon whose testimony or information Management relies.
 - 5. The right to a decision based solely and exclusively upon the facts presented at the hearing.
 - 6. The Hearing Panel shall hear each case and judge it on its own merit.
- D. The Management and Complainant shall exchange a listing of witnesses that each intends to call upon at the hearing.

- E. If the Complainant or Management fails to appear at a scheduled hearing, the Hearing Panel may make a determination to postpone the hearing, or may make a determination that the party has waived the right to a hearing. Both the Complainant and Management shall be notified of the determination by the Hearing Panel, provided that a determination that the party has waived the right to a hearing. Both the Complainant and Management shall be notified of the determination by the Hearing Panel, provided that a determination that the Complainant has waived the right to a hearing shall not constitute a waiver of any right the Complainant may have to contest disposition of the grievance by Management in an appropriate judicial proceeding.
- F. At the hearing, the Complainant must first make a showing of an entitlement to the relief sought and thereafter Management must sustain the burden of justifying Management's action or failure to act against which the complaint is directed.
- G. The hearing shall be conducted informally by the Hearing Panel, and oral or documentary evidence pertinent to the facts and issues raised by the complaint may be received without regard to admissibility under the rules of evidence applicable to judicial proceedings. The moderator shall require Management, the Complainant, Counsel and other participants or spectators to conduct themselves in an orderly fashion. Failure to comply with the directions of the moderator to obtain order may result in exclusion from the proceedings.
- H. The Complainant or Management may arrange, in advance and at the expense of the party making the arrangement, for a transcript of the hearing. Any interested party may purchase a copy of such transcript.

VIII. DECISION OF THE HEARING PANEL

- A. The Hearing Panel shall prepare a written decision, together with the reasons thereof, within five (5) days after the hearing. A copy of this decision shall be sent to the Complainant, the Director of the Division of Housing Management, and the appropriate Management Office. Management shall retain a copy of the decision in the Resident's folder. A copy of such decision, with all names identifying references deleted, shall also be maintained on file by Management and made available for inspection or purchase by a prospective Complainant, his representative or the Hearing Panel.
- B. If the grievance is in reference to monies due to the HABC, and the Hearing Panel rules in favor of Management, a written agreement will be made between the Complainant and the appropriate Housing Manager for payment. The Housing Manager shall take into consideration any recommendations made by the Hearing Panel as to the amount and the scheduling of payments.

- C. The decision of the Hearing Panel shall be binding on Management, which shall take all action, or refrain from any action, necessary to carry out the decision unless the Board of Commissioners of the Housing Authority of Baltimore City determines within a reasonable time (30 days) and promptly notifies the Complainant of its determination that:
1. The grievance does not concern Management's action or failure to act in accordance with or involving the Complainant's Lease or Management regulations, which adversely affect the Complainant's rights, duties, welfare or status.
 2. The decision of the Hearing Panel is contrary to applicable Federal, State or Local law, HUD regulations or requirements of the Annual Contributions Contract between HUD and the HABC.
- D. A decision by the Hearing Panel or the Board of Commissioners of the HABC in favor of Management or which denies the relief requested by the Complainant in whole or in part shall not constitute a waiver of, nor affect in any manner whatever, any rights the Complainant may have to a trial or judicial review in any judicial proceedings, which may thereafter be brought in the matter.

IX. NOTICE TO TERMINATE TENANCY, HEARING PANEL DECISIONS, NOTICE TO VACATE AND EVICTION ACTIONS

If a Resident has requested a hearing in accordance with the Procedure under Section V., on a complaint involving a management notice of termination of the tenancy, and the Hearing Panel upholds Management's action to terminate the tenancy, Management shall not commence an eviction action in a State or Local Court until it has served a Notice to Vacate on the Resident. In no event shall a Notice to Vacate be issued prior to the decision of the Hearing Panel having been delivered by hand or by regular mail service to the Complainant. Such Notice to Vacate must be in writing and specify that if the Resident fails to quit the premises within the applicable statutory period, or by the termination date stated in the notice of termination, whichever is later, appropriate action for eviction will be brought against him/her and he/she may be required to pay court costs and attorney's fees.

X. ACCOMMODATIONS

Upon written notification submitted by the Resident (a) upon the Resident's request for an informal settlement of grievance, and (b) submitted by the Resident upon the Resident's request for a formal grievance, the Authority will provide reasonable and accessible accommodations for residents with qualified disabilities and ensure that communication is as effective as that provided to individuals without disabilities. Moreover, the Authority shall take appropriate steps to ensure that communications with participants with disabilities are as effective as communications with others, which may include, but not be limited to, enlarged print, a signer, audio communication, braille, or a reader.

XI. TIME PERIODS

In computing time periods referred to in this Procedure, Saturdays, Sundays and Legal Holidays occurring on weekdays shall not be included.

Chapter 15

FAMILY DEBTS TO HABC

INTRODUCTION

This Chapter describes the HABC's policies for the recovery of monies that have been underpaid by families. It describes the methods that will be utilized for collection of monies and the guidelines for different types of debts. It is the HABC's policy to meet the informational needs of families, and to communicate the program rules in order to avoid family debts. Before a debt is assessed against a family, the file must contain documentation to support the HABC's claim that the debt is owed. The file must further contain written documentation of the method of calculation, in a clear format for review by the family or other interested parties.

When families owe money to the HABC, the HABC will make every effort to collect it. The HABC will use a variety of collection tools to recover debts including, but not limited to:

- Requests for lump sum payments
- Civil suits
- Payment agreements
- Collection agencies
- Credit bureaus

A. PAYMENT AGREEMENT FOR FAMILIES

A payment agreement as used in this ACOP is a document entered into between the HABC and the Head of Household and spouse, if any, who owes a debt to the HABC in connection with the tenancy. It is similar to a promissory note, but contains more details regarding the nature of the debt, the terms of payment, any special provisions of the agreement, and the remedies available to the HABC upon default of the agreement.

The maximum amount for which the HABC will enter into a payment agreement with a family is \$2,500.00.

The maximum length of time the HABC will enter into a payment agreement with a family is 18 months.

Late Payments

A payment will be considered to be in arrears if the payment has not been received by the close of the business day on which the payment was due. If the due date is on a weekend or holiday, the due date will be at the close of the next business day.

If the family's payment agreement is in arrears, the HABC will:

- Require the family to pay the balance in full
- Pursue civil collection of the balance due
- Terminate tenancy

If the family requests a transfer to another unit and has a payment agreement in place and the payment agreement is not in arrears, the family will be permitted to move.

Payment Schedule for Monies Owed to the HABC

Initial Payment Due: (% of Total Amount)	Amount Owed	Maximum Term
25% to 50%	0 - \$500	3 - 6 months
25% to 50%	\$501 - \$1,000	6 - 10 months
25% to 50%	\$1,001 - \$2,500	12 - 18 months

The circumstances in which the HABC will not enter into a payment agreement are, as follows: -

- If the family already has a payment agreement in place; or
- If the HABC determines that the debt, due to fraud or failure to report income, is so large that it would take more than 18 months to repay.

Guidelines for Payment Agreements

Payment agreements will be executed between the HABC and the Head of Household and spouse, if any.

Monthly payments may be decreased in cases of hardship with the prior notice of the family, verification of the hardship, and the approval of the Housing Manager.

No transfer will be approved until the debt is paid in full unless the payment agreement is current and the transfer is the result of the following causes:

- Family size exceeds the maximum occupancy guidelines; or A
- natural disaster.

Additional Monies Owed

If the family has a payment agreement in place and incurs an additional debt to the HABC, the payment agreement should be amended so that the additional amounts owed by the family will be added to the existing payment agreement.

B. DEBTS DUE TO FRAUD/NON-REPORTING OF INFORMATION

HUD's definition of program fraud and abuse is a single act or pattern of actions that constitutes false statement, omission, or concealment of a substantive fact, made with intent to deceive or mislead.

Families, who owe money to the HABC due to the family's failure to report increases in income due to fraud, will be required to repay in accordance with the guidelines for program fraud, set forth below.

Program Fraud

Families who owe money to the HABC due to program fraud will be required to repay the amount in full within 90 days. Failure of the family to report accurate information for rent determination or eligibility to HABC is grounds for eviction.

If a family owes an amount, which equals or exceeds \$ 2,500.00 as a result of program fraud, the case will be referred to the Inspector General. Where appropriate, the HABC will refer the case for criminal prosecution.

Payment Procedures for Program Fraud

Families who commit program fraud will be subject to the following procedures: -

- The maximum time period for a payment agreement will be 90 days.
- The family will be required to pre-pay 1/2 of the amount owed prior to or upon execution of the payment agreement.
- To the extent possible, the amount of the monthly payment will be determined in accordance with the family's current income.

C. WRITING OFF DEBTS

Debts will be written off if:

- A determination is made that the debtor is judgment proof;
- The debtor is deceased; or
- The debtor is confined to an institution indefinitely or for more than 3 years.

D. REIMBURSEMENTS TO TENANTS

Any monies owed to the tenant due to HABC errors will be credited to the tenant's account unless otherwise stated by the tenant.

Chapter 16

COMMUNITY SERVICE

[24 CFR Part 960 Subpart F and 24 CFR 903.7(l), and as amended]

INTRODUCTION

This Chapter sets forth the HUD requirements for resident participation in community service activities, as approved by HABC.

A. REQUIREMENT

Each adult resident of the HABC shall:

- Contribute 8 hours per month of community service (not including political activities) within the community in which that adult resides; or
- Participate in an economic self-sufficiency program (defined below) for 8 hours per month; or
- Perform 8 hours per month of combined activities (community service and economic self-sufficiency program)

B. EXEMPTIONS

The HABC shall provide an exemption from the community service requirement for any individual who:

- Is 62 years of age or older;
- Is a blind or disabled individual, as defined under section 216[i] [l] or 1614 of the Social Security Act, and who is unable to comply with this section, or is a primary caretaker of such individual;
- Is engaged in a work activity as defined in section 407[d] of the Social Security Act;
- Meets the requirements for being exempted from having to engage in a work activity under the State program funded under part A of title IV of the Social Security Act, or under any other welfare program of the State in which the public housing agency is located, including a State-administered welfare-to-work program; or
- Is in a family receiving assistance under a State program funded under part A of title IV of the Social Security Act, or under any other welfare program of the State in which the public housing agency is located, including a State-administered welfare-to-work program, and has not been found by the State or other administering entity to be in noncompliance with such program.

Using computerized and manual methods, the HABC will review and verify the exemption status of Residents and family members annually, except in the case of an individual who is 62 years of age or older.

The HABC will permit Residents and their family members to change their exemption status during the year if status changes. Residents are required to notify HABC of any change in the exempt or non-exempt status of such Residents and their family members when such change occurs.

C. DEFINITION OF ECONOMIC SELF-SUFFICIENCY PROGRAM

For purposes of satisfying the community service requirement, participating in an economic self-sufficiency program is defined, in addition to the exemption definitions described above, by HUD as: Any program designed to encourage, assist, train or facilitate economic independence of assisted families or to provide work for such families.

These economic self-sufficiency programs can include job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as substance abuse or mental health treatment).

In addition to the HUD definition above, the HABC definition includes the following:

- Participating in the Family Self-Sufficiency Program and being current in the steps outlined in the Individual Training and Services Plan; or
- Other activities as approved by the HABC on a case-by-case basis.

The HABC will give residents the greatest choice possible in identifying community service opportunities.

The HABC will consider a broad range of self-sufficiency opportunities.

D. ANNUAL DETERMINATIONS

For each public housing resident subject to the requirement of community service, the HABC shall, at least 30 days before the expiration of each lease term, review and determine the compliance of the resident with the community service requirement.

Such determination shall be made in accordance with the principles of due process and on a nondiscriminatory basis.

The HABC will verify compliance annually. If qualifying activities are administered by an organization other than the HABC, the HABC will obtain verification of family compliance from such third parties.

Family members will not be permitted to self-certify that they have complied with community service requirements.

E. NONCOMPLIANCE

If the HABC determines that a resident subject to the community service requirement has not complied with the requirement, the HABC shall notify the resident of such noncompliance, and that:

- The determination of noncompliance is subject to the administrative grievance procedure under the HABC's Grievance Procedures; and
- Unless the resident enters into an agreement to comply with the community service requirement, the resident's lease will not be renewed, and
- The HABC may not renew or extend the resident's lease upon expiration of the lease term and shall take such action as is necessary to terminate the tenancy of the household, unless the HABC enters into an agreement, before the expiration of the lease term, with the resident providing for the resident to cure any noncompliance with the community service requirement, by participating in an economic self-sufficiency program for or contributing to community service as many additional hours as the resident needs to comply in the aggregate with such requirement over the 12-month term of the lease.
- The head of household and the noncompliant adult must sign the agreement to cure.

Ineligibility for Occupancy for Noncompliance

The HABC shall not renew or extend any lease, or provide any new lease, for a dwelling unit for any household that includes an adult member who was subject to the community service requirement and failed to comply with the requirement.

F. HABC RESPONSIBILITY

The HABC will ensure that all community service programs are accessible for persons with disabilities.

The HABC will ensure that:

- The conditions under which the work is to be performed are not hazardous;
- The work is not labor that would be performed by the HABC's employees responsible for essential maintenance and property services; or
- The work is not otherwise unacceptable.

G. HABC IMPLEMENTATION OF COMMUNITY SERVICE REQUIREMENT

HABC's Community Service program is described fully in the HABC Annual Plan.

GLOSSARY

A. TERMS USED IN DETERMINING RENT

ANNUAL INCOME (24 CFR 5.609)

Annual income is the anticipated total income from all sources. This includes net income derived from assets, received by the family head and spouse (even if temporarily absent) and by each additional family member for the 12 month period following the effective date of initial determination or reexamination of income. It does not include income that is temporary, non-recurring, or sporadic as defined in this section, or income that is specifically excluded by other federal statute. Annual income includes:

- The full amount before any payroll deductions, of wages and salaries, overtime pay, commissions fees, tips and bonuses, and other compensation for personal services.
- The net income from operation of a business or profession, including any withdrawal of cash or assets from the operation of the business. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining the net income from a business. An allowance for the straight line depreciation of assets used in a business or profession may be deducted as provided in IRS regulations. Withdrawals of cash or assets will not be considered income when used to reimburse the family for cash or assets invested in the business.
- Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for the straight line depreciation of real or personal property is permitted. Withdrawals of cash or assets will not be considered income when used to reimburse the family for cash or assets invested in the property.
- When the family has net family assets in excess of \$5,000, Annual Income shall include the greater of the actual income derived from all net family assets, or a percentage of the value of such assets based on the current passbook savings rate as determined by HUD.
- The full amount of periodic payments received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts.
- *NOTE: Treatment of lump sum payments for delayed or deferred periodic payment of social security or SSI benefits is dealt with later in this section.*
- Payments in lieu of earnings, such as unemployment and disability compensation, workers' compensation, and severance pay.
- All welfare assistance payments received by or on behalf of any family member. (24 CFR 913.106(b)(6) contains rules applicable to "as-paid" States).
- Periodic and determinable allowances, such as alimony and child care support payments, and

regular cash contributions or gifts received from persons not residing in the dwelling.

- All regular pay, special pay and allowances of a member of the Armed Forces (except special pay to a family member serving the Armed Forces who is exposed to hostile fire).

EXCLUSIONS FROM ANNUAL INCOME (24 CFR 5.609)

Annual income does not include the following:

- Income from the employment of children (including foster children) under the age of 18 years;
- Payments received for the care of foster children or foster adults (usually individuals with disabilities, unrelated to the resident family, who are unable to live alone);
- Lump sum additions to family assets, such as inheritances, insurance payments (including payments under health, and accident insurance and workers' compensation) capital gains, and settlement for personal property losses;
- Amounts received by the family that are specifically for, or in reimbursement of the cost of medical expenses for any family member.
- Income of a live-in aide, provided the person meets the definition of a live-in aide.
- The full amount of student financial assistance paid directly to the student or the educational institution.
- The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.
- Amounts received under HUD funded training programs (e.g. Step-up program); excludes stipends, wages, transportation payments and child care vouchers for the duration of the training.
- Amounts received by a person with disabilities that are disregarded for a limited time for purposes of Supplemental Security Income and benefits that are set aside for use under a Plan to Attain Self Sufficiency (PASS).
- Amounts received by a participant in other publicly assisted programs that are specifically for, or in reimbursement of, out of pocket expenses incurred for items such as special equipment, clothing, transportation and childcare, to allow participation in a specific program.
- Amount received as a Resident services stipend. A modest amount (not to exceed \$200 per month) received by a public housing resident for performing a service for the HABC, on a part-time basis, that enhances the quality of life in public housing.

- Such services may include but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as the resident member of the HABC governing Board. No resident may receive more than one such stipend during the same period of time.
- Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of family members 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.
 - Temporary, non-recurring, or sporadic income (including gifts).
 - Reparation payments paid by foreign governments pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era. (For all initial determinations and reexaminations of income on or after April 23, 1993.)
 - Earnings in excess of \$480 for each full-time student 18 years old or older, (excluding the head of household and spouse).
 - Adoption assistance payments in excess of \$480 per adopted child.
 - The earnings and benefits to any resident resulting from the participation in a program providing employment training and supportive services in accordance with the Family Support Act of 1988 (42 U. S.C. 1437 et seq.), or any comparable Federal, State or local law during the exclusion period. For purposes of this paragraph the following definitions apply:
 - Comparable Federal, State or local law means a program providing employment training and supportive services that: (1) is authorized by a Federal, State or local law; (2) is funded by the Federal, State or local government; (3) is operated or administered by a public agency; and (4) has as its objective to assist participants in acquiring job skills.
 - Exclusion period means the period during which the resident participates in a program as described in this section plus 18 months from the date the resident begins the first job acquired by the resident after completion of such program that is not funded by public housing assistance under the U. S. Housing Act of 1937. If the resident is terminated from employment without good cause, the exclusion period shall end.
 - Earnings and benefits means the incremental earnings and benefits resulting from a qualifying employment training program or subsequent job.
 - Deferred periodic payments from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.
 - 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.

- Amounts paid by a State agency to a family with a developmentally disabled family member living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home.
- Amounts specifically excluded by any other Federal Statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the United States Housing Act of 1937.(A notice will be published by HUD in the Federal Register identifying the benefits that qualify for this exclusion.

The following benefits are excluded by other Federal Statute as of August 3, 1933:

- The value of the allotment provided to an eligible household for coupons under the Food Stamp Act of 1977;
- Payments to volunteers under the Domestic Volunteer Service Act of 1973; examples of programs under this Act include but are not limited to:
 - The Retired Senior Volunteer Program (RSVP)
 - Foster Grandparent Program (FGP)
 - Senior Companion Program (SCP)
 - Older American Committee Service Program
- National Volunteer Antipoverty Programs such as:
 - VISTA
 - Peace Corps
 - Service Learning Program
 - Special Volunteer Programs
- Small Business Administration Programs such as:
 - National Volunteer Program to Assist Small Businesses
 - Service Corps of Retired Executives
- Payments received under the Alaska Native Claims Settlement Act. [43 USC 1626 (a)]
- Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes. [25 USC 459e]

- Payments or allowances made under the Department of HHS' Low Income Home Energy Assistance Program. [42 USC 8624 (f)]
- Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 USC 1552 (b))
- Income derived from the disposition of funds of the Grand River Band of Ottawa Indians (Pub. L. 94-540).
- The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Court of Claims (25 USC. 1407-08), or from funds held in trust for an Indian Tribe by the Secretary of Interior.
- Amounts of scholarships funded under Title IV of the Higher Education Act of 1965 including awards under the Federal work-study program or under the Bureau of Indian Affairs student assistance programs. [20 USC 1087 uu] Examples: Basic Educational Opportunity Grants (Pell Grants), Supplemental Opportunity Grants, State Student Incentive Grants, College-Work Study, and Byrd Scholarships.
- Payments received under programs funded under Title V of the Older Americans Act of 1965 [42 USC 3056 (f)] Examples include Senior Community Services Employment Program, National Caucus Center on the Black Aged, National Urban League; Association National Pro Personas Mayores, National Council on Aging, American Association of Retired Persons, National Council on Senior Citizens, and Green Thumb.
- Payments received after January 1, 1989 from the Agent Orange Settlement Fund or any other fund established in the In-Re Orange Product Liability litigation.
- The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs of incurred in such care) under the Child Care and Development Block Grant Act of 1990. (42 USC 9858q)
- Earned income tax credit refund payments received on or after January 1, 1991. (26 USC 32)(j).
- Living allowances under Americorps Program (Nelson Diaz Memo to George Latimer 11/15/94)

ADJUSTED INCOME

Annual income, less allowable HUD deductions.

Note: Under the Continuing Resolution, public housing authorities are permitted to adopt other adjustments to earned income for residents of Public Housing, but must absorb any resulting loss in rental income.

All Families are eligible for the following:

- **Child Care Expenses:** A deduction of amounts anticipated to be paid by the family for the care of children under 13 years of age for the period for which the Annual Income is computed. Child care expenses are only allowable when such care is necessary to enable a family member to be gainfully employed or to further his/her education. Amounts deducted must be unreimbursed expenses and shall not exceed: (1) The amount of income earned by the family member released to work, or (2) an amount determined to be reasonable by the HABC when the expense is incurred to permit education.
- **Dependent Deduction.** An exemption of \$480 for each member of the family residing in the household (other than the head or spouse, live-in aide, foster child) who is under eighteen years of age or who is eighteen years of age or older and disabled, handicapped, or a fulltime student.
- **Handicapped Expenses.** A deduction of unreimbursed amounts paid for attendant care or auxiliary apparatus expenses for handicapped family members where such expenses are necessary to permit a family member(s), including the handicapped/disabled member to be employed. In no event may the amount of the deduction exceed the employment income earned by the family member(s) freed to work.

Equipment and auxiliary apparatus may include but are not limited to: wheelchairs, lifts, reading devices for visually handicapped, and equipment added to cars and vans to permit use by the handicapped or disabled family member.

- **For non-elderly families and elderly families without medical expense:** The amount of the deduction equals the cost of all unreimbursed expenses for handicapped care and equipment less three percent of Annual Income, provided the amount so calculated does not exceed the employment income earned.
- **For elderly families with medical expenses:** The amount of the deduction equals the cost of all unreimbursed expenses for handicapped care and equipment less three percent of Annual Income, (provided the amount does not exceed earnings) plus medical expenses as defined below.
- **For Elderly and Disabled Families Only:**
 - **Medical Expenses:** A deduction of unreimbursed medical expenses, including insurance premiums anticipated for the period for which Annual Income is

computed. Medical expenses include, but are not limited to: services of physicians and other health care professionals, services of health care facilities; insurance premiums, including the cost of Medicare), prescription and non-prescription medicines, transportation to and from treatment, dental expenses, eyeglasses, hearing aids and batteries, attendant care (unrelated to employment of family members), and payments on accumulated medical bills.

To be considered by the HABC for the purpose of determining a deduction from the income, the expenses claimed must be verifiable.

- For elderly families without handicapped expenses: The amount of the deduction shall equal total medical expenses less 3% of annual income.
- For elderly families with both handicapped and medical expenses: The amount of handicapped assistance is calculated first, then medical expenses are added.
- Elderly/Disabled Household Exemption: An exemption of \$400 per household.

B. GLOSSARY OF HOUSING TERMS

ACCESSIBLE DWELLING UNITS. When used with respect to the design, construction or alteration of an individual dwelling unit, means that the unit is located on an accessible route, and when designed, constructed, or altered, can be approached, entered, and used by individuals with physical handicaps. A unit that is on an accessible route and is adaptable and otherwise in compliance with the standards set forth in 24 CFR 8.32 & 40, (the Uniform Federal Accessibility Standards) is "accessible" within the meaning of this paragraph.

ACCESSIBLE FACILITY. All or any portion of a facility other than an individual dwelling unit used by individuals with physical handicaps.

ACCESSIBLE ROUTE. For persons with a mobility impairment, a continuous, unobstructed path that complies with space and reach requirements of the Uniform Federal Accessibility Standards (UFAS). For persons with hearing or vision impairments, the route need not comply with requirements specific to mobility.

ADAPTABILITY. Ability to change certain elements in a dwelling unit to accommodate the needs of persons with disabilities and non-disabled persons; or ability to meet the needs of persons with different types and degrees of disability.

ADMISSION. Admission to the program is the effective date of the lease. The point at which a family becomes a resident.

ANNUAL INCOME AFTER ALLOWANCES. The Annual Income (described above) less the HUD-approved allowances.

APPLICANT (or applicant family). A family that has applied for admission to a program, but is not yet a participant in the program.

"AS-PAID" STATES. States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs.

ASSETS. (See Net Family Assets.)

AUXILIARY AIDS. Services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in and enjoy the benefits of programs and activities.

CEILING RENT. An amount that reflects the reasonable market value of the housing unit, but not less than the sum of the monthly per-unit operating costs and a deposit to a replacement reserve. The family pays the lower of the ceiling rent or the formula tenant rent.

CO-HEAD. An individual in the household who is equally responsible for the lease with the Head of Household. A family may have a Co-head or Spouse, but not both. A co-head never qualifies as a dependent.

COVERED FAMILIES. The statutory term "covered families" designates the universe of families who are required to participate in a welfare agency economic self-sufficiency program and may, therefore, be the subject of a welfare benefit sanction for noncompliance with this obligation. "Covered families" means families who receive welfare assistance or other public assistance benefits from a State or other public agency under a program for which Federal, State, or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for the assistance.

DEPENDENT. A member of the family household (excluding foster children) other than the family head or spouse, who is under 18 years of age or is a Disabled Person or Handicapped Person, or is a full-time student 18 years of age or older.

DESIGNATED HOUSING PLAN. The plan submitted by the HABC and approved by HUD under which the HABC is permitted to designate a building, or portion of a building, for occupancy by Elderly Families or Disabled Families.

DESIGNATED FAMILY. The category of family for whom the PHA elects to designate a project (e.g. elderly family in a project designated for elderly families) in accordance with the 1992 housing Act. (24 CFR 945.105)

DISABILITY ASSISTANCE EXPENSE. Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and or 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.

DISABLED FAMILY. A family whose head, spouse, or sole member is a person with disabilities. A disabled family may include two or more persons with disabilities living together, or one or more persons with disabilities living with one or more live-in aides

DISABLED PERSON. See **Person with Disabilities.**

DISABLED FAMILY. A family whose head, spouse, or sole member is a person with disabilities; or two or more persons with disabilities living together or one or more persons with disabilities living with one or more live-in aides.

DISALLOWANCE. Exclusion from annual income.

DISPLACED FAMILY. A family in which each member, or whose sole member, is a person displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal Disaster relief laws.

DOMICILE. The legal residence of the household head or spouse as determined in accordance with State and local law.

DRUG-RELATED CRIMINAL ACTIVITY. Term means the illegal manufacture, sale, distribution, or use of a drug, or possession of a drug with the intent to manufacture, sell, distribute or use the drug.

ECONOMIC SELF-SUFFICIENCY PROGRAM. Any program designed to encourage, assist, train, or facilitate the economic independence of assisted families or to provide work for such families. Economic self-sufficiency programs can include job training, employment counseling, work placement, basic skills training, education, English proficiency, Workfare, financial or household management, apprenticeship, any other program necessary to ready a participant to work (such as: substance abuse or mental health treatment. Economic self-sufficiency program includes any work activities as defined in the Social Security Act (42 U.S.C. 607(d)). See the definition of work activities at Sec. 5.603(c). The new definition of the term "economic self-sufficiency program" is used in the following regulatory provisions, pursuant to the Public Housing Reform Act: family income includes welfare benefits reduced because of family failure to comply with welfare agency requirements to participate in an economic self-sufficiency program; and the requirement for public housing residents to participate in an economic self-sufficiency program or other eligible activities.

ELDERLY FAMILY. Elderly family means a family whose head, spouse, or sole member is a person who is at least 62 years of age. It may include 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.

ELDERLY PERSON. A person who is at least 62 years old.

ELIGIBLE FAMILY (Family). A family is defined by the HABC in the Admission and Continued Occupancy Plan.

EXCEPTIONAL MEDICAL OR OTHER EXPENSES. Prior to the regulation change in 1982, this meant medical and/or unusual expenses as defined in Part 889 which exceeded 25% of the Annual Income. It is no longer used.

EXCESS MEDICAL EXPENSES. Any medical expenses incurred by elderly families only in excess of 3% of Annual Income which are not reimbursable from any other source.

EXTREMELY LOW-INCOME FAMILY. A family whose annual income does not exceed 30 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 30 percent of the median income for the area if HUD finds that such variations are necessary because of unusually high or low family incomes.

FAMILY. The applicant must qualify as a family as defined by the PHA.

FAMILY OF VETERAN OR SERVICEPERSON. A family is a "family of veteran or serviceperson" when:

- The veteran or serviceperson (a) is either the head of household or is related to the head of the household; or (b) is deceased and was related to the head of the household, and was a family member at the time of death.
- The veteran or serviceperson, unless deceased, is living with the family or is only temporarily absent unless s/he was (a) formerly the head of the household and is permanently absent because of hospitalization, separation, or desertion, or is divorced; provided, the family contains one or more persons for whose support s/he is legally responsible and the spouse has not remarried; or (b) not the head of the household but is permanently hospitalized; provided, that s/he was a family member at the time of hospitalization and there remain in the family at least two related persons.

FAMILY SELF-SUFFICIENCY PROGRAM (FSS PROGRAM). The program established by HABC to promote self-sufficiency of assisted families, including the provision of supportive services.

FLAT RENT. Rent for a public housing dwelling unit that is based on the market rent. The market rent is the rent charged for comparable units in the private, unassisted rental market at which HABC could lease the public housing unit after preparation for occupancy.

FOSTER CHILD CARE PAYMENT. Payment to eligible households by state, local, or private agencies appointed by the State, to administer payments for the care of foster children.

FULL-TIME STUDENT. A person who is attending school or vocational training on a full-time basis.

HANDICAPPED ASSISTANCE EXPENSES. Anticipated costs for care attendants and auxiliary apparatus for handicapped or disabled family members which enable a family member (including the handicapped family member) to work.

HANDICAPPED PERSON. [Referred to as a Person with a Disability]. A person having a physical or mental impairment, which is expected to be of long-continued and indefinite duration; substantially impedes his or her ability to live independently; and is of such a nature that such ability could be improved by more suitable housing conditions.

HEAD OF HOUSEHOLD. The person who assumes legal and financial responsibility for the household and is listed on the application as head.

HOUSING AGENCY. A state, country, municipality or other governmental entity or public body authorized to administer the program. The term "PHA" includes an Indian housing authority (IHA). ("HABC" and "PHA" mean the same thing.)

HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974. The Act in which the U.S. Housing Act of 1937 was recodified, and which added the Section 8 Programs.

HOUSING ASSISTANCE PLAN. A Housing Assistance Plan submitted by a local government participating in the Community Development Block Program as part of the block grant application, in accordance with the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD. A Housing Assistance Plan meeting the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD.

HOUSING QUALITY STANDARDS (HQS). The HUD minimum quality standards for housing assisted under the Public Housing and Section 8 programs.

HUD. The Department of Housing and Urban Development or its designee.

HUD REQUIREMENTS. HUD requirements for the Section 8 programs. HUD requirements are issued by HUD headquarters as regulations. Federal Register notices or other binding program directives.

HURRA. The Housing and Urban/Rural Recovery Act of 1983 legislation that resulted in most of the 1984 HUD Regulation changes to the definition of income, allowances, and rent calculations.

IMPUTED ASSET. Asset disposed of for less than Fair Market Value during two years preceding examination or reexamination.

IMPUTED INCOME. HUD passbook rate times the total cash value of assets, when assets exceed \$5,000.

IMPUTED WELFARE INCOME. The amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income. This amount is included in family annual income and, therefore, reflected in the family rental contribution based on this income.

INCOME. Income from all sources of each member of the household as determined in accordance with criteria established by HUD.

INCOME-BASED RENT. The tenant rent paid to the PHA that is based on family income and the PHA rental policies. The PHA uses a percentage of family income or some other reasonable system to set income-based rents. The PHA has broad flexibility in deciding how to set income-based rent for its tenants. However, the income-based tenant rent plus the PHA's allowance for tenant paid utilities may not exceed the "total tenant payment" as determined by a statutory formula.

INCOME FOR ELIGIBILITY. Annual Income.

INCOME TARGETING. The HUD admissions requirement that PHAs not admit less than the number required by law of families whose income does not exceed 30% of the area median income in a fiscal year.

INDIAN. Any person recognized as an Indian or Alaska Native by an Indian Tribe, the federal government, or any State.

INDIAN HOUSING AUTHORITY (IHA). A housing agency established either by exercise of the power of self-government of an Indian Tribe, independent of State law, or by operation of State law providing specifically for housing authorities for Indians.

INDIVIDUAL WITH DISABILITIES. (Section 504 definition). A person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment. For purposes of housing programs and activities, the term does not include any individual who is an alcoholic or drug abuser whose current use of alcohol or drugs prevents the individual from participating in the program or activity in question, or whose participation, by reason of such current alcohol or drug abuse, would constitute a direct threat to property or the safety of others. As used in this definition, the phrase:

- a) "Physical or mental impairment" includes:
 - 1) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or
 - 2) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term "physical or mental impairment" includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.
- b) "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
- c) "Has a record of such an impairment" means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
- d) "Is regarded as having an impairment" means:
 - (1) Has a physical or mental impairment that does not substantially limit one or more major life activities but that is treated by a recipient as constituting such a limitation;
 - (2) Has a physical or mental impairment that substantially limits one or more major life activities only as a result of the attitudes of others toward such impairment; or
 - (3) Has none of the impairments defined in paragraph (a) of this section but is treated by a recipient as having such an impairment.

NOTE: The Section 504 definition of "individual with disabilities" is a civil rights definition. To be considered for admission to public housing, a person must meet the program definition of "person with disabilities", as defined in this glossary.

INTEREST REDUCTION SUBSIDIES. The monthly payments or discounts made by HUD to reduce the debt service payments and, hence, rents required on Section 236 and 221 (d)(3) BMIR projects. Includes monthly interest reduction payments made to mortgagees of Section 236 projects and front-end loan discounts paid on BMIR projects.

INVOLUNTARILY DISPLACED PERSON. Involuntarily Displaced Applicants are applicants who meet the HUD definition for the local preference, formerly known as a federal preference.

LANDLORD. Either the legal owner of the property, or the owner's representative or managing agent as designated by the owner.

LEASE. A written agreement between an owner and an eligible family for the leasing of a housing unit.

LIVE-IN AIDE. A person who resides with an elderly person or disabled person and who:

- Is determined to be essential to the care and well-being of the person.
- Is not obligated for the support of the person.
- Would not be living in the unit except to provide necessary supportive services.

LOCAL PREFERENCE. A preference used by the PHA to select among applicant families without regard to their date and time of application.

LOW-INCOME FAMILY. This definition replaces a previous statutory reference. Generally, "low-income" designates a family whose income does not exceed 80 percent of area median income, with certain adjustments.

MARKET RENT. The rent HUD authorizes the owner of FHA insured/subsidized multi-family housing to collect from families ineligible for assistance. For unsubsidized units in an FHA-insured multi-family project in which a portion of the total units receive project-based rental assistance, under the Rental Supplement or Section 202/Section 8 Programs, the Market Rate Rent is that rent approved by HUD and is the Contract Rent for a Section 8 Certificate holder. For BMIR units, Market Rent varies by whether the project is a rental or cooperative.

MEDICAL EXPENSES. For purposes of calculating adjusted income for elderly or disabled families only, medical expenses mean the medical expense in excess of 3% of the Annual Income, where these expenses are not compensated for or covered by insurance.

MINIMUM RENT. An amount established by the PHA between zero and \$50.00.

MINOR. A member of the family household (excluding foster children) other than the family head or spouse who is under 18 years of age.

MONTHLY ADJUSTED INCOME. 1/12 of the Annual Income after Allowances.

MONTHLY INCOME. 1/12 of the Annual Income before allowances.

NEAR-ELDERLY FAMILY. A family whose head, spouse, or sole member is at least 50, but less than 62 years of age. The term includes two or more near-elderly persons living together and one or more such persons living with one or more live-in aides.

NET FAMILY ASSETS. The net cash value of 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 is excluded from the definition.

OCCUPANCY STANDARDS. [Now referred to as Subsidy Standards] Standards established by a PHA to determine the appropriate number of bedrooms for families of different sizes and compositions.

PARTICIPANT. A family that has been admitted to the PHA program, and is currently assisted in the program.

PERSON WITH DISABILITIES. A person who--

- (i) has a disability as defined in section 423 of the Social Security Act (42 USC sec. 432),
- (ii) is determined, pursuant to regulations issued by the HUD, to have a physical, mental, or emotional impairment which (I) is expected to be of long, continued and indefinite duration, (II) substantially impedes his or her ability to live independently, and (III) is of such a nature that such ability could be improved by more suitable housing conditions, or
- (iii) has a developmental disability as defined in section 15002 of 42 USC 1437 (Chapter 144 Developmental Disabilities Assistance and Bill of Rights)..

Such term shall not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome. Notwithstanding any other provision of law, no individual shall be considered a person with disabilities, for purposes of eligibility for low-income housing under this subchapter, solely on the basis of any drug or alcohol dependence

PREMISES. The building or complex in which the dwelling unit is located including common areas and grounds.

PREVIOUSLY UNEMPLOYED. Includes a person who has earned, in the twelve months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

PUBLIC ASSISTANCE. Welfare or other payments to families or individuals, based on need, which are made under programs funded, separately or jointly, by Federal, state, or local governments.

PUBLIC HOUSING AGENCY (PHA). A state, county, municipality, or other governmental entity or public body authorized to administer the programs. The term "PHA" includes an Indian housing authority (IHA). ("HABC" and "PHA" mean the same thing.)

QUALIFIED FAMILY. A family residing in public housing whose annual income increases as a result of employment of a family member who was unemployed for one or more years previous to employment; or increased earnings by a family member during participation in any economic self-sufficiency or on the job training program; or new employment or increased earnings of a family member, during or within 6 months after receiving assistance,

benefits or services under any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by the PHA in consultation with the local TANF agency and Welfare to Work programs. TANF includes income and benefits & services such as one time payments, wage subsidies & transportation assistance, as long as the total amount over a 6-month period is at least \$500.

QUALIFIED INDIVIDUAL WITH DISABILITIES (Section 504). An individual with disabilities who meets the essential eligibility requirements and who can achieve the purpose of the program or activity without modifications in the program or activity that the recipient can demonstrate would result in a fundamental alteration in its nature.

"Essential eligibility requirements" include stated eligibility requirements such as income as well as other explicit or implicit requirements inherent in the nature of the program or activity, such as requirements that an occupant of multifamily housing be capable of meeting the recipient's selection criteria and be capable of complying with all obligations of occupancy with or without supportive services provided by persons other than the recipient. For example, a chronically mentally ill person whose particular condition poses a significant risk of substantial interference with the safety or enjoyment of others or with his or her own health or safety in the absence of necessary supportive services may be "qualified" for occupancy in a project where such supportive services are provided by the recipient as part of the assisted program. The person may not be "qualified" for a project lacking such services.

QUALITY HOUSING AND WORK RESPONSIBILITY ACT OF 1998. The Act which amended the U.S. Housing Act of 1937 and is known as the Public Housing Reform Bill. The Act is directed at revitalizing and improving HUD's Public Housing and Section 8 assistance programs.

RECERTIFICATION. Sometimes called reexamination. The process of securing documentation of total family income used to determine the rent the tenant will pay for the next 12 months if no interim changes are reported by the family.

REMAINING MEMBER OF TENANT FAMILY. Person left in assisted housing after other family members have left and become unassisted.

RESIDENCY PREFERENCE. A local preference for admission of persons who reside in a specified geographic area.

RESPONSIBLE ENTITY. For the public housing, Section 8 tenant-based assistance, project-based certificate assistance and moderate rehabilitation program, the responsible entity means the PHA administering the program under an ACC with HUD. For all other Section 8 programs, the responsible entity means the Section 8 owner.

SECRETARY. The Secretary of Housing and Urban Development.

SECURITY DEPOSIT. A dollar amount which can be collected from the family by the owner upon termination of the lease and applied to unpaid rent, damages or other amounts owed to the owner under the lease according to State or local law.

SERVICEPERSON. A person in the active military or naval service (including the active reserve) of the United States.

SINGLE PERSON. A person living alone or intending to live alone who is not disabled, elderly, or displaced, or the remaining member of a tenant family.

SPECIFIED WELFARE BENEFIT REDUCTION. Those reductions of welfare agency benefits (for a covered family) that may not result in a reduction of the family rental contribution. "Specified welfare benefit reduction" means a reduction of welfare benefits by the welfare agency, in whole or in part, for a family member, as determined by the welfare agency, because of fraud by a family member in connection with the welfare program; or because of welfare agency sanction against a family member for noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.

SPOUSE. The marriage partner of the head of the household.

SUBSIDIZED PROJECT. A multi-family housing project (with the exception of a project owned by a cooperative housing mortgage corporation or association) which receives the benefit of subsidy in the form of:

- Below-market interest rates pursuant to Section 221(d)(3) and (5) or interest reduction payments pursuant to Section 236 of the National Housing Act; or
- Rent supplement payments under Section 101 of the Housing and Urban Development Act of 1965; or
- Direct loans pursuant to Section 202 of the Housing Act of 1959; or
- Payments under the Section 23 Housing Assistance Payments Program pursuant to Section 23 of the United States Housing Act of 1937 prior to amendment by the Housing and Community Development Act of 1974;
- Payments under the Section 8 Housing Assistance Payments Program pursuant to Section 8 of the United States Housing Act after amendment by the Housing and Community Development Act unless the project is owned by a Public Housing Agency;
- A Public Housing Project.

SUBSIDY STANDARDS. Standards established by a PHA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

TENANT. (Synonymous with resident) The person or persons who executes the lease as lessee of the dwelling unit.

TENANT RENT. The amount payable monthly by the family as rent to the PHA.

TOTAL TENANT PAYMENT (TTP). The total amount the HUD rent formula requires the tenant to pay toward rent and utilities.

UNIT/HOUSING UNIT. Residential space for the private use of a family. The size of a unit is based on the number of bedrooms contained within the unit and generally ranges from zero bedrooms to six bedrooms.

UTILITIES. Utilities means water, electricity, gas, other heating, refrigeration, cooking fuels, trash collection and sewage services. Telephone service is not included as a utility.

UTILITY ALLOWANCE. The PHA's estimate of the average monthly utility bills for an energy-conscious household. If all utilities are included in the rent, there is no utility allowance. The utility allowance will vary by unit size and type of utilities.

UTILITY REIMBURSEMENT PAYMENT. The amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Tenant Payment for the family occupying the unit.

VERY LARGE LOWER-INCOME FAMILY. Prior to the change in the 1982 regulations this meant a lower-income family which included eight or more minors. (Term no longer used)

VERY LOW INCOME FAMILY. A Low-Income Family whose Annual Income does not exceed 50% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 50% of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes.

VETERAN. A person who has served in the active military or naval service of the United States at any time and who shall have been discharged or released therefrom under conditions other than dishonorable.

VIOLENT CRIMINAL ACTIVITY. Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

WAITING LIST. A list of families organized according to HUD regulations and PHA policy who are waiting for subsidy to become available.

WELFARE ASSISTANCE. Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, state, or local governments. "Welfare assistance" means income assistance from Federal or State welfare programs, and includes only cash maintenance payments designed to meet a family's ongoing basic needs. The definition borrows from the Department of Health and Human Services' TANF definition of "assistance" and excludes nonrecurring short-term benefits designed to address individual crisis situations. For FSS purposes, the following do not constitute welfare assistance: food stamps; emergency rental and utilities assistance; and SSI, SSDI, and Social Security.

C. GLOSSARY OF TERMS USED IN THE NON-CITIZENS RULE

CHILD. A member of the family other than the family head or spouse who is under 18 years of age.

CITIZEN. A citizen or national of the United States.

EVIDENCE. Evidence of citizenship or eligible immigration status means the documents which must be submitted to evidence citizenship or eligible immigration status.

PHA. A housing authority- either a public housing agency or an Indian housing authority or both.

HEAD OF HOUSEHOLD. The adult member of the family who is the head of the household for purpose of determining income eligibility and rent.

HUD. Department of Housing and Urban Development.

INS. The U.S. Immigration and Naturalization Service.

MIXED FAMILY. A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status.

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.

NONCITIZEN. A person who is neither a citizen nor nation of the United States.

PHA. A housing authority who operates public housing.

RESPONSIBLE ENTITY. The person or entity responsible for administering the restrictions on providing assistance to noncitizens with ineligible immigration status (the PHA).

SECTION 214. Section 214 restricts HUD from making financial assistance available for noncitizens unless they meet one of the categories of eligible immigration status specified in Section 214.

SPOUSE. Spouse refers to the marriage partner, either a husband or wife, who is someone you need to divorce in order to dissolve the relationship. It includes the partner in a common-law marriage. It does not cover boyfriends, girlfriends, significant others, or "co-heads." "Co-head" is a term recognized by some HUD programs, but not by public and Indian housing programs.

PROGRAM INTEGRITY ADDENDUM

INTRODUCTION

The US Department of HUD conservatively estimates that 200 million dollars is paid annually to program participants who falsify or omit material facts in order to gain more rental subsidy than they are entitled to under the law. HUD further estimates that 12% of all HUD-assisted families are either totally ineligible, or are receiving benefits that exceed their legal entitlement. The HABC is committed to assure that the proper level of benefits is paid to all tenants, and that housing resources reach only income-eligible families so that program integrity can be maintained.

The HABC will take all steps necessary to prevent fraud, waste, and mismanagement so that program resources are utilized judiciously.

This Chapter outlines the HABC's policies for the prevention, detection and investigation of program abuse and tenant fraud.

It is the responsibility of the HABC's Office of Inspector General to investigate and refer cases of tenant fraud or malfeasance that affect the HABC. The HABC OIG will monitor and review the allegations and coordinate findings with Housing Management and Section 8 and keep all records of all telephonic hotline calls that deal with tenant integrity issues.

The HABC Office of Inspector General works closely with the HUD's Office of Inspector General sometimes conducting joint investigations or making direct referrals to HUD. In many cases the HABC OIG will work the cases coordinating intentional deception fraud cases directly with the State or US Attorneys Office.

The HABC Office of Inspector General will meet on a regular basis with HABC Tenant Council members and Resident Advisory Board members to educate and coordinate workshops in the Prevention of Tenant Fraud. Residents, employees and the general public have been encouraged to call 410-396-3290 HABC/OIG to report any cases of program fraud or irregularities. In addition, the HABC Hotline 410-545-6111, is posted on all floors and in the developments to encourage referrals in all HABC Programs and Operations.

In addition, routine Audits and Inspections of Programs to Include Tenant Folder reviews and Operation Match with the State of Maryland will be conducted to assure accurate reporting of income information. Coordination with the State Office of Human Resources, HABC Legal and Housing Management, HUD and Resident Services and the RAB will be made prior to any match effort.

The Office of Inspector General will be working closely with all program staffs to improve the Program Integrity requirements for the Authority.

A. CRITERIA FOR INVESTIGATION OF SUSPECTED ABUSE AND FRAUD

Under no circumstances will the HABC undertake an inquiry or an audit of a tenant family arbitrarily. The HABC's expectation is that tenant families will comply with HUD requirements, provisions of the lease, and other program rules. The HABC staff will make every effort (formally and informally) to orient and educate all families in order to avoid unintentional violations. However, the HABC has a responsibility to HUD, to the Community, and to eligible families in need of housing assistance, to monitor tenants' lease obligations for compliance and, when indicators of possible abuse come to the HABC's attention, to investigate such claims.

The **HABC's Office of Investigation** will initiate an investigation of a tenant family only in the event of one or more of the following circumstances:

- Referrals, Complaints, or Tips. The HABC will follow up on referrals from other agencies, companies or persons which are received by mail, by telephone or in person, which allege that a tenant family is in non-compliance with, or otherwise violating the lease or the program rules. Such follow-up will be made providing that the referral contains at least one item of information that is independently verifiable. A copy of the allegation will be retained in the tenant file.
- Internal File Review. A follow-up will be made if HABC staff discovers (as a function of a [re]certification, an interim redetermination, or a quality control review), information or facts which conflict with previous file data, the HABC's knowledge of the family, or is discrepant with statements made by the family.
- Verification or Documentation. A follow-up will be made if the HABC receives independent verification or documentation which conflicts with representations in the tenant file (such as public record information or credit bureau reports, reports from other agencies).

B. STEPS THE HABC WILL TAKE TO PREVENT PROGRAM ABUSE AND FRAUD

The management and occupancy staff will utilize various methods and practices (listed below) to prevent program abuse, non-compliance, and willful violations of program rules by applicants and tenant families. This policy objective is to establish confidence and trust in the management by emphasizing education as the primary means to obtain compliance by tenant families.

Things You Should Know.

This program integrity bulletin (created by HUD's Inspector General) will be furnished and explained to all applicants to promote understanding of program rules, and to clarify the HABC's expectations for cooperation and compliance.

Program Orientation Session.

Mandatory orientation sessions will be conducted by the Site Manager and assisted by the Inspector General for all prospective tenants either prior to or upon execution of the lease. At the conclusion of all Program Orientation Sessions, the family representative will be required to sign a "Program Briefing Certificate" to confirm that all rules and pertinent regulations were explained to them.

Resident Counseling.

The HABC will routinely provide tenant counseling as a part of every recertification interview in order to clarify any confusion pertaining to program rules and requirements.

Review and explanation of Forms.

Staff will explain all required forms and review the contents of all (re)certification documents prior to signature.

Use of Instructive Signs and Warnings.

Instructive signs will be conspicuously posted in common areas and interview areas to reinforce compliance with program rules and to warn about penalties for fraud and abuse.

Tenant Certification.

All family representatives will be required to sign a "Tenant Certification" form, as contained in HUD's Tenant Integrity Program Manual.

C. STEPS THE HABC WILL TAKE TO DETECT PROGRAM ABUSE AND FRAUD

The HABC Staff will maintain a high level of awareness to indicators of possible abuse and fraud by assisted families. This will be accomplished by lectures and meetings conducted by the HABC's Office of Inspector General in open forums and in Resident Meetings and Staff Meetings.

Quality Control File Reviews.

Prior to initial certification, and at the completion of all subsequent recertifications, each tenant file will be reviewed. Such reviews shall include, but are not limited to:

- Changes in reported Social Security Numbers or dates of birth.
- Authenticity of file Documents.
- Ratio between reported income and expenditures.
- Review of signatures for consistency with previously signed file documents.

Observation.

The HABC Management and Occupancy Staff (to include maintenance personnel) will maintain high awareness of circumstances which may indicate program abuse or fraud, such as unauthorized persons residing in the household and unreported income.

Public Record Bulletins

Public Record Bulletins may be reviewed by Management and Staff.

State Wage Data Record Keepers.

Inquiries to State Wage and Employment record keeping agencies as authorized under Public Law 100-628, the Stewart B. McKinley Homeless Assistance Amendments Act of 1988, may be made annually in order to detect unreported wages or unemployment compensation benefits.

Credit Bureau Inquiries.

Credit Bureau inquiries may be made (with proper authorization by the tenant) in the following circumstances:

- At the time of final eligibility determination
- When an allegation is received by the HABC wherein unreported income sources are disclosed.
- When a tenant's expenditures exceed his/her reported income, and no plausible explanation is given.

D. THE HABC'S HANDLING OF ALLEGATIONS OF POSSIBLE ABUSE AND FRAUD

The HABC staff will encourage all tenant families to report suspected abuse to the **Office of Inspector General**, to the attention of **Hilton L. Green, Inspector General** at **410-396-3290**. All such referrals, as well as referrals from community members and other agencies, will be thoroughly documented and placed in the tenant file. All allegations, complaints and tips will be carefully evaluated in order to determine if they warrant follow-up. The HABC will not follow up on allegations which are vague or otherwise non-specific, but in questionable cases they should coordinate all questions of possible abuse to the IG's office. The will only review allegations which contain one or more independently verifiable facts.

File Review.

An internal file review will be conducted to determine:

- If the subject of the allegation is a tenant of the HABC and, if so, to determine whether or not the information reported has been previously disclosed by the family.
- It will then be determined if the HABC is the most appropriate authority to do a follow-up

(more so than police or social services). Any file documentation of past behavior as well as corroborating complaints will be evaluated.

Conclusion of Preliminary Review.

If at the conclusion of the preliminary file review there is/are fact(s) contained in the allegation which conflict with file data, and the fact(s) are independently verifiable, the **Office of Inspector General** will initiate an investigation to determine if the allegation is true or false.

E. HOW THE HABC WILL INVESTIGATE ALLEGATIONS OF ABUSE AND FRAUD

If the HABC determines that an allegation or referral warrants follow-up, either the staff person who is responsible for the file or a person designated by the Executive Director to monitor the program compliance will notify the **Office of Inspector General** who will conduct the investigation. The facts should be organized in such a way so that **OIG** can immediately coordinate information based on suspected employment, or any suspicions brought forward to the Manager.

The steps taken will depend upon the nature of the allegation and may include, but are not limited to, the items listed below. In all cases, the HABC will secure the written authorization from the program participant for the release of information.

Credit Bureau Inquiries.

In cases involving previously unreported income sources, a CBI inquiry may be made to determine if there is financial activity which conflicts with the reported income of the family.

Verification of Credit.

In cases where the financial activity conflicts with file data, a Verification of Credit form may be mailed to the creditor in order to determine the unreported income source.

Employers and Ex-Employers.

Employers or ex-employers may be contacted to verify wages which may have been previously undisclosed or misreported.

Neighbors/Witnesses.

Neighbors and/or other primary witnesses should be interviewed by trained investigators of the **Office of Inspector General**.

Other Agencies.

Investigators, case workers or representatives of other benefit agencies may be contacted.

Public Records.

If relevant, the HABC will review public records kept in any jurisdictional courthouse. Examples of public records which may be checked are: real estate, marriage, divorce, uniform commercial code financing statements, voter registration, judgments, court or police records, state wage records, utility records and postal records.

Interviews with Head of Household or Family Members.

The HABC will discuss the allegation (or details thereof) with the Head of Household or family member by scheduling an appointment at the appropriate HABC office. Glaring allegations of intentional fraud and deception such as forgery should be immediately referred to the **OIG**. Questioning residents on intentional fraud and deception should be coordinated between the Manager and the staff members of the **OIG**. A high standard of courtesy and professionalism will be maintained by the HABC Staff Person who conducts such interviews. Under no circumstances will inflammatory language, accusation, or any unprofessional conduct or language be tolerated by the management. If possible, an additional staff person will attend such interviews.

F. PLACEMENT OF DOCUMENTS, EVIDENCE AND STATEMENTS OBTAINED BY THE HABC

Documents and other evidence obtained by the HABC during the course of an investigation will be considered "work product" and will either be kept in the tenant file, or in a separate "work file." In either case, the tenant file or work file shall be kept in a locked file cabinet. Such cases under review will not be discussed among HABC Staff unless they are involved in the process, or have information which may assist in the investigation.

G. CONCLUSION OF THE HABC'S INVESTIGATIVE REVIEW

At the conclusion of the review, the reviewer should report possible fraudulent transactions to the **Office of Inspector General** who will in turn present a completed investigation to the **Executive Director** or designee. It will then be determined whether a violation has occurred, a violation has not occurred, or if the facts are inconclusive.

H. EVALUATION OF THE FINDINGS

If it is determined that a program violation has occurred, the HABC will review the facts to determine:

- The type of violation. (Procedural, non-compliance, fraud.)
- Whether the violation was intentional or unintentional.
- What amount of money (if any) is owed by the tenant.
- Is the family eligible for continued occupancy.

I. ACTION PROCEDURES FOR VIOLATIONS WHICH HAVE BEEN DOCUMENTED

Once a program violation has been documented, the HABC will propose the most appropriate remedy based upon the type and severity of the violation.

Procedural Non-compliance

This category applies when the tenant "fails to" observe a procedure or requirement of the HABC, but does not misrepresent a material fact, and there is no retroactive rent owed by the family. Examples of non-compliance violations are:

- Failure to appear at a pre-scheduled appointment.
- Failure to return verification in time period specified by the HABC .

Warning Notice to the Family.

In such cases a notice will be sent to the family which contains the following:

- A description of the non-compliance and the procedure, policy or obligation which was violated.
- The date by which the violation must be corrected, or the procedure complied with.
- The action which will be taken by the HABC if the procedure or obligation is not complied with by the date specified by the HABC.
- The consequences of repeated (similar) violations.

Procedural Non-compliance - Retroactive Rent

When the tenant owes money to the HABC for failure to report changes in income or assets, the HABC will issue a Notification of Underpaid Rent. This Notice will contain the following:

- A description of the violation and the date(s).
- Any amounts owed to the HABC .
- A 7 day response period.
- The right to disagree and to request an informal hearing with instructions for the request of such hearing.

Tenant Fails to Comply with HABC's Notice.

If the Tenant fails to comply with the HABC's notice, and a material provision of the lease has been violated, the HABC will initiate termination of tenancy.

Tenant Complies with HABC's Notice.

When a tenant complies the HABC's notice, the staff person responsible will meet with him/her to discuss and explain the obligation or lease provision which was violated. The staff person will complete a Tenant Counseling Report, give one copy to the family and retain a copy in the tenant file.

Intentional Misrepresentations

When a tenant falsifies, misstates, omits or otherwise misrepresents a material fact which results (or would have resulted) in an underpayment of rent by the tenant, the HABC will evaluate whether or not:

- The tenant had knowledge that his/her actions were wrong, and
- That the tenant willfully violated the lease or the law.

Knowledge that the action or inaction was wrong.

This will be evaluated by determining if the tenant was made aware of program requirements and prohibitions. The tenant's signature on various certification, briefing certificate, Personal Declaration and *Things You Should Know* are adequate to establish knowledge of wrong-doing. In cases of intention fraud and forgery this matter will be referred to the **Office of Inspector General** for criminal investigation. The **Office of Inspector General** will coordinate the investigation with the **State's Attorney's Office**. Formal prosecution will be recommended in certain cases when the amount in question is in excess of \$5,000.00. In Baltimore theft by deception or theft in excess of \$500.00 could be a felony conviction.

The tenant willfully violated the law.

Any of the following circumstances will be considered adequate to demonstrate willful intent:

- An admission by the tenant of the misrepresentation.
- That the act was done repeatedly.
- If a false name or Social Security Number was used.
- If there were admissions to others of the illegal action or omission.
- That the tenant omitted material facts which were known to them (e.g., employment of self or other household member).
- That the tenant falsified, forged or altered documents.
- That the tenant uttered and certified to statements at a rent (re)determination which were later independently verified to be false.

The Tenant Conference for Serious Violations and Misrepresentations

When the HABC has established that material misrepresentation(s) have occurred, a Tenant Conference will be scheduled with the family representative and the HABC staff person who is most knowledgeable about the circumstances of the case.

This conference will take place prior to any proposed action by the HABC. The purpose of such conference is to review the information and evidence obtained by the HABC with the tenant, and to provide the tenant an opportunity to explain any document findings which conflict with representations in the tenant file. Any documents or mitigating circumstances presented by the tenant will be taken into consideration by the HABC . The tenant will be given **7** days to furnish any mitigating evidence.

In cases in which intentional deception such as forgery has taken place the **Office of Inspector General** will conduct a criminal investigation and coordinate its findings with the **State's Attorney's Office**.

A secondary purpose of the Tenant Conference is to assist the HABC in determining the course of action most appropriate for the case. If it is determined that the most appropriate course of action is criminal prosecution, resulting from the referral, the Criminal case takes precedence over the Tenant Conference. This matter will be coordinated with the **Office of Inspector General**. Prior to the final determination of the proposed action, the HABC will consider:

- The duration of the violation and number of false statements.
- The tenant's ability to understand the rules.
- The tenant's willingness to cooperate, and to accept responsibility for his/her actions

- The amount of money involved.
- The tenant's past history
- Whether or not criminal intent has been established.
- The number of false statements.

Dispositions of Cases Involving Misrepresentations

In all cases of misrepresentations involving efforts to recover monies owed, the HABC may pursue, depending upon its evaluation of the criteria stated above, one or more of the following actions:

Criminal Prosecution:

If the HABC has established criminal intent, and the case meets the criteria for prosecution, the HABC may:

- Refer the case to the HABC's **Office of Inspector General** who will coordinate with the local State or District Attorney and or notify HUD's RIGI and terminate rental assistance.
- Refer the case to HUD's RIGI, in the absence of the HABC's **Office of Inspector General** and terminate rental assistance.

Administrative Remedies:

The HABC may:

- Terminate tenancy and demand payment of restitution in full.
- Terminate tenancy and execute an administrative repayment agreement in accordance with the HABC's Repayment Policy.
- Terminate tenancy and pursue restitution through civil litigation.
- Continue assistance at the correct rent upon repayment of restitution in full within 14 days.
- Permit continued occupancy at the correct rent and execute an administrative repayment agreement in accordance with the HABC's repayment policy.

Notification to Tenant of Proposed Action

The HABC will notify the tenant of the proposed action no later than 30 days after the tenant conference by certified mail.

ATTACHMENT N(2)

DWELLING LEASE

ATTACHMENTS

Attachment 1 -	HABC Public Housing Handbook
Attachment 2 -	HABC Grievance Procedure
Attachment 3 -	Lead Based Paint Notice
Attachment 4 -	Anti-Drug Language (repealed)
Attachment 5 -	Requirements for Performing Community Service Activities or Self- Sufficiency Work Activities
Attachment 6 -	Smoke Detector Notice
Attachment 7 -	Pet Policy
Attachment 8 -	Mold Prevention

**HOUSING AUTHORITY OF BALTIMORE CITY
DWELLING LEASE
No. _____**

SECTION 1. DESCRIPTION OF PARTIES AND UNIT.

(a) Leasing of Unit.

The Housing Authority of Baltimore City (**HABC**) agrees to lease to the named resident (the “**Resident**”/“**Head of Household**”), the dwelling unit (the “**Dwelling Unit**”) in the housing development listed below, subject to the terms, covenants and conditions set forth in this lease (the “**Lease**”). The parties agree that the Resident’s application for admission is attached hereto and is incorporated herein by reference and that all of the statements made in the application are true and correct. False statements are grounds for termination of the Lease and eviction from the Dwelling Unit in accordance with Section 14 herein.

Resident/“Head of Household”:	Public Housing Development (“Premises”):
Address:	Bedroom Size:
Apt. No.:	Resident Account No.:
Zip:	Annual Review Date:

For purposes of this Lease, the term “**Premises**” means the building or complex or development in which the public or assisted housing Dwelling Unit is located, including common areas and grounds.

(b) Household Composition.

The following individuals (family members and any live-in aide as defined in Section 6 of this Lease) represent the composition of the household, as approved by HABC.

Name	Social Security Number

Resident agrees to notify HABC whenever any member of the household authorized under this Lease to reside in the Dwelling Unit is no longer residing in the Dwelling Unit. HABC agrees to provide a form for Resident to document the content of such notification. The family must promptly inform HABC of the birth, adoption or court-awarded custody of a child. The family must request

HABC's approval to add any other family member as an occupant of the Dwelling Unit.

**SECTION 2. LEASE TERM AND RENEWAL REQUIREMENTS;
AMOUNT AND DUE DATES OF RENTAL PAYMENTS.**

(a) Lease Term.

The term of this Lease shall be twelve (12) months beginning on

_____ (Month) _____ (Day) _____ (Year) and ending on
_____ (Month) _____ (Day) _____ (Year).

(b) Renewal of Lease.

(1) Except as provided in paragraph (b)(2) of this section, the Lease term must be automatically renewed for the same term of twelve (12) months.

(2) If the Resident or another family member has violated the requirement for resident performance of community service or participation in an economic self-sufficiency program, HABC may not renew the Lease upon expiration of the term unless:

(A) The Resident, and any other noncompliant resident, enter into a written agreement with HABC, in the form and manner required by HABC, to cure such noncompliance by completing the additional hours of community service or economic self-sufficiency activity needed to make up the total number of hours required over the twelve-month term of the new lease, and

(B) All other members of the family who are subject to the service requirement are currently complying with the service requirement or are no longer residing in the Dwelling Unit.

For purposes of this Lease, the term "noncompliant resident" means a family member who is required to fulfill a service requirement, but who has violated this family obligation.

(3) At any time, HABC may terminate the tenancy in accordance with Section 14 hereunder.

Resident Initials Acknowledging Lease Renewal Provision: _____

(c) Execution of Lease.

Except for automatic renewals, the Lease must be executed by the Resident/Head of Household and HABC.

(d) Rent Payments.

Rent for the period beginning _____ and ending at
midnight _____ is \$ _____. Thereafter, monthly

rent of \$ _____ will be due in advance on the first day of each month at the location designated by HABC. HABC will accept rent, without court costs, up to and including the fifth day following the due date. If rent is paid after the sixth day of the month, the Resident shall pay all court costs incurred in connection with collection of rent after a court notice has been filed. If this Lease is to be terminated under Section 14 after the first day of a month, a full month's rent shall be paid in advance on the first day of such month and Resident shall receive a full refund of monies due minus any other outstanding charges due HABC upon termination of this Lease. The monthly rent is based upon the statement by the Resident of Resident's anticipated annual family income. Statements by the Resident concerning income and any exclusions or allowances which would adjust family income will be verified by HABC. The Resident shall pay the amount of the monthly rent determined by HABC in accordance with regulations of the U.S. Department of Housing and Urban Development ("HUD") and other requirements. The amount of the monthly rent is subject to change in accordance with HUD requirements.

(e) Returned Check Charge.

HABC shall assess and collect a fee of twenty-five dollars (\$25.00) if Resident's check is not honored by the bank on which it is drawn (bounces). If Resident's check is dishonored for payment on a second occasion, HABC will not accept any further personal checks from or on behalf of Resident.

(f) Minimum Rent.

HABC is required by federal public housing regulations to establish a minimum monthly rent (the "**Minimum Monthly Rent**") for the Dwelling Unit. Resident shall pay the amount established by HABC as the Minimum Monthly Rent, unless HABC grants an exemption due to financial hardship, as set forth in subsection (f)(2) of this Section 2.

(1) *Amount of Minimum Rent.* The amount of Minimum Monthly Rent under this Lease shall be _____ Dollars (\$_____).

(2) *Financial Hardship Exemption from Minimum Monthly Rent.* HABC must grant an exemption from payment of minimum rent if the family is unable to pay the minimum rent because of financial hardship, as described in HABC's written policies. Financial hardship includes these situations:

- (A) When the family has lost eligibility for or is awaiting an eligibility determination for a Federal, State, or local assistance program, including a family that includes a member who is a noncitizen lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for Title IV of the Personal Responsibility and Work Opportunity Act of 1996;
- (B) When the family would be evicted because it is unable to pay the minimum rent;
- (C) When the income of the family has decreased because of changed circumstances, including loss of employment;
- (D) When a death has occurred in the family; and
- (E) Other circumstances determined by HABC or HUD.

Resident shall be responsible for requesting a determination from HABC whether a financial

hardship exemption will be granted. HABC agrees to provide a form for Resident to document the content of such request.

(g) Rent Options.

Annually, HABC shall give Resident a choice to pay either a flat rent or an income-based rent as the monthly rent for the Dwelling Unit.

(1) **Information For Families.** For the family to make an informed choice about its rent options, HABC must provide sufficient information for an informed choice. Such information must include at least the following written information:

- (A) HABC's policies on switching type of rent in circumstances of financial hardship; and
- (B) The dollar amounts of the monthly rent for the family under each option. For a family who chose a flat rent for the previous year, HABC is required to provide the amount of income-based rent for the subsequent year only in the year that HABC conducts an income reexamination or if the family specifically requests it and submits updated income information. For a family that chooses the flat rent option, HABC must conduct a reexamination of family income at least once every three years.

(2) **Flat Rent.** The flat rent for the Dwelling Unit is based upon the rental value of the Dwelling Unit as determined by HABC. The flat rent is designed to encourage self-sufficiency and to avoid creating disincentives for continued residency by families who are attempting to become economically self-sufficient.

(3) **Income-Based Rent.** The income-based rent is based upon the income of the Household Members (the "**Household Income**") and HABC's policies for determining the amount of income-based rent.

(4) **Request to Switch to Income-Based Rent.** At any time prior to the scheduled annual selection of rent options, Resident agrees that the family may request to switch from paying a flat rent to paying an income-based rent if the family is unable to pay the flat rent due to financial hardship. If HABC determines that the family is unable to pay the flat rent because of financial hardship, HABC must immediately allow the requested switch to income-based rent. HABC shall make the determination within a reasonable time after the family request. HABC's policies for determining when payment of flat rent is a financial hardship must provide that financial hardship include the following situations:

- (A) The family has experienced a decrease in income because of changed circumstances, including loss or reduction of employment, death in the family, or reduction in or loss of earnings or other assistance;
- (B) The family has experienced an increase in expenses, because of changed circumstances, for medical costs, child care, transportation, education, or similar items; and
- (C) Such other situations determined by HABC to be appropriate.

(h) Rent Policy.

The monthly rent is set in accordance with current HABC policy in compliance with applicable

Federal law. Such policy shall be posted at the HABC Office. Copies will be made available for inspection upon request. The monthly rent will remain in effect unless adjusted in accordance with the provisions of Section 5 below. All rent charged pursuant to the provisions of Section 5 shall be due and payable in full upon notification to Resident that such rent is owed.

(i) Charges Collectible As Rent.

Other charges due under this Lease include any balance due on the security deposit, utility charges, repair charges, returned check charges and court costs and other expenses incurred by HABC by reason of the failure of the Resident to pay the rent for the Dwelling Unit as herein above provided. All such charges shall be collectible in the same manner as rent; provided, however, that such charges shall not become due and collectible prior to the first of the second month following the month in which such charges are made. However, if any such charges are disputed, Resident has a right to file a grievance in accordance with the Housing Authority of Baltimore City Resident Grievance Policy and Appeals Procedure (the “**Grievance Procedure**”) that is in effect at the time such grievance arises.

Except as provided in Section 8(j) below, HABC shall accept scheduled rent without regard for Resident's failure to pay or make arrangements to pay such other charges. However, acceptance of rent by HABC will not affect HABC's right to terminate tenancy pursuant to Section 14 below for failure to pay or make arrangements to pay such other charges.

In the event of an inability to pay a given month's rent and/or other charges by the due date, and upon notification to HABC by the fifth day of the month of hardship circumstances pertaining to income and expenses, or as soon as possible in cases of emergency, HABC may extend payment to a specified date, provided there is written agreement by and between the parties. However, if the rent and/or other charges are not paid by the date specified in the written agreement, or if the Resident fails to execute a written agreement, HABC may treat such rent and other charges as due and unpaid and may exercise its rights under this Lease to terminate the tenancy for failure to pay rent and/or other charges.

SECTION 3. SECURITY DEPOSITS.

Resident agrees to pay a security deposit equal to one month's rent, or Fifty Dollars (\$50), whichever is lower, to protect HABC against unpaid rent or damage to the Dwelling Unit. HABC will provide Resident with a written statement of the condition of the Dwelling Unit at the time of occupancy to be signed by HABC and the Resident. HABC hereby acknowledges receipt of \$ _____, toward security deposit in total amount of \$ _____. (For Residents who have already paid security deposits under a prior Lease, HABC agrees not to require any additional amounts.) Interest shall be paid in accordance with applicable State and/or local laws. Upon termination of this Lease, the security deposit together with any interest thereon accrued shall be refunded to Resident, less any rent and/or charges owed by Resident at such time, in accordance with applicable State and/or local laws.

SECTION 4. UTILITIES.

HABC shall furnish all utilities. The imposition of charges for consumption of utilities in excess of the utility schedule is permissible only if such charges are determined by an individual check meter servicing the Dwelling Unit. The basis for the determination of such excess charges, i.e., the utility

allowance schedule, shall be posted in the HABC Office. Resident shall pay for all utility usage in excess of the allowance set forth in such utility schedule, and such charges shall be collectible in the same manner as provided in Section 2 above. However, if Resident needs an electrical appliance for certified medical reasons, he/she shall be allowed additional kilowatt hours. HABC will not be liable for the failure to supply utility service for any case whatsoever beyond its control. HABC reserves the right to impose charges for estimated utility consumption attributable to Resident-owned major appliances or to optional functions of equipment furnished by HABC for those units that are not individually metered based upon surcharge schedules posted in the HABC Office, exclusive of all senior citizen head of households (age 62+), or as defined by Federal Law. Listed below are the appliances and equipment that shall be supplied by HABC without additional cost, and those appliances and equipment which shall be paid for by Resident.

APPLIANCES AND EQUIPMENT

To Be Supplied And Paid For By HABC:	To Be Paid For By Resident:

SECTION 5. REDETERMINATION OF RENT, DWELLING SIZE ELIGIBILITY.

Once each year, as requested by HABC, the Resident (including elderly Residents) agrees to furnish accurate information to HABC as to family income, employment and composition, for use by HABC in determining whether the rent should be changed, and whether the dwelling size is appropriate for Resident's needs. These determinations will be made in accordance with the current Admissions & Continued Occupancy Policy in effect from time to time and available for inspection in the HABC Office. Any increases in rent occurring as a result of information provided at the annual reexamination will be effective as of the Annual Review date, or in the event of a late review, forty-five (45) days after the Resident is notified of the rent increase, whichever is later. In all cases, HABC will be obliged to schedule the annual reexamination at least ninety (90) days prior to the Annual Review date.

The family must supply any information that HABC or HUD determines is necessary in administration of the public housing program, including submission of required evidence of citizenship or eligible immigration status. The term "information" includes any requested certification, release or other documentation. The family must supply any information requested by HABC or HUD for use in a regularly scheduled reexamination or an interim reexamination of family income and composition in accordance with HUD requirements. Any information supplied by the family must be true and complete. As a condition of admission to or continued assistance under the program, HABC shall require the family head, and such other family members as HABC designates, to execute a consent form (including any release and consent as required) authorizing any financial institution or private source of income, or any Federal, State or local agency, to furnish or release to HABC or HUD such information as HABC or HUD determines to be necessary. The use or disclosure of information obtained from a family or from another source pursuant to this release and consent shall be limited to purposes directly connected with administration of the program.

HABC must obtain and document in the family file third party verification of the following factors, or must document in the file why third party verification was not available:

- Reported family annual income;
- The value of assets;
- Expenses related to deductions from annual income; and
- Other factors that affect the determination of adjusted income or income-based rent.

Resident agrees to comply with HABC's request for verification by signing releases for third party sources, presenting documents for review, or providing other suitable forms of verification (i.e. notarized support statements, yearly income tax forms) as requested by HABC. HABC agrees to maintain any information so received in accordance with the governing law.

All changes in rent and family size or composition made under this Section will be set forth in a Lease Supplement, which will be delivered to Resident in accordance with the provisions of Section 13. Rent, as fixed in Section 2, or as adjusted pursuant to the above, will remain in effect for the period between Annual Reviews, unless in such period:

- (a) Resident can show a change in Resident's circumstances which would justify a reduction in rent pursuant to the HABC Policies by submitting a signed statement and other documentation, setting forth the true facts as to the family composition, employment and family income. Such circumstances include, but are not limited to, the following: (1) Divorce; (2) Marriage; (3) Separation; (4) Death; (5) Retirement, (6) Unemployment; (7) Strike; (8) Layoff; (9) Sick Leave; (10) Disability, (11) Entry into or discharge from military service; (12) Birth; and (13) Change of job or other reduced income.
- (b) Resident can show a decrease in income which is believed to be temporary in nature. Upon presentation by Resident of documentation (i.e., letter indicating reduction in amount of Temporary Cash Assistance (**TCA**) or Temporary Assistance for Needy Families (**TANF**), statement of unemployment award) satisfactory to HABC to establish the temporary decrease in income, HABC shall reduce rent for a period of up to sixty (60) days. The rent will return to its previous rate unless application for continuation of the reduced rent is made before the end of the temporary period. Subject to verification by HABC, the reduced rate will remain in effect for an additional period of up to sixty (60) days.
- (c) Resident can show that the income on the basis of which the rent was calculated has terminated. Resident shall report this information to HABC together with any information concerning other sources of income which have become available to family members since the last rent determination. The rent will then be redetermined based on the information which is provided, but in no case will the rent be increased, beyond the original rent, until the next Annual Review.

Resident shall report to HABC any change in income described in Paragraphs a, b, and c above within thirty (30) days of its occurrence. Any decrease in rent resulting from the change will take effect on the first of the month following the month in which the change occurred. In calculating

rent based on reduction in income as provided in Paragraphs a, b, and c above, HABC shall consider as income any amounts attributable to a given month even though the amounts are received after the first of that month. However, such rent shall not be payable until the new income is received by the Resident. When Resident receives notice of a rental redetermination, Resident may request, and shall be informed of, the specific grounds for HABC's determination. If the Resident disagrees with such determination, the Resident may request a hearing under the HABC Grievance Procedure.

SECTION 5.1. HOW WELFARE BENEFIT REDUCTION AFFECTS FAMILY INCOME.

(a) If a **Specified Welfare Benefit Reduction**, as defined hereunder, is made, HABC will not reduce Resident's rent for such period.

(b) The following definitions apply for purposes of this Lease:

(1) The term "**Covered Families**" means families who receive welfare assistance or other public assistance benefits ("welfare benefits") from a State or other public agency ("welfare agency") under a program for which Federal, State, or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for such assistance.

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

(3) The term "**Imputed Welfare Income**" means the amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income for purposes of determining rent. A family's annual income includes the amount of imputed welfare income (because of a specified welfare benefits reduction, as specified in notice to HABC by the welfare agency), plus the total amount of other annual income as determined in accordance with HABC Policies.

(4) The term "**Specified Welfare Benefit Reduction**" means:

(A) A reduction of welfare benefits by the welfare agency, in whole or in part, for a family member, as determined by the welfare agency, because of fraud by a family member in connection with the welfare program; or because of welfare agency sanction against a family member for noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.

(B) "Specified Welfare Benefit Reduction" does not include a reduction or termination of welfare benefits by the welfare agency:

- (i) at expiration of a lifetime or other time limit on the payment of welfare benefits;
- (ii) because a family member is not able to obtain employment, even though the family member has complied with welfare agency economic self-sufficiency or

- work activities requirements; or
- (iii) because a family member has not complied with other welfare agency requirements.

(c) **“Imputed Welfare Income”:**

- (1) A family's annual income includes the amount of imputed welfare income (because of a specified welfare benefits reduction, as specified in notice to HABC by the welfare agency), plus the total amount of other annual income as determined.
- (2) At the request of HABC, the welfare agency will inform HABC in writing of the amount and term of any specified welfare benefit reduction for a family member, and the reason for such reduction, and will also inform HABC of any subsequent changes in the term or amount of such specified welfare benefit reduction. HABC will use this information to determine the amount of imputed welfare income for a family.
- (3) A family's annual income includes imputed welfare income in family annual income, as determined at the interim or regular reexamination of family income and composition, during the term of the welfare benefits reduction (as specified in information provided to HABC by the welfare agency).
- (4) The amount of the imputed welfare income is offset by the amount of additional income a family receives that commences after the time the sanction was imposed. When such additional income from other sources is at least equal to the imputed welfare income, the imputed welfare income is reduced to zero.
- (5) HABC may not include imputed welfare income in annual income if the family was not an assisted resident at the time of sanction.

If Resident claims that HABC has not correctly calculated the amount of imputed welfare income in accordance with HUD requirements, and if HABC denies the family's request to modify such amount, HABC shall give the Resident written notice of such denial, with a brief explanation of the basis for HABC's determination of the amount of imputed welfare income. Such notice shall also state that if the Resident does not agree with HABC's determination, the Resident may request a grievance hearing for review of such determination under the HABC Grievance Procedure. In such case, Resident is not required to pay an escrow deposit for the portion of Resident rent attributable to the imputed welfare income in order to obtain a grievance hearing on HABC's determination.

SECTION 5.2. SELF-SUFFICIENCY INCENTIVES -DISALLOWANCE OF INCREASE IN ANNUAL INCOME.

(a) Definitions.

The following definitions apply for purposes of this Lease.

- (1) The term **“disallowance”** means exclusion from annual income.

(2) The term "**previously unemployed**" includes a person who has earned, in the twelve months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

(3) The term "**qualified family**" means a family residing in public housing:

- (A) Whose annual income increases as a result of employment of a family member who was unemployed for one or more years previous to employment;
- (B) Whose annual income increases as a result of increased earnings by a family member during participation in any economic self-sufficiency or other job training program; or
- (C) Whose annual income increases, as a result of new employment or increased earnings of a family member, during or within six months after receiving assistance, benefits or services under any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by HABC in consultation with the local agencies administering TANF and Welfare-to-Work (WTW) programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance --provided that the total amount over a six-month period is at least \$500.

(b) Disallowance of increase in annual income.

- (1) Initial twelve month exclusion. During the cumulative twelve (12) month period beginning on the date a member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, HABC must exclude from annual income (as defined in 24 CFR §5.609) of a qualified family any increase in income of the family member as a result of employment over prior income of that family member.
- (2) Second twelve month exclusion and phase-in. During the second cumulative twelve month period after the date a member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, HABC must exclude from annual income of a qualified family fifty percent of any increase in income of such family member as a result of employment over income of that family member prior to the beginning of such employment.
- (3) Maximum four year disallowance. The disallowance of increased income of an individual family member as provided in paragraph (1) or (2) of this subsection is limited to a lifetime 48 month period. It only applies for a maximum of twelve (12) months for disallowance under paragraph (1) and a maximum of twelve months for disallowance under paragraph (b)(2), during the 48 month period starting from the initial exclusion under paragraph (1) of this subsection.

SECTION 6. OCCUPANCY.

Resident shall have the right to exclusive use and occupancy of the Dwelling Unit by the members of the household authorized to reside in the Dwelling Unit in accordance with the Lease, including reasonable accommodation of Resident's guests, for a period of up to two (2) weeks in any fifty-two (52) week period, which shall be calculated from the month designated by HABC for the Resident's Annual Review. In extenuating circumstances, if HABC is notified in

advance, HABC may waive or extend the period of time. If HABC agrees to waive or extend the time period, HABC may impose such additional conditions as are reasonable and consistent with this Lease. For purposes of this Lease, the term “**guest**” means a person temporarily staying in the Dwelling Unit with the consent of the Resident or other member of the household who has express or implied authority to so consent on behalf of Resident.

Indefinite accommodations may be provided for the care of foster children and live-in aide care of an elderly, disabled or handicapped member of Resident's family, with the approval of HABC. A **live-in aide**, for the purposes of this Lease, is one who is determined to be essential to the care and well-being of the person, and who would not be living in the Dwelling Unit except to provide necessary supportive services. Medical verification of the need for a live-in aide is required. Resident shall report all changes in household composition to the housing manager within fifteen (15) days of the change. All additions, other than births to existing household members, must be approved in advance by HABC. When the need for support services ends, the live-in aide shall no longer be authorized to occupy the Dwelling Unit.

SECTION 7. TRANSFERS

(a) Based on the HABC policy posted in the HABC Office, HABC shall determine; that a transfer is warranted by a change in the size or composition of Resident's family. If HABC determines that a transfer is warranted, the Resident shall be given written notice setting forth the reasons necessitating the transfer. When an appropriately sized unit becomes available, upon notification to Resident, Resident shall move within ten (10) working days.

(b) Resident agrees to transfer to another unit if transfer is determined to be necessary (i) to permit rehabilitation of Resident's Dwelling Unit or, (ii) to offer standard alternative accommodations when repairs to Resident's Dwelling Unit cannot be made within a reasonable time. Further, Resident may be liable for any costs incurred by HABC in connection with Resident's refusal to transfer or delay in transferring. Involuntary transfers are subject to the Grievance Procedure, and no such transfers may be made until either the time to request a grievance has expired or the process has been completed.

(c) If Resident makes a request with supporting verification for a unit with special features, required by a documented disability, HABC shall have the choice to modify Resident's existing Dwelling Unit, if it is reasonable to make such an accommodation, or transfer Resident to another unit with the features needed within a reasonable period of time.

(d) A Resident without disabilities or handicaps who is housed in a unit with special features shall transfer to a unit without such features in the event that a disabled or handicapped Resident requires the unit. If such a transfer is determined to be necessary, HABC shall notify Resident, and Resident shall be allowed twenty (20) working days to make such a move.

(e) The security deposit from the original Dwelling Unit shall be transferred to the account of the new unit.

(f) HABC will consider any Resident requests for transfer in accordance with the transfer priorities

established in the ACOP.

SECTION 8. OBLIGATIONS OF HABC.

HABC shall be obligated, other than for circumstances beyond its control, as follows:

- (a) To provide Resident, at the time of occupancy, with a clean and newly-painted apartment in decent, safe and sanitary condition; to provide paint to the Resident of each Dwelling Unit a minimum of once every three (3) years, and to re-paint common areas as needed.
- (b) To paint, once every three (3) years, if necessary, the unit of elderly, handicapped and disabled tenants.
- (c) To maintain the Dwelling Unit and the development in a decent, safe and sanitary condition.
- (d) To comply with requirements of applicable building codes, housing codes, and HUD regulations materially affecting health and safety.
- (e) To make necessary repairs to the Resident's Dwelling Unit within a reasonable period of time; however, HABC's failure to make repairs which materially affect the habitability of the Dwelling Unit within thirty (30) days shall be considered unreasonable. HABC will attempt to make all other necessary repairs within sixty (60) days. If HABC is unable within sixty (60) days to make a repair which does not materially affect the habitability of the Dwelling Unit, then HABC will inform the Resident in writing of an estimated date for the repair being done and the reason for the delay.
- (f) To keep the development buildings, facilities and common areas not otherwise assigned to the Resident for maintenance and upkeep in a clean and safe condition.
- (g) To maintain in good and safe working order and condition electrical, plumbing, sanitary, heating, ventilating and other facilities and appliances, including elevators, supplied or required to be supplied by HABC. If Resident becomes aware of any defect of the aforementioned systems or facilities, Resident has an obligation to notify HABC .
- (h) To provide and maintain appropriate receptacles and facilities (except containers for the exclusive use of an individual Resident family) for the deposit of ashes, garbage, rubbish and other waste removed from the Dwelling Unit by the Resident in accordance with Section 9(g).
- (i) To supply running water and reasonable amounts of hot water and reasonable amounts of heat at appropriate times of the year, except where the heat or hot water is generated by an installation within the exclusive control of Resident and supplied by a direct utility connection.
- (j) To accept scheduled rent without regard to Resident's failure to pay other charges. Acceptance of rent by HABC will not affect HABC 's right to terminate the tenancy pursuant to Section 14 below for failure to pay, or make arrangement to pay, other charges. However, if HABC has been awarded a judgment of repossession in an action for non-payment of rent, HABC is not obligated to accept scheduled rent and cancel eviction unless Resident tenders with the rent found by the court to be due and unpaid all court costs awarded in such action or enters a formal repayment agreement for the

court cost. A Resident receiving welfare assistance or other public assistance from a State or other public agency may avoid eviction by participating in the Vendor Payment Program.

(k) To notify the Resident of the specific grounds for any proposed adverse action by HABC. Such adverse action includes, but is not limited to, a proposed lease termination, transfer of the Resident to another unit, or imposition of charges for maintenance and repair, or for excess consumption of utilities.

(l) To develop a local policy for administration of the community service or economic self-sufficiency requirements for public housing residents.

(m) To continue to work cooperatively with HABC's Resident Advisory Board in the promulgation of necessary and reasonable HABC rules and policies.

SECTION 9. OBLIGATIONS OF RESIDENT.

Resident shall be obligated under this Lease, as follows:

(a) To read and/or have read to the Resident and understand all terms of this Lease before signing. If and when Resident realizes that he/she cannot comply with the requirements of this Lease, Resident shall promptly notify HABC of this fact.

(b) Not to assign the Lease nor to sub-lease the Dwelling Unit.

(c) Not to provide accommodations for boarders or lodgers.

(d) To comply with whatever security, sign-in, registration, and/or identification card system exists at Resident's building.

(e) To use the Dwelling Unit solely as a private dwelling for Resident and Resident's household as identified in the Lease and not to use or permit its use for any other purpose. HABC, by prior written approval, may consent to the use of the Dwelling Unit for legal profit-making activity subject to Federal regulation, HABC's policies, and local laws, where HABC has determined that such activities are incidental to primary use of the Dwelling Unit as a residence by members of the household. Such use of the Dwelling Unit, without such prior determination and written approval, shall be considered a material violation of the Lease.

(f) To abide by necessary and reasonable regulations promulgated by HABC for the benefit and well-being of the housing project and the Residents which shall be posted in the project office and incorporated by reference in the lease. Said regulation shall be promulgated only after notice to all affected Residents and opportunity for said Residents to provide written comment within 30 days of the date of notice.

(g) To comply with all obligations imposed upon Resident by applicable provisions of building, housing and fire codes materially affecting health and safety.

(h) To keep the Dwelling Unit and such other areas as may be for the Resident's exclusive

Resident's household or guests, in accordance with a schedule of charges as posted in the HABC Office from time to time. No charges will be assessed against the Resident for damages which result in a police complaint filed by the Resident and for which Resident was not responsible.

(m) To conduct himself or herself and cause other persons who are on the Premises with Resident's consent to conduct themselves in a manner which will not disturb Resident's neighbors' peaceful enjoyment of their accommodations or threaten the health and safety of HABC employees, and will be conducive to maintaining the development and neighborhood in a decent, safe and sanitary condition.

(n) To assure that Resident's visitors comply with whatever security, sign-in, registration and/or identification card system exists at Resident's building.

(o) To refrain from illegal or other activity which impairs the physical or social environment of the development, neighborhood, and premises.

(p) To promptly notify HABC or HABC's designee of need for any repairs to the Dwelling Unit.

(q) (1) To assure that no Resident, member of the Resident's household, or guest engages in:

(A) Any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents; or

(B) Any drug-related criminal activity on or off the premises.

(2) To assure that no other person under the Resident's control engages in:

(A) Any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents; or

(B) Any drug-related criminal activity on the Premises.

For the purposes of this Lease, the term "**drug-related criminal activity**" means the illegal manufacture, sale, distribution, or use of a drug, or possession of a drug with intent to manufacture, sell, distribute or use the drug.

For the purposes of this Lease, the term "**drug**" means a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

For purposes of this Lease, the phrase "**other person under Resident's control**" means that the person, although not staying as a guest (as defined under Section 6) in the Dwelling Unit, is, or was at the time of the activity in question, on the Premises (as the term Premises is defined under Section 1) because of an invitation from the Resident or other member of the household who has express or implied authority to so consent on behalf of Resident. Absent evidence to the contrary, a person

temporarily and infrequently on the Premises solely for legitimate commercial purposes is not under the Resident's control.

For purposes of this Lease, the term **“guest”** means a person temporarily staying in the Dwelling Unit with the consent of the Resident or other member of the household who has express or implied authority to so consent on behalf of Resident.

(r) To refrain from making alterations including, but not limited to, construction or installation of exterior fencing, or repairs or redecoration to the interior or exterior of the Dwelling Unit or to the equipment, and from installing additional equipment or major appliances without written consent of HABC. To refrain from changing locks or installing new locks on exterior doors without HABC's prior written approval. Under no circumstances may Resident erect, build or place on HABC property any fence, shed, or other structure.

(s) To take reasonable precautions to prevent fires and to use and store combustible materials in the Dwelling Unit only in a manner permitted and required by applicable housing and fire codes.

(t) To refrain from installing, erecting or hanging radio or television antennae, or air conditioning units, on or from any part of the Dwelling Unit without prior written authorization from HABC, to insure proper installation.

(u) To refrain from placing any permanently affixed signs of any type in or about the Dwelling Unit, unless and until such signs are approved by the appropriate zoning authority, and HABC has given written permission to place such signs.

(v) To notify HABC at least seventy-two (72) hours before vacating the Dwelling Unit of the date on which Resident proposes to vacate. At the time Resident vacates, Resident shall secure and lock all doors and windows and openings in any basement or basement areaways and shall leave the unit clean and free from trash and litter. Resident shall remove any personal property when Resident leaves, abandons or surrenders the Dwelling Unit and return the keys to HABC. HABC will consider any personal property remaining after the Resident vacates to have been abandoned and will take the steps necessary to dispose of it.

(w) To move in and move out only during hours when the HABC Office is open, unless the Resident has given prior notification to HABC, based upon the convenience of the Resident.

- (x) 1) Not to commit any fraud in connection with any Federal housing assistance program; and
- 2) Not to receive assistance for occupancy of any other unit assisted under any Federal housing assistance program during the term of the Lease.
- (y) To make such payments, as are due under the Lease, at the time and in such amounts as the Lease requires.

(z) To assure that Resident and other Household Members do not engage in an abuse or pattern of abuse of alcohol that affects the health, safety, or right to peaceful enjoyment of the Premises by other residents.

(aa) To comply with the requirements of the current Pet Policy, which is Attachment 7 of this Lease.

(bb) To assure that Resident and all adult Household Members comply, as applicable, with the requirements of the Community Services Activities or Economic Self-Sufficiency Work Activities, as set forth in Attachment No. 5 to this Lease.

SECTION 10. DEFECTS HAZARDOUS TO LIFE, HEALTH OR SAFETY.

In the event that the Dwelling Unit is damaged to the extent that conditions are created which are hazardous to life, health or safety of the occupants:

(a) Resident shall immediately notify HABC or its designee of the damage. Upon such notification, HABC shall issue a written receipt acknowledging the request for repair or, in the case of a telephone request, the work order number shall be given. The receipt shall state the date of such request and the nature of the repair.

(b) HABC shall be responsible for emergency repair of the unit within a reasonable time. HABC will attempt repair of emergency conditions in the unit within twenty-four (24) hours after receiving a request for repair. A list of such "emergency conditions" as defined by HABC in good faith cooperation with RAB, will be posted on all HABC and Maintenance bulletin boards.

(c) If the damage was caused by Resident, Resident's household or guests, the cost of repair shall be charged to Resident. That the cost of repair is charged to Resident does not operate as a waiver of any other rights HABC may have.

(d) HABC shall offer standard suitable accommodations, if available in public housing, if necessary repairs cannot be made within a reasonable period of time. Resident shall have a right to consider return to the repaired unit, if the unit is the appropriate size in accordance with HABC's policies governing admission and occupancy.

(e) In the event repairs are not made in accordance with Paragraph b of this Section, or alternative accommodations in public housing are not provided in accordance with Paragraph d of this Section, rent shall be abated in proportion to the seriousness of the damage and loss suffered by Resident; provided, however, that no abatement of rent shall occur if Resident rejects the suitable alternative accommodations or if damage was caused by Resident, a member of Resident's household or guests.

(f) If rent is abated in accordance with provisions of Paragraph e above, Resident agrees to continue to pay full rent, less the abated portion agreed upon by the Resident and HABC, until the conditions are corrected.

(g) If HABC determines that the Dwelling Unit is uninhabitable because of imminent danger to the life, health and safety of Resident, HABC shall offer standard alternative accommodations where necessary repairs cannot be made within a reasonable time. If such standard alternative accommodations are not comparable to Resident's Dwelling Unit, HABC shall offer comparable accommodations to Resident when comparable accommodations become available. If either the standard alternative accommodations or the comparable accommodations when such become available are refused by Resident, this Lease shall be terminated, and any rent paid for the period that the unit is uninhabitable will be refunded to Resident.

SECTION 11. INSPECTION.

(a) Move-in Inspection: HABC and Resident and/or representative shall inspect the Dwelling Unit prior to occupancy by Resident. HABC will give Resident a written statement of the conditions of the Dwelling Unit, both inside and outside, and note any equipment provided with the unit. The statement shall be signed by HABC and Resident and a copy of the statement retained in Resident's folder. Any deficiencies noted on the inspection report will be corrected by HABC, at no charge to Resident. A Resident has 30 days after move-in to notify HABC of any additional deficiencies not noted on the original inspection, at no charge to the Resident. All deficiencies will be corrected within thirty (30) days.

(b) Move-out Inspection: If Resident notifies HABC, as required by this Lease, that Resident intends to vacate, HABC shall inspect the unit with the Resident after Resident vacates and give Resident a written statement of the charges, if any, for which Resident is responsible. Resident and/or representative may join in such inspection.

(c) Preventive Maintenance (PM) Inspection: Each unit shall be inspected by HABC at least once yearly, and deficiencies corrected based upon their severity in compliance with Section 8, subsection e.

SECTION 12. ENTRY OF UNIT DURING TENANCY.

(a) HABC shall, upon reasonable advance notification to Resident, be permitted to enter the Dwelling Unit during reasonable hours for the purpose of performing routine inspections and maintenance, for making improvements or repairs. A written statement specifying the purpose of HABC's entry delivered to the unit at least three (3) days before such entry shall be considered reasonable advance notification.

(b) HABC may enter the Dwelling Unit at any time without advance notification when there is reasonable cause to believe that an emergency exists.

(c) In the event that the Resident and all adult members of Resident's household are absent from the unit at the time of entry, HABC shall leave in the unit a written statement specifying the date, time and purpose of entry prior to leaving the unit.

SECTION 13. NOTICE.

(a) Except as otherwise provided, notice to Resident shall be in writing and delivered to the unit or sent by prepaid first-class mail, properly addressed to Resident.

(b) Notice to HABC shall be in writing, delivered to the HABC Office or sent by prepaid first-class mail, properly addressed to the HABC Office.

(c) If Resident is visually impaired and has so notified HABC, such notice shall be in an accessible format.

SECTION 14. TERMINATION OF LEASE.

HABC shall terminate this Lease only for:

(a) serious or repeated violation of material terms of the lease, such as the following:

(1) failure to make payments at the time and in the amount they are due under the Lease;

(2) failure to fulfill the Resident obligations set forth in Section 9 of the Lease; or

(b) for other good cause.

Other good cause includes, but is not limited to, the following:

(1) Discovery after admission of facts that made the Resident ineligible;

(2) Discovery of material false statements or fraud by the Resident in connection with an application for assistance or with reexamination of income;

(3) Failure of a family member to comply with service requirement provisions as described in Attachment No. 5 of this Lease--as grounds only for non-renewal of the Lease and termination of tenancy at the end of the twelve-month Lease term;

(4) Failure to accept HABC's offer of a lease revision to an existing Lease; that is on a form adopted by HABC; with written notice of the offer of the revision at least 60 calendar days before the lease revision is scheduled to take effect; and with the offer specifying a reasonable time limit within that period for acceptance by the family.

(5) Failure to appear and provide all required information, once a year, at the time of annual re-examination, is a violation of the Lease which shall constitute good cause to terminate this Lease, unless Resident can show that failure to provide the information was due to circumstances beyond the Resident's control. In addition, in the event of such violation, the Resident shall pay, as rent, all sums due because of the undisclosed change in income or family composition. Such sums are collectible in the same manner as is rent. Resident's failure to pay such sums may also subject Resident to termination of the Lease.

(6) Failure to permit HABC, upon reasonable advance notification, entry into the Dwelling Unit during reasonable hours for the purpose of performing routine inspections and maintenance and for making improvements or repairs. A written statement specifying the purpose of HABC's entry delivered to the unit at least three (3) days before such entry shall be considered reasonable advance notification.

(7) Conviction for drug-related criminal activity for the manufacture or production of methamphetamine on the Premises of federally assisted housing by the Resident or any member of the household.

(8) Flight to avoid prosecution, or custody or confinement after conviction of the Resident or any household member, for a crime, or attempt to commit a crime, that is a felony under the laws of the place from which the individual flees, or that, in the case of the State of New Jersey, is a high misdemeanor; or violation of a condition of probation or parole imposed under Federal or State law.

(c) Any of the following types of activity by the Resident, any member of the Resident's household or a guest shall be good cause for termination of tenancy:

- 1) Any criminal activity that threatens the health, safety or right to peaceful enjoyment of the Premises by other residents, HABC employees, or persons residing in the immediate vicinity of the Premises.
- 2) Any drug-related criminal activity on or off the Premises.
- 3) Any activity that threatens the health, safety or right to peaceful enjoyment of the Premises by other residents, employees of HABC, or persons residing in the immediate vicinity of the Premises.
- 4) Illegal use (or pattern of illegal use) of a controlled substance, or abuse (or pattern of abuse) of alcohol, that HABC determines interferes with the health safety, or right to peaceful enjoyment of the premises by other residents.

Consideration of Rehabilitation. In determining whether to terminate tenancy for illegal drug use or a pattern of illegal drug use by a household member who is no longer engaging in such use, or for abuse or a pattern of abuse of alcohol by a household member who is no longer engaging in such abuse, HABC may consider whether such household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program, or has otherwise been rehabilitated successfully (42 U.S.C. 13662). For this purpose, HABC may require the Resident to submit evidence of the household member's current participation in, or successful completion of, a supervised drug or alcohol rehabilitation program or evidence of otherwise having been rehabilitated successfully.

(d) Any of the following types of activity by any other person under the Resident's control shall be good cause for termination of tenancy: 1) that threatens the health, safety or right to peaceful enjoyment of the Premises by other residents, HABC employees, or persons residing in the immediate vicinity of the Premises; or 2) any drug-related criminal activity on the Premises.

(e) This Lease may be terminated by the Resident at any time by giving thirty (30) days advance written notice to HABC in the manner specified in Section 13(b) above. Failure to give notice will result in a continuation of the rent charge not to exceed 15 days from the date the vacancy becomes known to HABC.

(f) **Non-Renewal of Lease.** Failure of a family member to comply with the requirements of the Community Service/Economic Self Sufficiency Activities are grounds only for non-renewal of the lease and termination of tenancy at the end of the twelve month lease term.

SECTION 15. LEASE TERMINATION NOTICE

The notice of lease termination to the Resident shall state specific grounds for termination, and shall inform the Resident of the Resident's right to make such reply as the Resident may wish. HABC is authorized, although not required, to consider all of the circumstances of the case before any determination to terminate the Lease, including the seriousness of the offense, the extent of the participation by family members, such as whether the Resident has taken all reasonable steps to prevent the criminal activity, and the effects that the eviction would have on family members not involved in the proscribed activity. In appropriate cases and in accordance with the ACOP, HABC may permit continued occupancy by remaining family members and may impose a condition that family members who engaged in the proscribed activity will not reside in the Dwelling Unit.

(a) When HABC is required to afford the Resident the opportunity for a grievance hearing, the notice shall also inform the Resident of the Resident's right to request a hearing in accordance with HABC's Grievance Procedure.

(b) When HABC is not required to afford the Resident the opportunity for hearing under the HABC Grievance Procedure, the notice of lease termination shall:

- (1) State that the Resident is not entitled to a grievance hearing on the termination;
- (2) Specify the judicial eviction procedure to be used by HABC for eviction of the Resident, and state that HUD has determined that this eviction procedure provides the opportunity for a hearing in Court that contains the basic elements of due process as defined in HUD regulations;
- (3) State whether the eviction is for criminal activity or for drug-related criminal activity. In the event that HABC intends to rely on a criminal record and/or police report as the basis for termination of a tenancy, HABC shall provide the Resident with a copy of the criminal record and/or police report before a court trial concerning such termination. The Resident must be given an opportunity to dispute the accuracy and relevance of that record in a court trial. Additionally, HABC shall provide the Resident with a reasonable opportunity to examine, at the Resident's request, before a court trial concerning a termination of tenancy, any documents, including records and regulations, which are in the possession of HABC, and which are directly relevant to the termination of tenancy. The Resident shall be allowed to copy any such document at the Resident's expense.

- (c) HABC shall give written notice of termination of this Lease of:
- 1) Fourteen (14) days which shall run concurrent with any local laws, as set forth in the applicable HUD regulations, in the case of the failure to pay rent;
 - 2) A reasonable period of time considering the seriousness of the situation (but not to exceed 30 days): (A) If the health or safety of other residents, HABC employees, or persons residing in the immediate vicinity of the premises is threatened; or (B) If any member of the household has engaged in any drug-related criminal activity or violent criminal activity; or (C) If any member of the household has been convicted of a felony; or (D) If illegal drugs and/or weapons are seized in an HABC unit by any law enforcement officer; or (E) If any fire on HABC premises which results from the deliberate action or inaction of the Resident, member of the Resident's household or a guest under the Resident's control.
 - 3) Sixty (60) days in all other cases.

SECTION 16. GRIEVANCE PROCEDURE.

All grievances arising under this Lease shall be processed and resolved pursuant to the Grievance Procedure which is in effect at the time such grievance arises, which procedure is posted in the HABC Office and incorporated herein by reference.

SECTION 17. WAIVER.

The failure of HABC or Resident to exercise any right or remedy as provided herein shall not affect the right to do so at a later date for similar or other causes.

SECTION 18. ACCOMMODATION OF PERSONS WITH DISABILITIES.

(a) A disabled person, as defined in the HABC Policies, who gives HABC notice and verification of such disability shall be provided standard reasonable accommodation to the extent available, which is necessary to provide the disabled person with an opportunity to use and occupy the Dwelling Unit equal to a non-disabled person and shall accept same.

(b) Resident may, at any time during the tenancy, request reasonable accommodation of a disability of a household member, including reasonable accommodation to enable Resident to comply with the lease or other requirements of the tenancy.

SECTION 19. RESIDENT'S INABILITY TO COMPLY WITH LEASE TERMS.

At the time of leasing, and at each annual re-examination thereafter, Resident agrees to identify the family members or other individuals whom Resident authorizes to take, secure, or remove Resident's belongings if Resident should die or become physically or mentally unable to comply with the terms of the Dwelling Lease. Nothing in this Section is intended as an agreement by HABC that such

designated individual is entitled, automatically, to take possession of the unit upon the Resident's death or disability and to enter into a Lease with HABC for the unit. Nothing in this paragraph is intended to confer on such designated individual the status of "remaining member of the Resident family."

SECTION 20. MODIFICATION.

HABC in good faith cooperation with RAB may modify this Lease at any time, by written rider, setting forth the written agreement of the Resident and HABC, only consistent with governing laws and regulations.

SECTION 21. Attachments and Acknowledgements.

The following attachments are incorporated into and made a part of this Lease:

- Attachment 1 - HABC Public Housing Handbook
- Attachment 2 - HABC Grievance Procedure
- Attachment 3 - Lead Based Paint Notice
- Attachment 4 - Anti-Drug Language (repealed)
- Attachment 5 - Requirements for Performing Community Service Activities or Self-Sufficiency Work Activities
- Attachment 6- Smoke Detector Notice
- Attachment 7- Pet Policy
- Attachment 8- Mold Prevention Notice

Resident makes the following acknowledgements:

Initial:

- I have read or had read to me the terms of the lease, and I understand the lease, including the provisions regarding drug and criminal activity
- Received Public Housing Tenant Handbook
- Received HABC Grievance Procedure
- Received Lead Based Paint Notice
- Anti-Drug Language (see § 14 of the Lease)
- Reviewed Requirements for Performing Community Service Activities or Self-Sufficiency Work Activities
- Received Smoke Detector Notice
- Received Pet Policy
- Received Mold Prevention Notice

IN WITNESS WHEREOF, the parties have executed this Lease this _____ day of _____, 20__, at Baltimore, Maryland.

HOUSING AUTHORITY OF BALTIMORE CITY

Witness

By _____
Housing Manager

Witness

By _____
Resident

Witness

By _____
Resident

LEASE ATTACHMENT 1
HABC Public Housing Handbook



PUBLIC
HOUSING

HANDBOOK

BALTIMORE BELIEVES IN QUALITY PUBLIC HOUSING

This Handbook is Presented to the Family of

Residents of

By

Housing Manager

Your account number is _____

Housing Authority of Baltimore City
Division of Housing Management
417 E. Fayette Street
Suite 266
Baltimore, Maryland 21202

A MESSAGE FROM THE DIRECTOR OF THE
DIVISION OF HOUSING MANAGEMENT

Welcome to Baltimore City's public housing. Residents of public housing include the young, elderly, handicapped and disabled. Couples, singles and families live here. The programs and services offered reflect the varied needs of a diverse population and are designed to help residents live safe, healthy and productive lives. Many residents share the dream of future independence. We offer some programs which are designed to provide avenues for self-sufficiency.

Many of Baltimore's public housing developments are considered mini-communities whose members work with surrounding neighborhoods. The Housing Authority of Baltimore City (HABC) manages more than 18,000 dwellings in developments and rehabilitated housing and administers the Section 8 Program, which provides housing certificates and vouchers for over 6,000 units.

In Baltimore City, thousands of individuals and families value their residency in public housing and proudly call this place "HOME". Some, such as the elderly, see their residency in public housing as a permanent home, while others seek a place to live as they gain the means for self-sufficiency. A number of outstanding citizens have lived in Baltimore's public housing and have become independent contributing members of our city.

Whatever your plans are, I ask you to join the Housing Authority of Baltimore City in helping to make public housing, quality housing. With your cooperation, public housing management can provide a safe and decent environment for your family.

Director, Division of
Housing Management

A Message From Your Manager

Dear Resident:

It is a pleasure to welcome you to your new home, and we are sure you will be happy in it.

The Management Office is your contact with the Housing Authority of Baltimore City. It is open from 8:30 a.m. to 4:30 p.m. Monday through Friday, and is closed on Saturdays, Sundays and holidays.

Feel free to call the office when faced with any concerns. You are always welcome.

Your Housing Manager

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Our Mutual Understanding

YOUR LEASE — READ IT

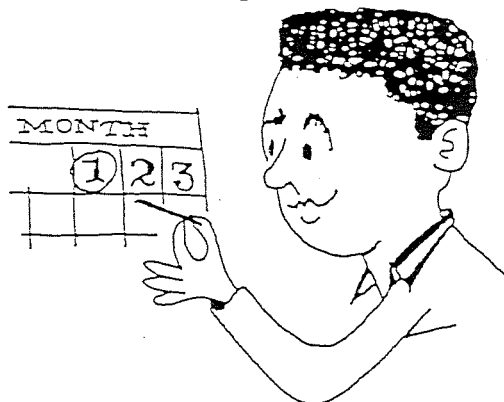
Before you move into your new home, you must sign a lease with the Housing Authority of Baltimore City. Your lease is a binding legal agreement between you and the Housing Authority of Baltimore City, and it is important that you know it thoroughly. This handbook has, therefore, been prepared to help you understand the provisions and regulations that the lease contains. A staff member will visit you shortly after you move into your new home and at that time you may wish to discuss any part of the lease which is not clear. If, however, you have any questions before this visit, please come to the Management Office.

CONDUCT

Residents are responsible for the conduct of all household members and all other persons on the premises with their consent. They all must conduct themselves in a manner that will not disturb neighbors. All residents are expected to help in keeping the whole community in a decent, safe and sanitary condition.

PAYMENT OF RENT

Draw a circle around the FIRST of the month; that's the day when rent is due. Remember, please, that the only place authorized to accept your money is the Management Office. We cannot run the



public housing developments without rent any more than you can wash without water. Therefore, anyone who has not paid by the sixth of the month may lose their home. We don't like to take this kind of action, and we hope that your regular payments of rent will make it unnecessary.

A full month's rent, plus a security deposit (explained on page 2), is due the day you move into the development. If you occupy a unit and use your own refrigerator, your rent will be adjusted. Your

second month's rent will be based upon the day that you signed the lease during the first month.

If you don't understand this process, a staff member will be glad to explain it to you.

SECURITY DEPOSIT

When you pay your first month's rent, you also pay a security deposit, to be applied towards anything that you may owe when you leave.

Don't say "good-bye, forever" to this money, because it will be refunded by mail after you move out IF:

1. You do not owe any rent or other charges, including court costs.
2. You have paid for all damages for which you were responsible.
3. You have cleaned your unit thoroughly, so that there is no extraordinary cleaning to be done after you leave that would involve unusual expense to the Authority.
4. You have given us 15 calendar days' notice in writing that you intend to move, so that the Authority can rent the unit promptly and not lose any money because you failed to move out on time.

Interest will be applied to the security deposit and will be included in the refund if all of the above conditions are met.

RE-EXAMINATION

Your rent is based on income and family size. Therefore, once a year the Authority is required by law to review your family circumstances with you in order to note any changes that have occurred since the last time your rent was set.

At that time, all changes in income that have taken place during the past year must be reported, as well as changes in your family composition. This information is entered on a form by a member of the Management Staff and is confidential. Failure to report changes may result in your being given notice to vacate.

INCOME AND FAMILY CHANGES

It is necessary for you to report all changes in income - either up or down - between re-examination dates. It is required that you report at once the change of a job or a loss of a job, as well as changes in family composition caused by birth, death, marriage, divorce or separation. Under Federal law, the rent you pay is based on the number of people in your family and the total family income.



TRANSFERS

A change in the size of your family may mean that you need a larger or smaller home, and Management may ask you to transfer to another unit. Because so many factors are involved, transfer at the request of the resident will be permitted only in cases of emergency or hardship, and will be handled on an individual basis.

GAS, ELECTRICITY, HEAT AND HOT WATER

When you move in, a Management staff person will tell you what utilities (gas, electricity, heat and hot water) are included in your rent. A fixed amount for utilities has been set in establishing your rent. If you use more than the quantities specified, we must charge you accordingly. Use what you need for comfort and convenience, but don't waste. Please let the Management Office know if you plan to use your own refrigerator in your home. Also, you must get permission from the Management Office if you plan to use a washer/dryer, air conditioner, freezer, etc. You must also inform the Management Office if any special medical equipment will be used in your home.

BOARDERS AND LODGERS

When you moved into your new home, you were assigned a unit just large enough for your own family. If you were to permit additional people to move into your home, you would be taking away from the space that your family needs in order to be comfortable. Also, too many people in a unit makes it hard to keep the unit in good condition.

Therefore, we must insist that you do not take into your home lodgers, boarders or other persons who are not named in your lease as members of your household. Only those people whose names are on the lease are allowed to live in your home. If unauthorized people live in your unit, it is a lease violation and eviction can result. Subletting is not allowed.



WHEN YOU VACATE

When you decide to move out, notify the Management Office in writing at least 15 calendar days in advance of your departure so that your home may be rented promptly to another family in need of housing. If you do not give us 15 days advance notice in writing, we'll have to charge you for 15 days rent. When you leave, please clean your home thoroughly and return all keys to the Management Office. Try to leave the unit as you wanted it to look when you moved into it.

CITY ORDINANCE - The manner in which a tenant vacates a house or apartment is so important that it is covered in a Baltimore City Ordinance (No. 1576). Violation of this ordinance can carry a fine of \$25 to \$100. This is what the law says:

1. Give your landlord due notice that you intend to move.
2. When you leave, close and lock all doors and windows.
3. Leave your house or apartment clean and free of trash.

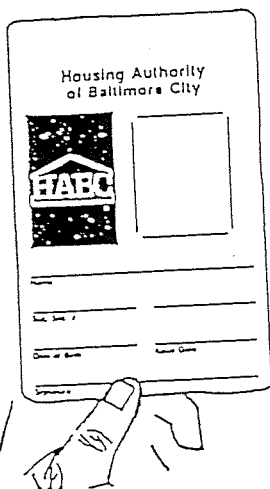
4. Deliver all keys, within 24 hours after you move, to the landlord or his agent, or mail them by registered mail.

From the above, it is easy to see that vacating your unit is really serious business and should be given your strict attention. If you have any problems or questions when you are vacating, please come to the Management Office for help and advice so that you can leave with a clear record. This is especially important if you plan to reapply for public housing in the future.

Working Together For A Comfortable Home

MAINTENANCE INSPECTION

We are interested in helping you to maintain a decent and safe home, and we believe that the only way this can be done is to visit each unit on a regularly scheduled basis for routine preventive maintenance which includes checking the plumbing, electrical fixtures, walls, etc. Therefore, we shall appreciate your cooperation with our maintenance staff when they come to your home for this purpose. For your protection, each employee carries an identification card which you may request to see before allowing them to enter your home. However, please don't wait for our visit if your home is in need of repairs. Let us know, as soon as trouble appears, so that we can make corrections before a big and expensive job develops.



REPAIRS

Your maintenance people are good people to know. They are the ones who make the necessary repairs when something leaks, breaks or is



otherwise damaged. So please request their services promptly by getting in touch with the development Maintenance Shop. An early repair job often saves a lot of trouble and expense. When you make your request for repairs, be sure to give the date and hours during which some member of your family will be at home to admit the maintenance person. However, in case of emergency, or if you give us your permission, we can enter your home, even if you are not present. Damage due to normal wear and tear is our responsibility. Damage done by you, your family or your visitors is your responsibility, and you will be charged.

ALTERATIONS

A condition of the lease is that residents MAY NOT do any of the following things, without getting written permission from your Housing Manager:

- Change or remove any, or any part of, the appliances, fixtures or equipment
- Paint, or hang wallpaper or install self-stick paper
- Attach awnings or window guards/patio screens
- Attach any shelves, screen doors or other permanent improvements
- Install washing machines, dryers, fans, heaters or air conditioners
- Put up any aerials, antennas or other electrical connections
- Install or remove wall-to-wall carpeting (You may use double-stick carpet tape to hold down your rugs or carpets, but not tack strips.)
- Install additional or different locks or gates on any doors or windows.
- Install fences or swimming pools (other than children's pools which are portable and emptied daily).

Some of the things on the list above can be done IF YOU GET PERMISSION in writing, but not all of them. Talk to your Housing Manager if you have any doubt about this part of your lease.

PAINT

Every three years, paint will be offered to you so that you can redecorate your home. You'll find a variety of attractive colors from which to choose. Read carefully the written instructions that are issued with the paint and follow them exactly. Be sure to wash walls and ceilings with a mild soap or powder and warm water, to remove grease and dirt before painting. Otherwise, paint will not stay on the walls properly.



CARE OF THE GROUNDS

Keeping up the appearance of the development is a job that you and Management share. Management is responsible for the care of common areas. Your help is needed to ensure that your development never has that "after the picnic" look and that new grass is given a chance to grow. When it comes to the grounds and walks around your house, you are strictly on your own. In winter, it is your responsibility to see that the walk is clear of snow and ice. In summer, it is your responsibility to cut your grass at least once a week to prevent that scraggly appearance that looks like nobody cares. Snow shovels, lawn mowers and garden tools may be borrowed from the Maintenance Shop. This equipment is for development use only.

Keeping your yard clear of trash is an all-year-round job. We think you'll find it a good idea to go over your lawn once a day and pick up any paper or trash. By doing this job daily, your lawn will be clean at all times. One neglected spot can spoil the appearance of the entire development. If you do not keep your lawn cut and clear of debris, the maintenance staff will do it for you. However, you will be charged.

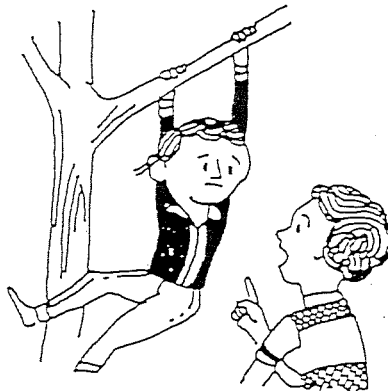
GARDENS

We hope you like flowers, because gardens add to the beauty of the development. The choice of the flowers and the design of the garden are entirely up to you.



TREES AND SHRUBBERY

Please try to preserve the trees. They may look small, but they're expensive, and we would like to give them a chance to grow into real shade trees. Explain to your children how important it is not to cut the bark, swing on the branches or break them off. Most children don't realize that young trees die from this kind of treatment, and you may have to pay for the damage. The shrubbery that is planted by the Authority, like the trees, is to be treated with care. Both shrubs and trees will be trimmed and pruned by trained staff.



FENCES

Because so many different styles and sizes of fences can spoil the appearance of your court or block, you are not allowed to install or erect fences.

NO BUSINESSES OR ADVERTISING SIGNS

Because these houses were built to be your homes, no one is permitted to operate a business in them unless they have received permission from the Housing Manager. For the same reason we must ask you not to make billboards of your homes. No advertising signs, please.

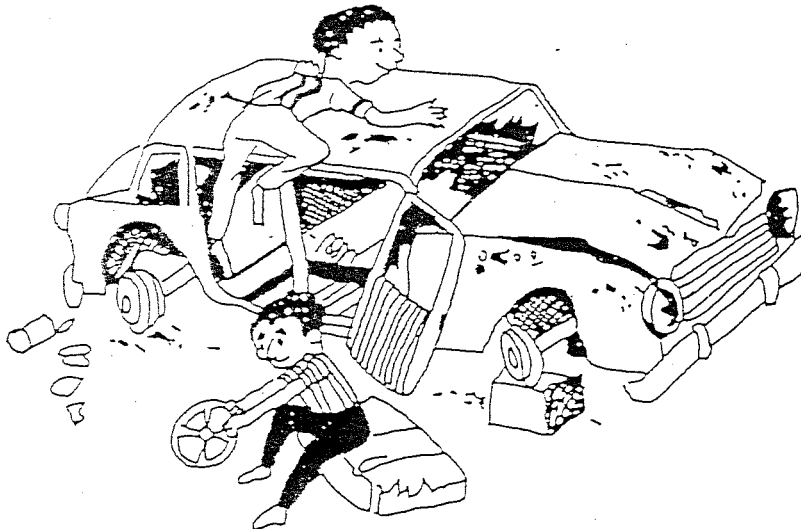
AUTOMOBILES

As a resident, you have the privilege of using the development parking spaces. In some developments, residents are required to display special stickers to distinguish residents' cars from those parked illegally in the development by others. Contact your Management Office to find out if a sticker is necessary.

Observe the "No Parking" and "Restricted Parking" rules in your development. Also, no parking, please, on narrow streets or lawns. If you work on your car, be sure to clean up all grease spots, oil or litter, as you will be charged for any clean-up work of this type that has to be performed by our maintenance staff.

Repair work involving the raising of your car on jacks or blocks could be dangerous and is prohibited.

Don't abandon your automobile in the development, as it may be towed away at your expense. An abandoned car is an invitation to children and others to vandalize, and often causes personal injury



for which you may be held liable.

Illegally parked vehicles may also be subject to towing.

GARBAGE AND TRASH



Nobody likes garbage oozing out of cans and trash spilling out of containers, so here are a few suggestions for getting rid of these menaces to health and good development appearance:

1. Drain and wrap your garbage before disposing of it.
2. If your development has dumpsters, be sure all of your wrapped garbage and trash goes through the door. Don't leave any spilled on the platform or street. Close the door before leaving. Please break up cartons and boxes so that they take up less space.
3. If your development has no dumpsters, you must provide a 20-gallon metal can with a tight fitting lid for your garbage and trash.
4. Be sure to replace the lids securely, so that a slight breeze won't catch them off-balance.
5. Make a note of the collection days in your development.
6. If you leave home for several days, put your garbage and trash out before you go.

7. You know the old saying: "Don't send a boy to do a man's work". That applies to sending small children to empty garbage and trash. They mean to do the right thing, but they're very likely to spill it in their efforts to reach the container.
8. If you are throwing away objects so large that even the dumpster can't hold them (furniture for instance), ask the Management Office how to dispose of them.

ACCIDENTS AND EMERGENCIES

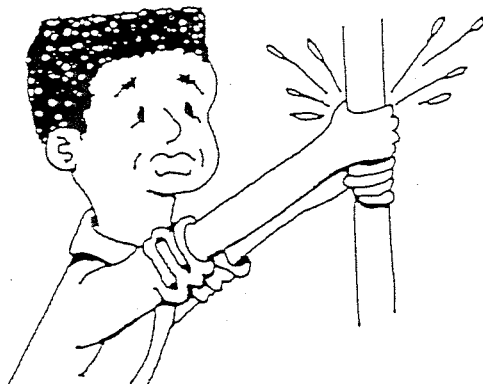
We all know that unforeseen things happen to the best run households, and sometimes these situations can become emergencies. Below are listed the people or places to contact in case of emergency.

FIRE either in your home or in the development. If a fire starts, go to the nearest telephone or fire alarm box - whichever one you can reach faster - and report it at once. Don't delay. In case of fire, every minute counts.

BURGLARY, VANDALISM and DISTURBANCE OF THE PEACE are situations for the police to handle, so they are the ones to call.

MAINTENANCE EMERGENCIES are: gas leaks, failure of water pumps during heavy rainfall; broken sewer pipes; serious damage to roofs as a result of a storm; and any failure of lights that occurs in more than one home, or is dangerous to life, health or property. If any of these situations arise during office hours, get in touch with your Housing Manager or Maintenance Supervisor, and they will arrange for a maintenance person to make repairs. If the office is closed, look in the back of this book, where phone numbers to call for all types of emergencies are listed.

All emergencies and accidents that occur in your home or in the development should be reported to the Management Office promptly.



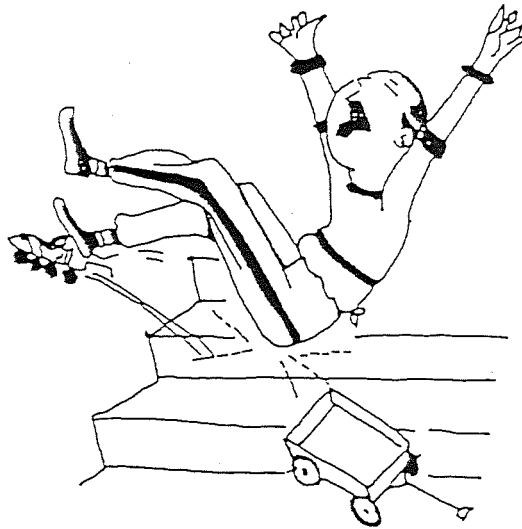
LOCKOUT SERVICE

Your Management Office can help you get into your home if you forget your key. However, there will be a charge for this service. If the Management Office is closed, you will have to figure out your own means of getting in. The cost of repairing any damages to the doors or windows must be charged to your account. The important thing is: "Don't forget your key."

Consider leaving a spare key with a family member or trusted neighbor.

HALLS, STAIRWAYS, LANDINGS AND ENTRANCES

Halls, stairways, landings and entrances are not safe parking places for toys, bicycles and other wheeled vehicles. They should be kept in closets in your unit or in basement storage spaces, if such spaces are provided in your development. Please make it your own personal responsibility to keep these much-used places clear and uncluttered at all times.



PETS

See your Housing Manager to find out if pets are permitted in your development. If pets are permitted, they will tell you what kinds of pets are allowed. Please remember that if you are granted permission to keep a pet, it is a privilege, and not a right, of tenancy.



Between their visits, keeping your home free of pests is your own personal job. All that is necessary is good housekeeping habits. Should you at any time see evidence of rats around the development, report this to the Management Office immediately. Rats are dangerous - especially to children.

LAUNDRY

In developments where special washing facilities are not available, many residents do their wash in their bathrooms or kitchens. If you wish to install an automatic washing machine, be sure to consult your Management Office first for permission and necessary instructions. Improper use of HABC drains may cause serious damage and flooding to the property for which you may be held responsible.

TELEPHONE SERVICE

You may install a telephone in your home. For the convenience of those who do not have this private service, telephone booths have been placed on street corners or near the Management Office in most of the developments and in some community buildings.

OUTSIDE AERIALS

Outside aerials may not be installed.

CABLE

The HABC has arranged with the local cable company to offer their services to you. The cable company will bill you directly for this service.

YOUR MAILING ADDRESS

Do the people who want to write to you know where you live? Be sure to give them your address by street, avenue, court or road, together with your house or apartment number, and zone number. If you give only the name of the development as your address, your mail goes to the development Management Office. Change of address forms are available in the Management Office. Fill it out and drop it in the nearest mail box at once. In this way you will receive all mail promptly at your new home.

Resident Activities



RESIDENT ORGANIZATIONS

All of the developments have what are known as resident organizations. These are groups of residents who deal with needs that arise in the development community. All of their undertakings - civic, educational, health and recreational - help to make the community a better and more harmonious place in which to live. Each of you have talents or interests which would mean a great deal to a group of this kind.

There is also a Resident Advisory Board that is made up of representatives from all of the public housing developments. They are instrumental in helping to make sure that the special concerns of all residents are met.

The Management Office is working for conditions throughout this community which will benefit all of the residents. The Manager needs the assistance of interested groups who will work closely with them toward this end.

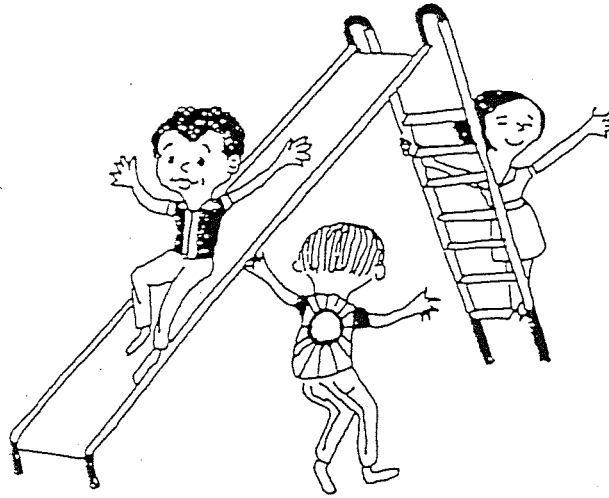
There are leisure time groups for all the adults. Maybe you will enjoy the Men's Club, the Women's Sewing Club, the Golden Age Club, the Mothers' Club or one of the classes in Home Nursing, Nutrition or First Aid to mention just a few.

In all of the developments you will find activities which will be of interest to children of all ages. They are warmly invited to join the Boy Scouts, Girl Scouts, "Just Say No" Clubs, Athletic Clubs and Youth Councils.

Every development has facilities for the meetings of organized resident groups. Look for your community building, and join in the fun that goes on there. We welcome new clubs. So if you want to organize your own - go to it.

PLAY AREAS

Play areas have been provided within the developments for your children. During the warm weather months, older children and grownups play such games as softball, basketball, volleyball and dodgeball. Urge the older children to find amusement in other play spaces or in the recreation center.

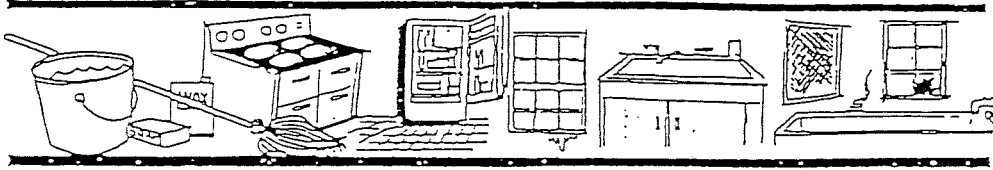


CLINICS

The Health Department of Baltimore City operates Well Baby Clinics in the communities of many of our developments. You are urged to take advantage of the Well Baby Clinic, where qualified doctors and nurses will examine your baby.



Homemaking Advice



Since the purpose of Public Housing is to give families a decent, safe and sanitary home in which to live, we wish to offer you the following advice on how to maintain your home in a satisfactory manner.

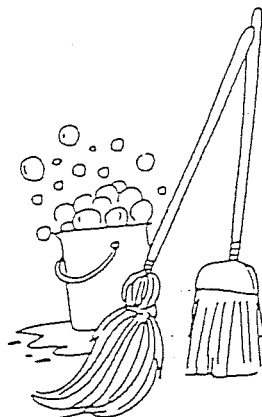
FLOORS

Cleaning and waxing your floors regularly will keep them in good condition. Concrete floors should be washed with a mild soap and water, then rinsed and wiped dry. (Avoid using strong soaps and gritty cleansers.)

Wood floors should not be washed at any time, as water warps the wood and destroys the finish. There are a number of good cleaning preparations and waxes on the market. These should be used on your wood floor.

Never put paint on either wood or cement floors. Carpet, asphalt tile and linoleum must not be glued to floors.

Asphalt, rubber and plastic tile floors should be washed with lukewarm water and a mild soap, then rinsed and wiped dry. Use a water emulsion wax for polishing. Other types of wax will ruin the tiles. Use a dry mop to remove dust and dirt between waxings - an oily mop will damage the tiles.



PAINTED SURFACES

Painted surfaces may be washed with a solution of any reliable mild soap, soap flakes or powder. Do not use strong soaps or powders as they will destroy the finish.



STOVES

The burners and drip pans of the stoves should be cleaned frequently with a mild soap and water solution. The enamel surfaces should never be washed while hot because the enamel will crack.

Always light a match first and hold near burners before turning on the gas in order to keep from being burned or causing an explosion. If you have a pilot light on your stove, be sure that it is burning at all times. When you light your oven, be sure to open the broiler door under the oven, to permit excess gas to escape. Under no circumstances allow your child to turn on the stove.

REFRIGERATORS

Your food will keep better if you clean the inside of your refrigerator at least once a week. Wash the food compartments in warm water to which two tablespoons of washing soda or borax have been added for each quart of water. Then wipe with a soft cloth and dry thoroughly.

Defrost the refrigerator at least once a week or when coils are heavily coated with frost. To defrost, open the door and turn knob on freezing compartment to "def". Remove all food from the tray beneath the froster, since water will drip from compartment while defrosting goes on. When frost has completely melted, wipe out the dampness. Your box is then ready for use again. Never use a sharp instrument to defrost. This will cause serious damage, and you will be charged.

CONDENSATION

When you keep your windows closed, water collects on the windows and runs down on the sills. This is especially true in winter. This water should be wiped up before it has a chance to ruin the finish of the sills and run down the wall, softening the plaster. Unless you keep your kitchen windows open when cooking or washing, water will collect on walls and will eventually ruin the paint and soften the plaster. It is also a good plan to open your windows wide for a short period each day in the winter so that the fresh air can sweep away the dampness.

PICTURES AND FIXTURES

When you hang your favorite picture, mirror or other fixture, be sure that you exercise care. There are special devices which you can buy that will prevent scarring the wall. If you need advice, consult your Maintenance Supervisor.

PLUMBING FIXTURES

A homemaker soon discovers that the kitchen sink receives the hardest wear of any of their plumbing fixtures. Soap and hot water are the best cleansers for an enamel sink. If soap does not take off stains, use a light powder cleanser. A gritty powder will scratch the enamel, and once scratched, it is very difficult to keep clean. Do not place acid foods (oranges, lemons, tomatoes) in your sink because they will stain it. Put your leftover grease in cans for disposal. If you pour it down the drain, your drainpipe will become clogged. Be sure that faucets are shut off completely after each use, as dripping faucets waste water, and the faucet is quickly damaged by the small stream of water. If your faucet drips, call the maintenance shop.

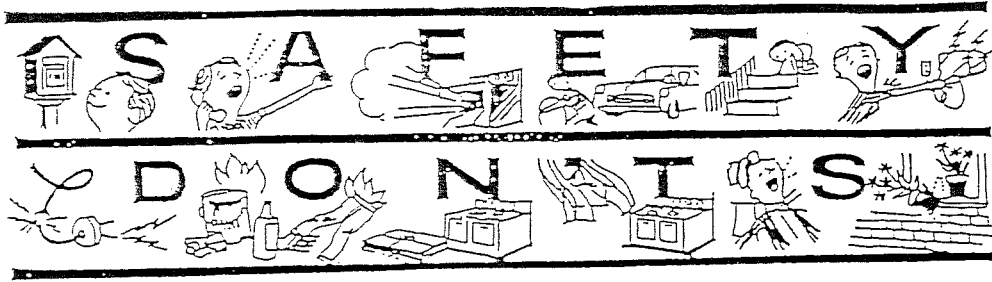
The bathtub and wash basin should be cleaned immediately after using. They are also enamel and should be cleaned the same as the sink. The toilet is best cleaned with soap and water and a long brush. This should be done at least once a week. Do not pour hot water into your toilet because this may crack the bowl. Please warn the children against stopping up the toilet by throwing into it such objects as balls, soap, paper, rags and garbage. If the toilet is stopped up as a result of items being placed in it, you will be charged for repairs.

SHADES AND SCREEN DOORS

Consult your Maintenance Supervisor about the best method for washing your shades. They will be replaced approximately every

five years. If your shades are damaged through neglect, you will be charged for replacement. Repair of your screen door will also be charged to you if it is broken through neglect. Remember to shut your screen doors securely at all times so that they will not break away as they swing free in a high wind.

Make certain that your windows are closed whenever you are to be away from home. This will not only prevent your shades from being ruined, but also your lamps and valuable knick-knacks from being blown over, and your curtains, rugs, walls and furniture from getting wet.



Don't delay in spotting your nearest fire alarm box when you move into the development. If no fire alarm box is nearby, find the nearest telephone, which will answer the purpose in an emergency.

Don't ignore, even for a moment, the ODOR OF GAS. Immediately put out all flames and open all windows. If you have checked and found that all the jets are turned off, notify the Management Office, so that the leak can be repaired at once. If the office is closed, call the Gas & Electric Company. Escaping gas has caused many bad explosions.

Don't let the children play in the streets. Get them into the habit of using the playgrounds, which have been provided for their safety and enjoyment. Small children should be supervised at all times.

Don't neglect those wires that make your toasters, electric irons, radios and lamps work. Check carefully for frayed covering, bent prongs on plugs and loose wiring. Any one of these things can cause a fire in your apartment.

Don't store paint, oil, gasoline, naphtha, oily rags, clothes with oil or paint on them or newspapers in your home or around it unless they are in safety cans. These are first-class fire hazards, and the law says they must be put out of the way.

Don't clutter up the space around stoves or hot-water heaters. Keep it clear at all times. This applies to your draperies and curtains, as well as other objects.

Don't load your window sills with flower pots or other objects which a gust of wind can bring down on the head of a passerby.

EMERGENCY TELEPHONE NUMBERS

HOUSING AUTHORITY OF BALTIMORE CITY
OFFICES BETWEEN THE HOURS OF
8:30 A.M. AND 4:30 P.M.
MONDAY THROUGH FRIDAY
DEVELOPMENT MANAGEMENT OFFICE NUMBER



HOUSING AUTHORITY OF BALTIMORE CITY
EMERGENCY NUMBER BETWEEN
4:30 P.M. AND 8:30 A.M.; ALSO
SATURDAYS, SUNDAYS AND HOLIDAYS
396-3100

FIRE	"911"
POLICE	"911"
AMBULANCE	"911"
DRUGS	685-DRUGS

FAMILY RECORDS

As a homemaker, you will need to take on another new job. You need to become a record keeper.

Everything on paper that refers to your unit should go into a home record file; you should keep the copy of your lease; copies of any letters you write to Housing Management about your unit; letters or notices from your Housing Manager; household insurance policies; records of inspections and repairs; copies of utility bills you have paid. It is important to be able to refer to these written records in case any question should ever come up about what has happened in your unit. It is also very helpful to you to be able to look back and see what you have been spending on housing. When you want to move on, this information will help you plan what kind of housing you can afford.

A good way to keep records of this kind is to put them in a big manilla (very heavy tan paper) expanding, or accordion file. This is actually like a paper brief case, with dividers so you can sort out your different records, but you can have them all together for convenience. You can get an expanding file at any stationery store. A large manilla folder can also be used.

If you want to make a copy of something you are sending away, like a letter, you can either use carbon paper or have a copy made on a copying machine for just a few cents. Every public library, as well as some banks and many other businesses have copiers and will make copies for you at a minimum expense.

Record keeping is a good habit to get into for ALL your family records. You need to refer to medical records when children enter school, you need your financial records when it's time to fill out tax forms. Automobile maintenance and copies of guarantees on small household appliances are useful to keep too. If you have room and can find one for not much money at a garage sale or a second-hand store or thrift shop, a small 2-drawer filing cabinet makes all this record keeping a lot easier.

BE SURE TO KEEP THIS BOOK WHERE YOU CAN REFER TO IT IN A HURRY IF YOU NEED TO; AND KEEP YOUR RECORDS WHERE YOU CAN REFER TO THEM IN A HURRY TOO.

SMOKE DETECTORS

Every HABC unit has a smoke detector installed. This is a Baltimore City law. In some units smoke detectors are wired directly into the electric system (hard-wired), in others, smoke detectors are operated by batteries, or both. Each type needs to

be checked at least once a month to see if they are working.

To test, push the test button to see if it beeps. If there is no sound, your smoke detector is not working.

If your smoke detector is beeping now and then for no apparent reason, it is also not working properly.

First aid procedure is to take out the battery in the battery-operated model and remove any dust from the unit with a vacuum cleaner hose, if you can safely reach it, or with a dust cloth. (Some smoke detectors cannot tell the difference between dust and smoke.)

Replace the battery and see if the beeps have stopped. If not, you need a new battery.

Do the same thing for a hard-wired smoke detector that's beeping - remove dust the best you can and see if that helps. If it does not, then call the Housing Manager.

Remember - smoke detectors are in your home because they could save your life. Take no chances. NEVER disconnect or remove the batteries from your smoke detector except to put new ones in. Never cover up a smoke detector.

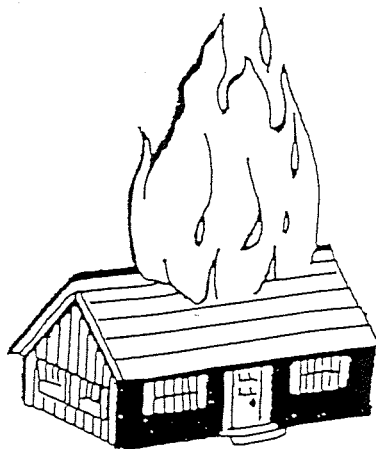
In your unit the smoke detector is:

hard-wired

both

battery operated

You are responsible for keeping your smoke detector operating. If it is not working, call your Housing Manager or Maintenance Supervisor immediately.



LEASE ATTACHMENT 2
HABC Grievance Procedure

HOUSING AUTHORITY OF BALTIMORE CITY**TENANT GRIEVANCE POLICY
AND
APPEALS PROCEDURE****APPROVED JANUARY 17, 1995****I. PURPOSE**

This procedure is established to assure that Tenants are afforded an opportunity for a fair hearing if the Tenant disputes any Housing Authority of Baltimore City (HABC) action or failure to act involving the Tenant's Lease or HABC regulations which adversely affect the individual Tenant's welfare, rights, duties or status. Tenancy shall not terminate until such time as the grievance process has been completed. This Grievance Procedure shall be incorporated by reference into the Dwelling Lease.

II. APPLICABILITY

HUD has issued a due process determination that the law of the State of Maryland requires that the Tenant be given the opportunity for a hearing in court which provides the basic elements of due process (as defined below) before eviction from the dwelling unit. Therefore, in accordance with the applicable Federal regulations (24 CFR § 966.50), this Grievance Procedure shall be applicable to all individual grievances, as defined in Section III. E. below, except the following:

- A. Refusal to pay rent when due, unless the amount of rent charged is in dispute.
- B. Disputes between Tenants not involving Management.
- C. Class grievances.
- D. Any criminal activity that threatens the health, safety or the right of Tenant's neighbors peaceful enjoyment of the premises by the Tenant's neighbors, other residents or employees of HABC.

- E. Any drug related criminal activity on or near the premises/tenant dwelling unit.

III. DEFINITIONS

- A. Class Grievance: Any grievance in which the decision on an individual grievance would be, as a practical matter, dispositive of the interests of other Tenants.
- B. Complainant: Any Tenant, as defined in Paragraph F. below, who presents to the Management Office a grievance in accordance with the procedures set forth herein.
- C. Drug Related Criminal Activity: The illegal manufacture, sale, distribution, use of or possession with intent to manufacture, sell, distribute or use a controlled dangerous substance (as defined in Section 102 of the Controlled Substances Act, 21 USC §802).
- D. Elements of Due Process: An eviction action or termination of tenancy in a state or local court in which the following procedural safeguards are required:
1. Adequate notice to the Tenant of the grounds for terminating the tenancy and for eviction;
 2. Right of the Tenant to be represented by Counsel;
 3. Opportunity for the Tenant to refute the evidence presented by HABC, including the right to confront and cross-examine witnesses and to present any affirmative legal or equitable defense which the Tenant may have;
 4. A decision based upon the facts presented at the hearing.
- E. Grievance: Any dispute that a Tenant may have with respect to the Management's (HABC) action or failure to act in accordance with the individual Tenant's lease or Management regulations which adversely affect the individual Tenant's rights, duties, welfare or status, including any dispute about the amount of rent that is charged. For the purpose of the Lease and Grievance Procedure, the definition of "grievance" does not include the issues set forth in Section II. A. through E. above.

- F. Tenant: The adult person (or persons, other than a live-in aide, as defined in the lease): (1) who resides in the unit, and who executed the lease with HABC as lessee of the dwelling unit, or, if no such person now resides in the unit, (2) who resides in the unit, and is the remaining head of household of the Tenant family residing in the dwelling unit.
- G. Reasonable Accommodation: Accessible location, effective communication (including: qualified sign language interpreters, readers, enlarged print, braille).

IV. INFORMAL SETTLEMENT OF GRIEVANCE

As much as possible should be left to the mutual efforts of Management and Tenant, with both parties attempting to resolve all complaints as quickly and justly as possible. However, the Tenant may present a grievance for any complaint which cannot be resolved by such methods, and the following procedure will apply:

- A. The Complainant shall, either orally or in writing, present a description of the grievance to the Management Office within twenty (20) working days after the HABC's action or failure to act, giving rise to the grievance, so that the grievance may be discussed informally and settled without a formal hearing. (Exhibit A may be used for this purpose. Refer to Section V. B. for possible waiver of this section.)
- B. The Tenant shall receive a receipt upon presentation of the grievance stating the date of filing and the nature of his/her grievance, and a copy will be retained in the Management Tenant file (Exhibit B).
- C. The Housing Manager, in concert with the Complainant, will establish a mutually agreeable date, time and place for the informal discussion of the grievance.
- D. The Housing Manager shall mail to the Tenant within five (5) working days after the meeting, a summary of the informal discussion and his/her decision regarding the proposed disposition of the complaint and the specific reason thereof. The summary shall specify the procedures by which a hearing may be obtained if the Complainant is not satisfied. A copy of Exhibit C shall be enclosed as a suggested form that may be used for requesting a formal grievance hearing.

- E. The Tenant may request a formal grievance hearing (refer to Section V.).

V. PROCEDURE TO OBTAIN A HEARING

A. Request for Hearing: If the Complainant is not satisfied with the results of the informal conference, the Complainant shall submit a written request for a hearing to the Management Office, no later than five (5) working days after the date Complainant receives the Summary of Discussion, pursuant to Section IV. above. The written request shall specify:

1. The reasons for grievance.
2. The action of relief sought.

(Suggested forms for this purpose can be obtained from the Management Office, Exhibit C.)

B. Hearing Prerequisite: All grievances shall be presented either orally or in writing pursuant to the informal procedures prescribed in Section IV. above as a condition precedent to a hearing. However, the Complainant may request a waiver of this requirement. To request such a waiver, the Complainant shall follow this procedure:

1. The Complainant shall complete and submit to the Management office a Form A, and shall attach it to a request for a waiver of Section IV.
2. A Hearing Panel will be convened.
3. The Complainant shall appear before the Hearing Panel to show why he or she failed to proceed in accordance with Section IV. above.
4. If the Hearing Panel decides the Complainant has shown good cause for his or her failure to proceed in accordance with Section IV. above, the Hearing Panel may waive the requirements of Section IV.
5. If the Hearing Panel grants such a waiver, it shall immediately set a date for a hearing on the Complainant's grievance.

Failure to request a hearing shall not constitute a waiver by the Complainant of his or her right thereafter to contest Management's action in disposing of the complaint in an appropriate judicial proceeding.

- C. Failure to Make a Timely Request for a Hearing: If the Complainant does not make a request for a hearing within five (5) working days after receipt of Summary of Discussion, Management's disposition of the grievance shall become final.

However, the Complainant may request a waiver of this five (5) day requirement. To request such a waiver, the Complainant shall follow this procedure:

1. Within 15 working days after receipt of Summary of Discussion, the Complainant shall submit to the Management Office a request for waiver of this five (5) day requirement.
2. A Hearing Panel will be convened.
3. The Complainant shall appear before the Hearing Panel to show why he or she failed to proceed within the given five (5) day period.
4. If the Hearing Panel decides the Complainant has shown good cause for his or her failure to proceed within the five (5) day period, the Hearing Panel may waive the five (5) day requirement.
5. If the Hearing Panel grants such a waiver, it shall immediately set a date for a hearing on the Complainant's grievance.

Failure to request a hearing shall not constitute a waiver by the Complainant of his or her right thereafter to contest Management's action in disposing of the complaint in an appropriate judicial proceeding.

- D. Escrow Deposit: In any grievance involving the amount of rent or any part thereof, as defined in the lease, which Management claims is due under the lease, and which has not been paid, the Complainant shall pay to Management at the time the Complainant files his or her request for a formal hearing, under Section V. A. above, an amount

at least equal to the amount of rent due and payable as of the first of the month preceding the month in which the act or failure to act took place. The Complainant shall thereafter pay the same amount of the monthly rent to the Management Office, and the Management Office shall deposit the monies in an escrow account until the complaint is resolved by decision of the Hearing Panel. Following this decision, any amount due the Complainant from the escrow deposits shall be returned in full to him or her within 30 days. These requirements for escrow deposit may be waived by Management in extenuating circumstances. Unless so waived, the failure to make such payments shall result in a termination of the grievance procedure, provided that failure to make payment shall not constitute a waiver of any right the Complainant may have to contest Management's disposition of his or her grievance in an appropriate judicial proceeding.

- E. Scheduling of Hearings: Upon Complainant's compliance with all applicable procedures or waiver, pursuant to Section V. above, the Housing Manager shall, within five (5) working days, forward the Complainant's request for a grievance hearing to the Panel Secretary. The Secretary will immediately notify the members of the Hearing Panel of the Complainant's request for a formal hearing and shall promptly schedule a hearing within 30 working days at a time mutually convenient for the panel, the Complainant and Management. A written notification shall be delivered by hand or by regular mail, specifying time, the place and the procedure governing the hearing, to the panel members, the Complainant and the appropriate Management Official.

VI. SELECTION OF HEARING PANEL

- A. Grievance shall be presented before a permanent Hearing Panel consisting of five (5) voting persons and a Secretary who will be provided by Management.
- B. The Policy Committee of the Resident Advisory Board (RAB) will select two (2) permanent panel members; Management will select two (2) panel members for each grievance hearing; and one impartial member will be selected on a rotating basis from a list of names previously compiled by agreement between Management and the Policy Committee of RAB. No one on the list may be an officer, employee or Tenant of HABC.

- C. The Policy Committee of RAB will select two (2) alternate panel members, who will serve on the panel if a permanent RAB member cannot be contacted, is unable to attend the hearing or is unable to serve.
- D. No relatives of the Complainant shall serve on the Hearing Panel.
- E. No one from the Complainant's development shall serve on the Hearing Panel.
- F. No one whose duties or responsibilities involve him in any way with the grievance at issue shall serve on the Hearing Panel.
- G. The term for the permanent Hearing Panel members and alternates selected by RAB will be for one year, beginning January 1 of each year. If a permanent RAB Member leaves before the end of his or her term, the position will be filled by an alternate and a new alternate will be selected. Members may be reappointed for subsequent terms. The list from which the impartial member is selected will also be drawn up on an annual basis, effective January 1 of each year.

VII. PROCEDURES GOVERNING THE HEARING

- A. The hearing shall be held before the Hearing Panel selected pursuant to Section VI. above. The full panel or three members shall constitute a quorum for the hearing of a grievance if at least one member chosen by the Policy Committee of RAB, at least one member of Management, and the impartial member are present.
- B. The impartial member shall act as moderator at the hearing. His or her responsibilities will include coordinating all activities associated with the hearing, such as calling witnesses and maintaining order, and generally insuring that the hearing is conducted in a fair and orderly manner.
- C. The Complainant shall be afforded a fair hearing providing the basic safeguards of due process, which shall include:
 - 1. The opportunity to examine before the hearing any HABC documents and to copy all documents, records and regulations of Management, that are relevant to the hearing. Any document relevant to the hearing which Management does not

make available after request thereof by the Complainant, may not be relied on by Management at the hearing. The copying of documents, which Management intends to use in responding to the grievance, shall be done at the expense of Management. All other documents shall be copied at the expense of the Complainant.

2. The right to be represented by Counsel or other person chosen by the Complainant as his or her representative.
 3. The right to a private hearing (which includes only panel members, the Complainant, the Housing Manager, the Panel Secretary, Counsel or representative from both sides and witnesses) unless the Complainant requests a public hearing.
 4. The right to present evidence and arguments in support of his or her complaint, to controvert evidence relied on by Management, and to confront and cross examine all witnesses upon whose testimony or information Management relies.
 5. The right to a decision based solely and exclusively upon the facts presented at the hearing.
 6. The Hearing Panel shall hear each case and judge it on its own merit.
- D. The Management and Complainant shall exchange a listing of witnesses that each intends to call upon at the hearing.
- E. If the Complainant or Management fails to appear at a scheduled hearing, the Hearing Panel may make a determination to postpone the hearing, or may make a determination that the party has waived the right to a hearing. Both the Complainant and Management shall be notified of the determination by the Hearing Panel, provided that a determination that the party has waived the right to a hearing. Both the Complainant and Management shall be notified of the determination by the Hearing Panel, provided that a determination that the Complainant has waived the right to a hearing shall not constitute a waiver of any right the Complainant may have to contest disposition of the grievance by Management in an appropriate judicial proceeding.

- F. At the hearing, the Complainant must first make a showing of an entitlement to the relief sought and thereafter Management must sustain the burden of justifying Management's action or failure to act against which the complaint is directed.
- G. The hearing shall be conducted informally by the Hearing Panel, and oral or documentary evidence pertinent to the facts and issues raised by the complaint may be received without regard to admissibility under the rules of evidence applicable to judicial proceedings. The moderator shall require Management, the Complainant, Counsel and other participants or spectators to conduct themselves in an orderly fashion. Failure to comply with the directions of the moderator to obtain order may result in exclusion from the proceedings.
- H. The Complainant or Management may arrange, in advance and at the expense of the party making the arrangement, for a transcript of the hearing. Any interested party may purchase a copy of such transcript.

VIII. DECISION OF THE HEARING PANEL

- A. The Hearing Panel shall prepare a written decision, together with the reasons thereof, within five (5) days after the hearing. A copy of this decision shall be sent to the Complainant, the Director of the Division of Housing Management, and the appropriate Management Office. Management shall retain a copy of the decision in the Tenant's folder. A copy of such decision, with all names identifying references deleted, shall also be maintained on file by Management and made available for inspection or purchase by a prospective Complainant, his representative or the Hearing Panel.
- B. If the grievance is in reference to monies due to the HABC, and the Hearing Panel rules in favor of Management, a written agreement will be made between the Complainant and the appropriate Housing Manager for payment. The Housing Manager shall take into consideration any recommendations made by the Hearing Panel as to the amount and the scheduling of payments.
- C. The decision of the Hearing Panel shall be binding on Management, which shall take all action, or refrain from any action, necessary to carry out the decision unless the Board of Commissioners of the Housing Authority of Baltimore City determines within a reasonable time (30 days) and promptly notifies the Complainant of its

determination that:

1. The grievance does not concern Management's action or failure to act in accordance with or involving the Complainant's Lease or Management regulations, which adversely affect the Complainant's rights, duties, welfare or status.
 2. The decision of the Hearing Panel is contrary to applicable Federal, State or Local law, HUD regulations or requirements of the Annual Contributions Contract between HUD and the HABC.
- D. A decision by the Hearing Panel or the Board of Commissioners of the HABC in favor of Management or which denies the relief requested by the Complainant in whole or in part shall not constitute a waiver of, nor affect in any manner whatever, any rights the Complainant may have to a trial or judicial review in any judicial proceedings, which may thereafter be brought in the matter.

IX. NOTICE TO TERMINATE TENANCY, HEARING PANEL DECISIONS, NOTICE TO VACATE AND EVICTION ACTIONS

If a Tenant has requested a hearing in accordance with the Procedure under Section V., on a complaint involving a management notice of termination of the tenancy, and the Hearing Panel upholds Management's action to terminate the tenancy, Management shall not commence an eviction action in a State or Local Court until it has served a Notice to Vacate on the Tenant. In no event shall a Notice to Vacate be issued prior to the decision of the Hearing Panel having been delivered by hand or by regular mail service to the Complainant. Such Notice to Vacate must be in writing and specify that if the Tenant fails to quit the premises within the applicable statutory period, or by the termination date stated in the notice of termination, whichever is later, appropriate action for eviction will be brought against him/her and he/she may be required to pay court costs and attorney's fees.

X. ACCOMMODATIONS

The Authority will provide reasonable and accessible accommodations for residents with qualified disabilities and ensure that communication is as effective as that provided to individuals with disabilities. Moreover, the Authority shall take appropriate steps to ensure that communications with

participants with disabilities are as effective as communications with others, which may include, but not be limited to, enlarged print, a signer, audio communication, braille, or a reader.

XI. TIME PERIODS

In computing time periods referred to in this Procedure, Saturdays, Sundays and Legal Holidays occurring on weekdays shall not be included.

HOUSING AUTHORITY OF BALTIMORE CITY
REQUEST FOR INFORMAL GRIEVANCE HEARING

NAME: _____

ADDRESS: _____

TELEPHONE NUMBER: _____ ACCOUNT #: _____

DEVELOPMENT NAME: _____

HOUSING MANAGER: _____

Briefly explain the nature of your grievance: _____

I understand that I can bring any documents or persons that I think would be helpful to the informal grievance hearing.

TENANT'S SIGNATURE

DATE

SIGNATURE OF STAFF PERSON
ACCEPTING THIS FORM

TIME

HOUSING AUTHORITY OF BALTIMORE CITY

RECEIPT OF REQUEST FOR INFORMAL GRIEVANCE HEARING

NAME: _____

ADDRESS: _____

TELEPHONE NUMBER: _____ ACCOUNT #: _____

DEVELOPMENT NAME: _____

HOUSING MANAGER: _____

On (Date) _____ at (Time) _____, a request for an informal grievance was received from the above-named person.

I understand that I can bring any documents or persons that I think would be helpful to the informal grievance hearing.

TENANT'S SIGNATURE

DATE

SIGNATURE OF STAFF PERSON

TITLE

HOUSING AUTHORITY OF BALTIMORE CITY
STATEMENT OF FORMAL GRIEVANCE REQUEST

NAME: _____

ADDRESS: _____

TELEPHONE NUMBER: _____ ACCOUNT #: _____

DEVELOPMENT NAME: _____

HOUSING MANAGER: _____

I have received the summary of the discussion we had on _____
_____, regarding my complaint concerning _____

Your decision in this matter is not satisfactory, and I therefore request a formal grievance hearing in accordance with the HABC Grievance Policy and Appeals Procedure.

I understand that I can bring to the formal grievance hearing any documents or persons that I think would be helpful.

TENANT'S SIGNATURE

DATE

WITNESS

DATE

HOUSING AUTHORITY OF BALTIMORE CITY

STATEMENT OF WAIVER HEARING REQUEST

NAME: _____

ADDRESS: _____

TELEPHONE NUMBER: _____ ACCOUNT #: _____

DEVELOPMENT NAME: _____

HOUSING MANAGER: _____

I have received the summary of the discussion held on _____
_____, regarding my complaint concerning _____

Your decision in this matter is not satisfactory, and I therefore request a **WAIVER** hearing in accordance with the HABC Grievance Policy and Appeals Procedure.

I understand that I can bring any documents or persons that I think would be helpful to the waiver hearing.

TENANT'S SIGNATURE

DATE

WITNESS

DATE

LEASE ATTACHMENT 3

Lead Based Paint Notice

HOUSING AUTHORITY OF BALTIMORE CITY
DISCLOSURE OF INFORMATION ON LEAD-BASED AND / OR LEAD-BASED PAINT HAZARDS
PERKINS HOMES
MD002-003

Lead Warning Statement

Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, lessors must disclose the presence of known lead-based paint and/or lead-based paint hazards in the dwelling. Lessees must also receive a federally approved pamphlet on lead poisoning prevention.

Lessor's (HABC) Disclosure

- (a) HABC Presence of lead-based paint:
Known lead-based paint is present in the housing.
- (b) HABC Presence of lead-based paint hazards:
Lessor has no knowledge of lead-based paint hazards in the housing.
- (c) HABC Records and reports available to the lessor:
Lessor has provided the lessee with summaries or copies of all available records and reports pertaining to the presence of lead-based paint and/or lead-based paint hazards in the housing. Actual copies of summarized documents will be made available to the lessee upon request. The summary provided is based upon reports available in Room 301, 417 E. Fayette, Baltimore, MD 21202.

Lessee's (Tenant) Acknowledgment (initial)

- (d) _____ I have received copies of the information noted in (c) above.
- (e) _____ I have received the EPA pamphlet *Protect Your Family from Lead in Your Home*.
- (f) _____ I have received the Maryland *Lead Poisoning Prevention, Notice of Tenants' Rights*.

Agent's Acknowledgment (initial)

- (g) HABC Agent has informed the lessor of the lessor's obligations under 42 U.S.C. 4852d and is aware of her/his responsibility to ensure compliance.
- (h) HABC Lessee has received the pamphlet *Protect Your Family from Lead in Your Home*.
- (i) HABC Lessee has received the Maryland *Lead Poisoning Prevention, Notice of Tenants' Rights*.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Housing Authority of Baltimore City

Lessor

Date

Lessee

Date

Lessee

Date

HABC by:

Agent

Date

Agent

Date



HOUSING AUTHORITY OF BALTIMORE CITY

417 E. FAYETTE STREET, BALTIMORE, MARYLAND 21202

SUMMARY OF LEAD-BASED PAINT INSPECTION DATA

PERKINS HOMES

MD002-003

NUMBER OF UNITS: 688

TYPE: FAMILY

YEAR BUILT: 1942

NUMBER OF UNITS TESTED: 24

INTERIOR LOCATIONS OF LEAD-BASED PAINT

STAIRCASE BASEBOARDS

EXTERIOR LOCATIONS OF LEAD-BASED PAINT

ENTRANCE DOOR LINTELS, PLAYGROUND SLIDES

COMMON AREA LOCATIONS OF LEAD-BASED PAINT

N/A

ASSOCIATED BUILDING LOCATIONS OF LEAD-BASED PAINT

NOT KNOWN

LEAD POISONING PREVENTION

NOTICE OF TENANTS' RIGHTS

Introduction

This is a Notice of Tenants' Rights which discusses your legal rights under a Maryland law which went into effect October 1, 1994. The purpose of the law is to reduce the number of children poisoned by lead in paint, while maintaining the supply of affordable rental housing in Maryland.

Under the law, property owners receive protection from lead paint poisoning law suits if they meet the requirements for paint maintenance, and give tenants educational materials about lead hazards. When the property owner is given written notice of areas of chipping, peeling, and flaking paint in a property, he must repair those areas using lead-safe work practices. Tenants may also receive assistance with moving to a lead-safe house when a family member has a high blood lead level.

Please read this material carefully and call the Lead Hotline at (410) 631-4199 or 1-800-776-2706 if you have questions about this law.

TDD FOR THE DEAF

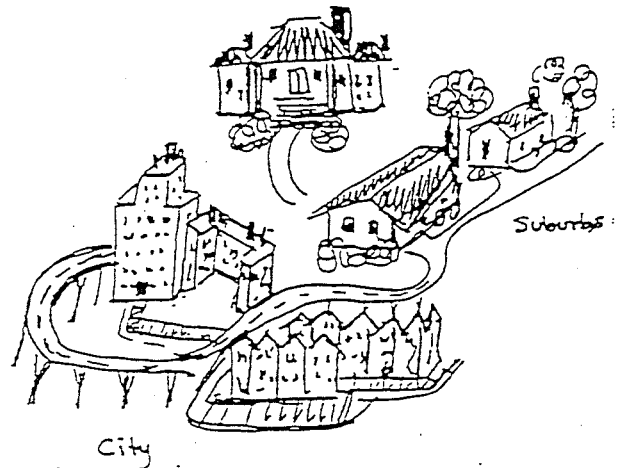
(410) 631-3009

I HAVE JUST MOVED INTO THIS HOUSE. WHAT DO I NEED TO KNOW?

The property owner should give you this notice and a Lead Information Packet on, or near, the day you move in.

- The property owner may ask you to sign a statement acknowledging that you received these items.

Before you move in, the property owner should have performed Full Lead Hazard Reduction Treatments. This means that when you move in there should be:



- No chipping, peeling or flaking paint;
- Smooth and cleanable window wells and window sills; and
- Smooth and cleanable floors.

After doing the treatments, the property owner must have the unit inspected.

If the house passes the inspection, the Maryland Department of the Environment (MDE) and the property owner will be given a Lead Paint Risk Reduction Inspection Certificate which states that the treatments were completed properly. This certificate will be on file at MDE.

The owner has the option of testing the house for lead dust instead of doing the treatments. If the house is tested, the lead dust test results will be on file at MDE.

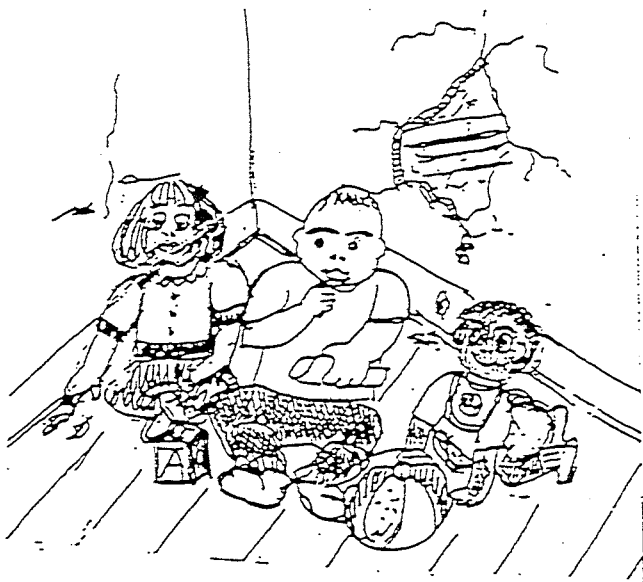
If you wish to know the results of any visual inspection or lead dust tests done to your home, call the Lead Hotline at (410) 631-4199, 1-800-776-2706, or TDD (410) 631-3009.

ARE THERE OTHER TIMES THAT THE PROPERTY OWNER MUST DO SPECIAL LEAD HAZARD REDUCTION TREATMENTS WHILE I LIVE HERE?

Yes. When a child under six or a pregnant woman has a blood lead level of 15 or more micrograms of lead per deciliter of blood, the local health department will inform the property owner of the obligation to do the Modified Lead Hazard Reduction Treatments or pass a lead dust test.

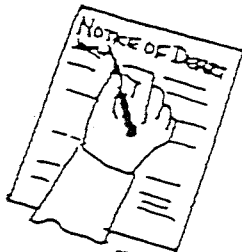
Also, if there is chipping, peeling, and flaking paint in your home, you should report it to the property owner in writing. This paint may contain lead which can be dangerous to you and your children. The only way you can be sure your property owner knows about possible lead paint hazards in your home is if you tell him in writing.

In most cases, the property owner will have 30 days to do the Modified Lead Hazard Reduction Treatments, or pass a lead dust test.



DO I TELL THE PROPERTY OWNER ABOUT THE CHIPPING, PEELING, AND FLAKING PAINT IN A SPECIAL WAY?

Yes. You must send notice to the property owner in writing. You may either write your own letter or use a "Notice of Defect Form". A sample copy form is attached.



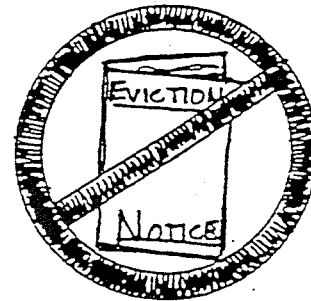
In order to send a notice, you may:

- Send it Certified Mail, Return Receipt Requested; or



- Hand deliver it to the property owner or his agent and get the signature of the person you delivered it to.

IT IS AGAINST THE LAW FOR THE PROPERTY OWNER TO EVICT YOU FOR REPORTING PAINT DEFECTS IN YOUR HOME, OR BECAUSE THERE IS A PERSON IN YOUR HOME FOUND TO HAVE A HIGH BLOOD LEAD LEVEL.



YOU CANNOT BE EVICTED FOR NOTIFYING ABOUT A LEAD PAINT DEFECT

WHAT ARE THE MODIFIED LEAD HAZARD REDUCTION TREATMENTS?

The Modified Lead Hazard Reduction Treatments include:

- Removal and repainting of any chipping, peeling, and flaking paint;
- Making window sills smooth and cleanable; and
- Special cleaning of the work area.

The property owner must pay for those repairs required to be done to your home.

Pregnant women and children under 6 years old must not be in the house while the Lead Hazard Reduction Treatments are being performed.



If you are required to leave your house for more than 24 hours while treatments are performed, the property owner must pay reasonable expenses for overnight housing and meals for your family.

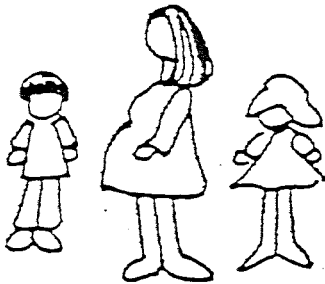
You must allow the property owner to enter your home to do the treatments.

The property owner may ask you to sign a statement verifying that the treatments were completed. You are not required to sign.

If you do sign the statement, it can be used as evidence that the property owner complied with the law.

If you refuse to sign, the property owner must have an inspector perform a visual inspection of the house at the property owner's expense. A copy of the inspection report will be sent to you, the property owner, and MDE. In most cases the property owner will get notice from the

WHAT HAPPENS IF A CHILD UNDER SIX, OR A PREGNANT WOMAN, HAS A HIGH BLOOD LEAD LEVEL OF 25 OR MORE MICROGRAMS OF LEAD PER DECILITER OF BLOOD?



local or state government that a child under six or a pregnant woman has been diagnosed with a high blood lead level.

The property owner will have 30 days to decide whether to make a Qualified Offer.

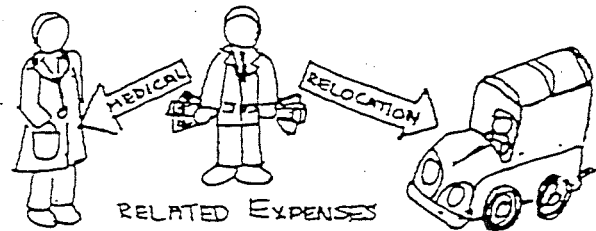
WHAT IS A QUALIFIED OFFER?

A Qualified Offer is an agreement by the owner insuring that certain expenses related to the lead problem will be paid and that the tenant will get help. However, the terms of a Qualified Offer are very specific and must be presented on a Maryland Department of the Environment form.

A Qualified Offer can be made by the property owner, their insurance company, lawyer or other agent. Once one of these persons makes a Qualified Offer, they are known as the Offeror.

The Qualified Offer has two parts:

- Payment up to \$9,500, or until the child is 6, whichever occurs first, for permanent or temporary relocation of the family of the person with a high blood lead level; and
- Payment up to \$7,500, or until the child is 18, whichever occurs first, for some medical expenses related to the lead problem required by a person with the high blood lead level.



A Qualified Offer is not an admission of liability by the property owner.

HOW WILL A QUALIFIED OFFER AFFECT MY LEGAL RIGHTS?

If you accept the Qualified Offer:

- You get the benefits of the Offer as required; and
- You cannot sue for more.

If you reject the Qualified Offer:

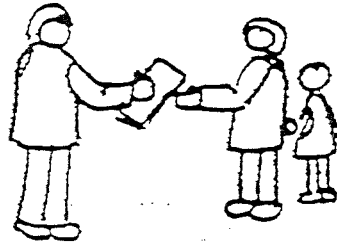
- You may still be able to sue, but you run the risk of getting nothing from the lawsuit unless you have certain proof. The law is very specific about the type of proof required.

You have 30 days from the day you received the Qualified Offer to accept it. If you do not accept the Qualified Offer within 30 days, the Offeror may assume that you have rejected it.



IF I ACCEPT THE QUALIFIED OFFER, HOW WILL I KNOW THAT THE PAYMENTS ARE BEING MADE PROPERLY?

The Offeror is required to send a report to you and to MDE by the end of each year detailing how much money they have spent and who has received the money.



When 80% of the money for relocation or medical treatments has been spent, they are required to send you a notice warning you that only 20% is left.

WHAT IS RELOCATION AND WHY RELOCATE?

Relocation is permanently or temporarily moving the person with the high blood lead level and his family to lead-safe housing. Lead-safe housing is a house that:

- Is certified lead-free;
- Was built after 1978; or
- May have lead paint in it but has specially treated windows and has passed a lead dust test and, possibly, a visual inspection.



Relocation is vital because health experts agree that one of the most important things that you can do in treating a person with a high blood lead level is to move the person to a safer environment as soon as possible.

WHAT IS PERMANENT RELOCATION?

Permanent relocation occurs when the family moves to a lead-safe home, and does not return to the original home.

For permanent relocation, the Offeror may suggest choices for new homes for your family. After reviewing their suggestions you have the right to choose your own home, but it must be lead-safe.

The Offeror must provide payment for moving and other related costs.

If rent for the lead-safe home that the family relocates to is higher than the rent the family was paying when it accepted the Qualified Offer, the family will pay the owner of the lead-safe home the same amount it paid for the home it lived in when it accepted the Qualified Offer.



The Offeror will pay the rest of the rent by paying a rent subsidy of up to 150% of your current rent to the owner of the lead-safe home.

WHAT IS TEMPORARY RELOCATION?

Temporary relocation is when the family moves out of the home while the owner makes it lead-safe. After the repairs are done, the family may move back into the home.

The Offeror will pay the rent for the time the family spends in temporary, lead-safe housing.

Also, they will pay for moving, storing, or cleaning furniture, and possibly food costs for the family while work is being done on the home.

WHO GETS THE RELOCATION PAYMENTS?

The Offeror will make most of these payments directly to the service provider (new property owner, the moving company, etc.), not to the family.

- The only payments that come directly to the family are for minor expenses.

The Offeror can stop making these payments when they have spent \$9,500, or when the child reaches 6 years of age, whichever comes first (even if the full \$9,500 has not been spent).

WHAT MEDICAL EXPENSES WILL BE PAID, TO WHOM, AND FOR HOW LONG?

The Offeror will pay for treatments that are not covered by your own medical insurance or Medicaid.

- These include medical, emotional, educational or psychological treatments.



Payments will be made directly to the health care provider (doctor, therapist, etc.), not to the family. For costs that are not covered by the person's own medical insurance or Medicaid, forward the bill to the Offeror.

The Offeror can stop paying when they have paid out \$7,500, or when the child reaches the age of 18, whichever comes first.

IF I NEED HELP UNDERSTANDING A QUALIFIED OFFER, IS THERE SOMEONE WHO CAN GIVE ME ADVICE?

If you need help understanding the Qualified Offer, call the Lead Hotline at (410) 631-4199, 1-800-776-2706, or TDD (410) 631-3009.

The person taking the call will answer your questions or refer you to an organization in your area that can help.

Also, the local health department will receive a copy of the Qualified Offer from the property owner and, within a week, will be calling you to offer assistance in finding treatment and prevention services.

WHAT IF I NEED TO SPEND MY OWN MONEY?

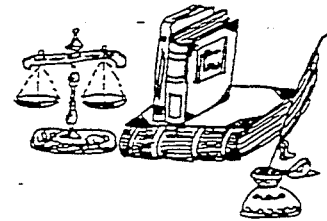
Coordinate payments with the Offeror in advance whenever possible.

Never make a large payment for a service with your own money without first agreeing with the Offeror in advance and in writing that they will reimburse you for the expense.

Otherwise, when you ask for reimbursement, the Offeror may argue that they want to pay the service providers directly, and refuse to pay you.

WHERE CAN I READ THE LAW FOR MYSELF?

The entire law, known as House Bill 760, can be found in the following volumes of Maryland law.



- Annotated Code of Maryland, Environment Article, Title 6, Subtitle 8.
- Annotated Code of Maryland, Article 48A - Insurance Code, Sections 734 - 737.
- Annotated Code of Maryland, Real Property Article, Section 8-208.2.

If you wish to receive a copy of House Bill 760 from the 1994 session of the Maryland General Assembly, call:

Department of Legislative Reference
(410) 841-3810 (Baltimore/Annapolis area)
(301) 858-3810 (D.C. Metro Area)
(800) 492-7122 (elsewhere in Maryland)

For further information, contact the Lead Hotline at (410) 631-4199, 1-800-776-2706, or TDD (410) 631-3009.

NOTICE OF DEFECT/NOTICE OF ELEVATED BLOOD LEVEL ABOVE 15 µg/dL

Tenant SEND THIS NOTICE BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED OR HAND DELIVER THIS NOTICE AND GET A SIGNATURE FROM THE PROPERTY OWNER OR THE PROPERTY OWNER'S AGENT OR MANAGER.

To:

From:

Name of Property Owner/Manager/Agent
 This is to notify you to perform Modified Risk Reduction Treatments under § 6-819 of the Environment Article of the Annotated Code of Maryland because:

Name of Tenant

Street Address and Unit #

MD

City

Telephone - Day
 Evening

Telephone -

1 A child under the age of six years or a pregnant woman at this address has a blood lead level of 15 micrograms or more per deciliter of blood.

AND/OR

1 The following defects require your attention.

CHIPPING, PEELING, FLAKING PAINT

This room, _____ has chipping, peeling or flaking paint on the: <input type="checkbox"/> Walls/ceiling <input type="checkbox"/> Window sills <input type="checkbox"/> Window wells <input type="checkbox"/> Window frames <input type="checkbox"/> Porch <input type="checkbox"/> Door/door frame	This room, _____ has chipping, peeling or flaking paint on the: <input type="checkbox"/> Walls/ceiling <input type="checkbox"/> Window sills <input type="checkbox"/> Window wells <input type="checkbox"/> Window frames <input type="checkbox"/> Porch <input type="checkbox"/> Door/door frame	This room, _____ has chipping, peeling or flaking paint on the: <input type="checkbox"/> Walls/ceiling <input type="checkbox"/> Window sills <input type="checkbox"/> Window wells <input type="checkbox"/> Window frames <input type="checkbox"/> Porch <input type="checkbox"/> Door/door frame	This room, _____ has chipping, peeling or flaking paint on the: <input type="checkbox"/> Walls/ceiling <input type="checkbox"/> Window sills <input type="checkbox"/> Window wells <input type="checkbox"/> Window frames <input type="checkbox"/> Porch <input type="checkbox"/> Door/door frame
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STRUCTURAL DEFECTS

This area, _____ has the following structural defects: <input type="checkbox"/> Leaking ceiling <input type="checkbox"/> Leaking roof <input type="checkbox"/> Leaking Plumbing <input type="checkbox"/> Other _____ _____ _____	This area, _____ has the following structural defects: <input type="checkbox"/> Leaking ceiling <input type="checkbox"/> Leaking roof <input type="checkbox"/> Leaking Plumbing <input type="checkbox"/> Other _____ _____ _____	This area, _____ has the following structural defects: <input type="checkbox"/> Leaking ceiling <input type="checkbox"/> Leaking roof <input type="checkbox"/> Leaking Plumbing <input type="checkbox"/> Other _____ _____ _____	This area, _____ has the following structural defects: <input type="checkbox"/> Leaking ceiling <input type="checkbox"/> Leaking roof <input type="checkbox"/> Leaking Plumbing <input type="checkbox"/> Other _____ _____ _____
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PROPERTY OWNER/MANAGER/AGENT SIGNATURE

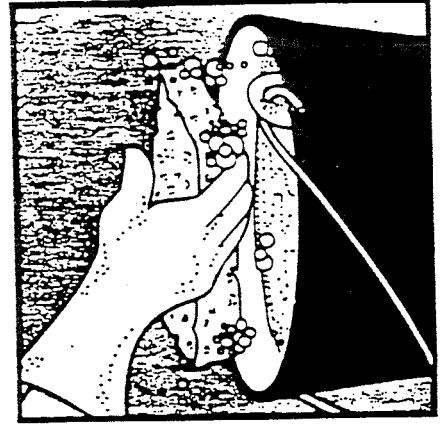
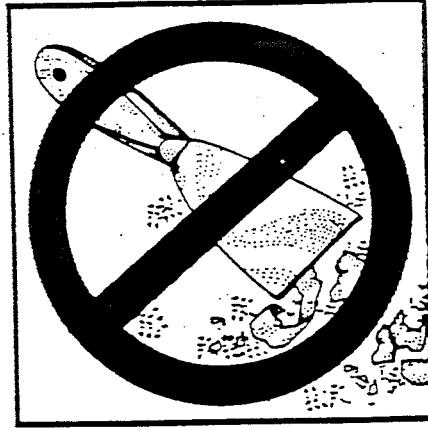
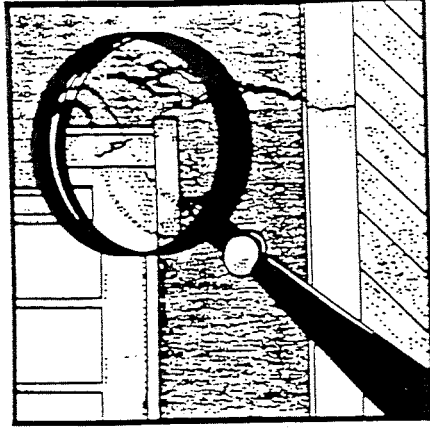
I, _____ owner, agent of the owner,
 Name
 manager of the above-noted property (circle one) hereby acknowledge receiving this Notice of Defect/EBL.

Signature _____ Date _____

Simple Steps To Protect Your Family From Lead Hazards

If you think your home has high levels of lead:

- ◆ Get your young children tested for lead, even if they seem healthy.
- ◆ Wash children's hands, bottles, pacifiers, and toys often.
- ◆ Make sure children eat healthy, low-fat foods.
- ◆ Get your home checked for lead hazards.
- ◆ Regularly clean floors, window sills, and other surfaces.
- ◆ Wipe soil off shoes before entering house.
- ◆ Talk to your landlord about fixing surfaces with peeling or chipping paint.
- ◆ Take precautions to avoid exposure to lead dust when remodeling or renovating (call 1-800-424-LEAD for guidelines).
- ◆ Don't use a belt-sander, propane torch, dry scraper, or dry sandpaper on painted surfaces that may contain lead.
- ◆ Don't try to remove lead-based paint yourself.



Protect Your Family From Lead In Your Home



United States
Environmental Protection
Agency

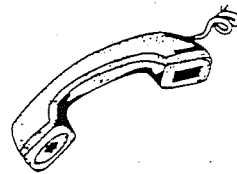
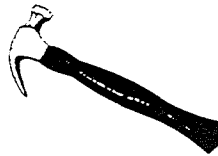
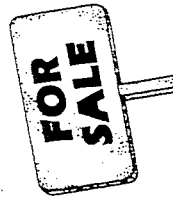


United States Consumer
Product Safety Commission

Are You Planning To Buy, Rent, or Renovate a Home Built Before 1978?

Many houses and apartments built before 1978 have paint that contains lead (called lead-based paint). Lead from paint, chips, and dust can pose serious health hazards if not taken care of properly.

By 1996, federal law will require that individuals receive certain information before renting, buying, or renovating pre-1978 housing:



LANDLORDS will have to disclose known information on lead-based paint hazards before leases take effect. Leases will include a federal form about lead-based paint.

SELLERS will have to disclose known information on lead-based paint hazards before selling a house. Sales contracts will include a federal form about lead-based paint in the building. Buyers will have up to 10 days to check for lead hazards.

RENOVATORS will have to give you this pamphlet before starting work.

IF YOU WANT MORE INFORMATION on these requirements, call the National Lead Information Clearinghouse at **1-800-424-LEAD**.

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IMPORTANT!

Lead From Paint, Dust, and Soil Can Be Dangerous If Not Managed Properly

FACT: Lead exposure can harm young children and babies even before they are born.

FACT: Even children that seem healthy can have high levels of lead in their bodies.

FACT: People can get lead in their bodies by breathing or swallowing lead dust, or by eating soil or paint chips with lead in them.

FACT: People have many options for reducing lead hazards. In most cases, lead-based paint that is in good condition is not a hazard.

FACT: Removing lead-based paint improperly can increase the danger to your family.

If you think your home might have lead hazards, read this pamphlet to learn some simple steps to protect your family.

Lead Gets in the Body in Many Ways

1 out of every 11 children in the United States has dangerous levels of lead in the blood-stream.

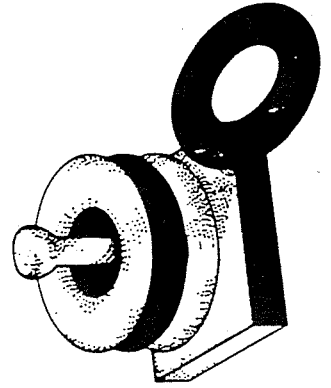
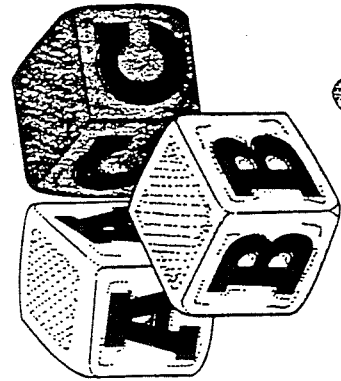
Even children who appear healthy can have dangerous levels of lead.

People can get lead in their body if they:

- ◆ Put their hands or other objects covered with lead dust in their mouths.
- ◆ Eat paint chips or soil that contains lead.
- ◆ Breathe in lead dust (especially during renovations that disturb painted surfaces).

Lead is even more dangerous to children than adults because:

- ◆ Babies and young children often put their hands and other objects in their mouths. These objects can have lead dust on them.
- ◆ Children's growing bodies absorb more lead.
- ◆ Children's brains and nervous systems are more sensitive to the damaging effects of lead.



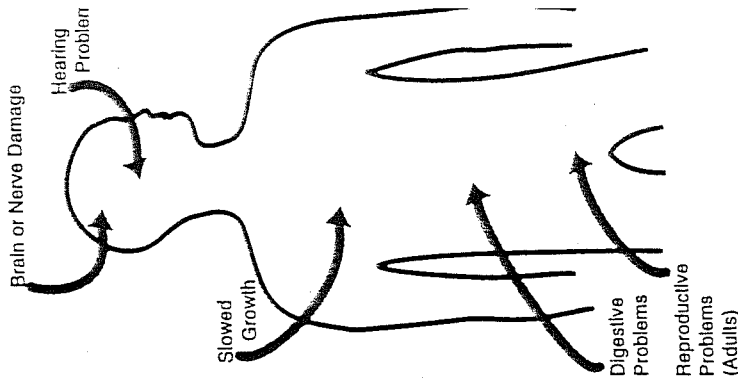
Lead's Effects

If not detected early, children with high levels of lead in their bodies can suffer from:

- ◆ Damage to the brain and nervous system
- ◆ Behavior and learning problems (such as hyperactivity)
- ◆ Slowed growth
- ◆ Hearing problems
- ◆ Headaches

Lead is also harmful to adults. Adults can suffer from:

- ◆ Difficulties during pregnancy
- ◆ Other reproductive problems (in both men and women)
- ◆ High blood pressure
- ◆ Digestive problems
- ◆ Nerve disorders
- ◆ Memory and concentration problems
- ◆ Muscle and joint pain



Lead affects the body in many ways.

Checking Your Family for Lead

Get your children tested if you think your home has high levels of lead.

A simple blood test can detect high levels of lead. Blood tests are important for:

- ◆ Children who are 6 months to 1 year old (6 months if you live in an older home with cracking or peeling paint).
- ◆ Family members that you think might have high levels of lead.

If your child is older than 1 year, talk to your doctor about whether your child needs testing.

Your doctor or health center can do blood tests. They are inexpensive and sometimes free. Your doctor will explain what the test results mean. *Treatment can range from changes in your diet to medication or a hospital stay.*

Where Lead-Based Paint Is Found

In general, the older your home, the more likely it has lead-based paint.

Many homes built before 1978 have lead-based paint. The federal government

banned lead-based paint from housing in 1978. Some states stopped its use even earlier. Lead can be found:

- ◆ In homes in the city, country, or suburbs.
- ◆ In apartments, single-family homes, and both private and public housing.
- ◆ Inside *and* outside of the house.
- ◆ In soil around a home. (Soil can pick up lead from exterior paint, or other sources such as past use of leaded gas in cars.)

Where Lead Is Likely To Be a Hazard

Lead-based paint that is in good condition is usually not a hazard.

Peeling, chipping, chalking, or cracking lead-based paint is a hazard and needs immediate attention.

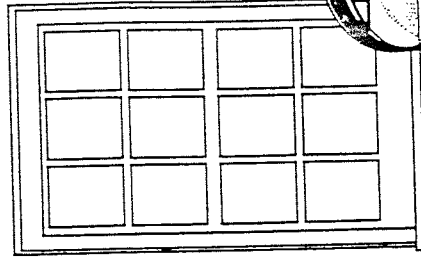
Lead-based paint may also be a hazard when found on surfaces that children can chew or that get a lot of wear-and-tear. These areas include:

- ◆ Windows and window sills.
- ◆ Doors and door frames.
- ◆ Stairs, railings, and banisters.
- ◆ Porches and fences.

Lead dust can form when lead-based paint is dry scraped, dry sanded, or heated. Dust also forms when painted surfaces bump or rub together. Lead chips and dust can get on surfaces and objects that people touch. Settled lead dust can reenter the air when people vacuum, sweep, or walk through it.

Lead in soil can be a hazard when children play in bare soil or when people bring soil into the house on their shoes. Call your state agency (see page 12) to find out about soil testing for lead.

Lead from paint chips, which you can see, and lead dust, which you can't always see, can both be serious hazards



Checking Your Home for Lead Hazards

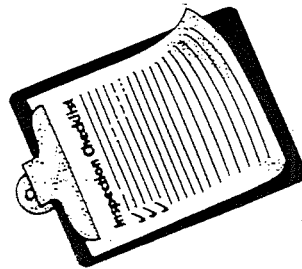
Just knowing that a home has lead-based paint may not tell you if there is a hazard.

- You can get your home checked for lead hazards in one of two ways, or both:
- ◆ A **paint inspection** tells you the lead content of every painted surface in your home. It won't tell you whether the paint is a hazard or how you should deal with it.
 - ◆ A **risk assessment** tells you if there are any sources of serious lead exposure (such as peeling paint and lead dust). It also tells you what actions to take to address these hazards.

Have qualified professionals do the work. *The federal government is writing standards for inspectors and risk assessors. Some states might already have standards in place.* Call your state agency for help with locating qualified professionals in your area (see page 12).

Trained professionals use a range of methods when checking your home, including:

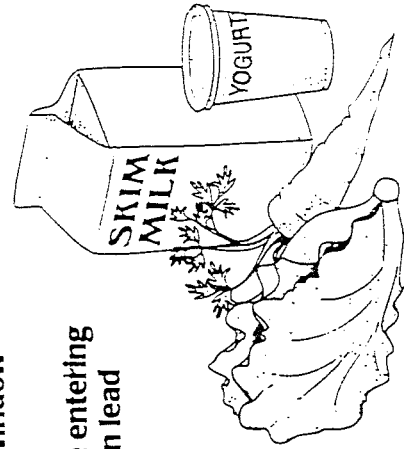
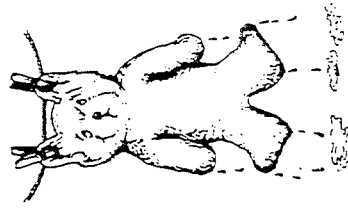
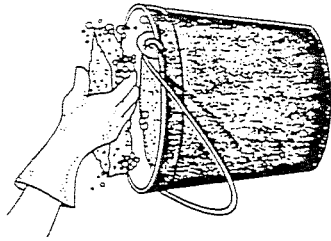
- ◆ Visual inspection of paint condition and location.
 - ◆ Lab tests of paint samples.
 - ◆ Surface dust tests.
 - ◆ A portable x-ray fluorescence machine.
- Home test kits for lead are available, but recent studies suggest that they are not always accurate.** Consumers should not rely on these tests before doing renovations or to assure safety.



What You Can Do Now To Protect Your Family

If you suspect that your house has lead hazards, you can take some immediate steps to reduce your family's risk:

- ◆ If you rent, notify your landlord of peeling or chipping paint.
- ◆ Clean up paint chips immediately.
- ◆ Clean floors, window frames, window sills, and other surfaces weekly. Use a mop or sponge with warm water and a general all-purpose cleaner or a cleaner made specifically for lead. **REMEMBER: NEVER MIX AMMONIA AND BLEACH PRODUCTS TOGETHER SINCE THEY CAN FORM A DANGEROUS GAS.**
- ◆ Thoroughly rinse sponges and mop heads after cleaning dirty or dusty areas.
- ◆ Wash children's hands often, especially before they eat and before nap time and bed time.
- ◆ Keep play areas clean. Wash bottles, pacifiers, toys, and stuffed animals regularly.
- ◆ Keep children from chewing window sills or other painted surfaces.
- ◆ Clean or remove shoes before entering your home to avoid tracking in lead from soil.
- ◆ Make sure children eat nutritious, low-fat meals high in iron and calcium, such as spinach and low-fat dairy products. Children with good diets absorb less lead.



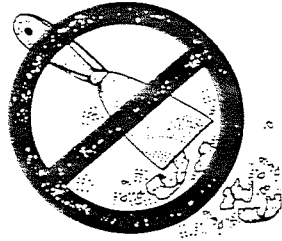
Remodeling or Renovating a Home With Lead-Based Paint

Take precautions before you begin remodeling or renovations that disturb painted surfaces (such as scraping off paint or tearing out walls):

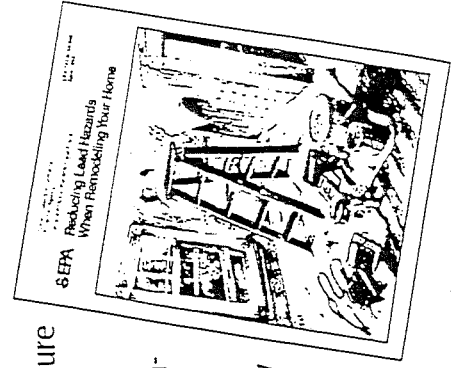
- ◆ **Have the area tested for lead-based paint.**
- ◆ **Do not use a dry scraper, belt-sander, propane torch, or heat gun** to remove lead-based paint. These actions create large amounts of lead dust and fumes. Lead dust can remain in your home long after the work is done.
- ◆ **Temporarily move your family** (especially children and pregnant women) out of the apartment or house until the work is done and the area is properly cleaned. If you can't move your family, at least completely seal off the work area.

- ◆ **Follow other safety measures to reduce lead hazards.** You can find out about other safety measures by calling 1-800-424-LEAD. Ask for the brochure "Reducing Lead Hazards When Remodeling Your Home." This brochure explains what to do before, during, and after renovations.

If you have already completed renovations or remodeling that could have released lead-based paint or dust, get your young children tested and follow the steps outlined on page 7 of this brochure.



If not conducted properly, certain types of renovations can release lead from paint and dust into the air.



How To Significantly Reduce Lead Hazards

In addition to day-to-day cleaning and good nutrition:

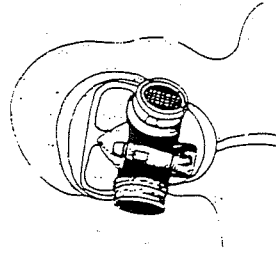
- ◆ You can **temporarily** reduce lead hazards by taking actions such as repairing damaged painted surfaces and planting grass to cover soil with high lead levels. These actions (called "interim controls") are not permanent solutions and will need ongoing attention.
- ◆ To **permanently** remove lead hazards, you must hire a lead "abatement" contractor. Abatement (or permanent hazard elimination) methods include removing, sealing, or enclosing lead-based paint with special materials. Just painting over the hazard with regular paint is not enough.

Always hire a person with special training for correcting lead problems—someone who knows how to do this work safely and has the proper equipment to clean up thoroughly. If possible, hire a certified lead abatement contractor. Certified contractors will employ qualified workers and follow strict safety rules as set by their state or by the federal government.

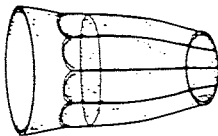
Call your state agency (see page 12) for help with locating qualified contractors in your area and to see if financial assistance is available.

Removing lead improperly can increase the hazard to your family by spreading even more lead dust around the house.

Always use a professional who is trained to remove lead hazards safely.



Other Sources of Lead



- ◆ **Drinking water.** Your home might have plumbing with lead or lead solder. Call your local health department or water supplier to find out about testing your water. You cannot see, smell, or taste lead, and boiling your water will not get rid of lead. If you think your plumbing might have lead in it:

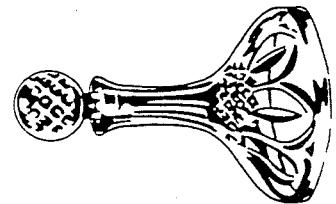
- Use only cold water for drinking and cooking.
- Run water for 15 to 30 seconds before drinking it, especially if you have not used your water for a few hours.

While paint, dust, and soil are the most common lead hazards, other lead sources also exist.



- ◆ **The job.** If you work with lead, you could bring it home on your hands or clothes. Shower and change clothes before coming home. Launder your clothes separately from the rest of your family's.

- ◆ **Old painted toys and furniture.**
- ◆ **Food and liquids stored in lead crystal or lead-glazed pottery or porcelain.**
- ◆ **Lead smelters or other industries** that release lead into the air.
- ◆ **Hobbies** that use lead, such as making pottery or stained glass, or refinishing furniture.
- ◆ **Folk remedies** that contain lead, such as "greta" and "azarcon" used to treat an upset stomach.

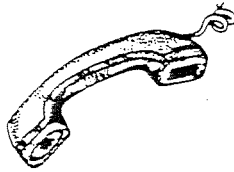


For More Information

The National Lead Information Center

Call **1-800-LEAD-FYI** to learn how to protect children from lead poisoning.

For other information on lead hazards, call the center's clearinghouse at **1-800-424-LEAD**. For the hearing impaired, call, **TDD 1-800-526-5456** (FAX: **202-659-1192**, Internet: **EHC@CAIS.COM**).

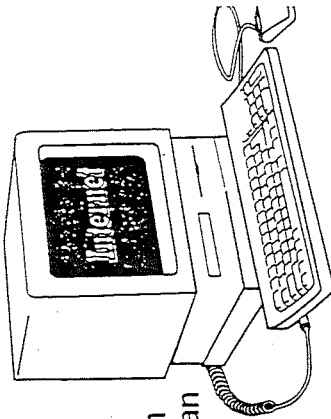


EPA's Safe Drinking Water Hotline

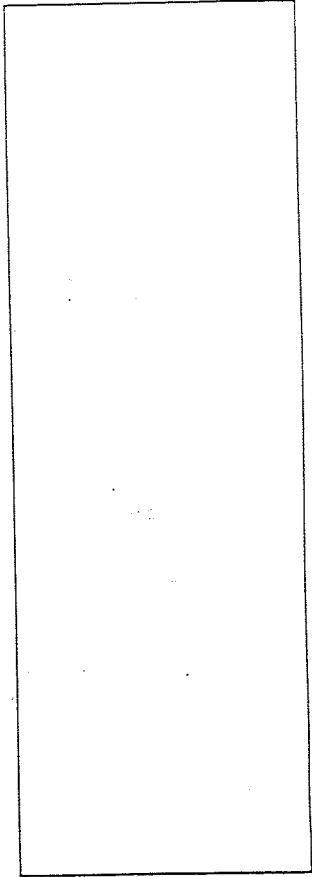
Call **1-800-426-4791** for information about lead in drinking water.

Consumer Product Safety Commission Hotline

To request information on lead in consumer products, or to report an unsafe consumer product or a product-related injury call **1-800-638-2772**. (Internet: **info@cpsc.gov**). For the hearing impaired, call **TDD 1-800-638-8270**.



Local Sources of Information



LEASE ATTACHMENT 4

Anti-Drug Language (Repealed)

(This language now included in lease)

LEASE ATTACHMENT 5

**Requirements for Performing Community Service
Activities or Self-Sufficiency Work Activities**

LEASE ATTACHMENT NO. 5

REQUIREMENTS FOR PERFORMING
COMMUNITY SERVICE ACTIVITIES AND SELF-SUFFICIENCY WORK
ACTIVITIES

In accordance with 24 CFR, Subpart F, §960.600, et seq., the requirements for performing community service activities and self-sufficiency work activities are set forth in this Attachment No. 5 to the Lease. The terms not defined herein shall have the same meanings given under the Lease.

When Resident Must Perform Community Service Activities or Self-Sufficiency Work Activities.

Definitions.

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

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

The term “**Exempt Individual**” means an adult who

- (A) Is 62 years or older;
- (B) (i) Is a blind or disabled individual, as defined under 216(i)(1) or 1614 of the Social Security Act (42 U.S.C. 416(i)(1); 1382(c), and who certifies that because of this disability she or he is unable to comply with the service provisions of this subpart, or
(ii) Is a primary caretaker of such individual;
- (C) Is engaged in work activities;
- (D) Meets the requirements for being exempted from having to engage in a work activity under the State of Maryland 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 of Maryland, including a welfare-to-work program administered by the State of Maryland; or

- (E) Is a member of a family receiving assistance, benefits or services under a State of Maryland 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 of Maryland, including a welfare-to-work program administered by the State of Maryland, and has not been found by the State of Maryland or other administering entity to be in noncompliance with such a program.

The term “Work Activities” means:

- (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 of a recipient who has not completed secondary school or received such a certificate; and
- (12) the provision of child care services to an individual who is participating in a community service program.

Service requirement. Except for any family member who is an exempt individual, each adult resident of public housing (the "Participant") must:

- (1) Contribute 8 hours per month of community service (not including political activities); or
- (2) Participate in an economic self-sufficiency program for 8 hours per month; or
- (3) Perform 8 hours per month of combined community service activities and economic self-sufficiency activities.

Resident understands that HABC will monitor each Participant for compliance with the requirements.

The HABC will permit Resident and family members to change their exemption status during the year if the status changes.

Resident shall be required to notify HABC of any change in the exempt or non-exempt status of Resident and the family members when any such change occurs.

Failure of a Participant to comply with the requirements set forth herein shall be grounds only for non-renewal of the Lease and termination of tenancy at the end of the twelve-month lease term, as provided under Section 14 of the Lease. The requirements under this Attachment No. 5 shall run concurrently with the Lease.

RESIDENT

Date

LEASE ATTACHMENT 6

Smoke Detector Notice

HOUSING AUTHORITY OF BALTIMORE CITY

DEVELOPMENT: _____

RIDER TO DWELLING LEASE NO.: _____

ADDRESS: _____

ACCOUNT NO.: _____

BATTERY-OPERATED SMOKE DETECTOR: I understand that the Housing Authority of Baltimore City has installed a battery-operated smoke detector in my dwelling for the benefit and safety of my household, and that the Housing Authority is not responsible for supplying batteries or providing any maintenance of this device. I agree that it shall be my obligation to maintain the smoke detector in good working order, and it shall be left in the dwelling when I vacate the premises.

DATE: _____

MANAGER: _____

WITNESS: _____

TENANT: _____

WITNESS: _____

TENANT: _____

cc: Tenant

LEASE ATTACHMENT 7

Pet Policy

LEASE ATTACHMENT No. 7
HOUSING AUTHORITY OF BALTIMORE CITY
PET POLICY

INTRODUCTION

This Public Housing Policy for Pet Ownership (“**Pet Policy**”) sets forth the requirements of the Housing Authority of Baltimore City (“**HABC**”) to permit ownership of certain pets by residents of public housing (Residents) in accordance with the Quality Housing and Work Responsibility Act of 1998 (“**QHWRA**”), and its regulations.

APPLICABILITY

This Pet Policy, and any amendments thereto, shall apply to all Residents of public housing. This Pet Policy, as it may be amended from time to time, shall be incorporated into and made a part of the Resident’s current lease, as Attachment No. 7.

Exclusion from Applicability. This Pet Policy does not apply to animals that assist, support, or provide service to persons with disabilities. HABC shall not apply nor enforce this Pet Policy against animals that are necessary as a reasonable accommodation to assist, support, or provide service to persons with disabilities. This exclusion applies to such animals that reside in public housing, as such term is defined herein, and such animals that visit public housing developments.

Section I. Definitions.

1. The term “**Pet**” is defined as a domesticated small animal limited to dogs, cats, gerbils, hamsters, guinea pigs, birds, (parakeet, canary, finches, cockatoo, small parrot) and fish. **The following breeds are excluded from the definition of Pet, and shall be expressly prohibited from being kept owned or harbored in, on or about the Premises as that term is defined in the Lease by any Resident or any member of the Resident’s household: PIT BULLS, ROTTWEILERS, CHOW-CHOWS, BULL MASTIFFS, DOBERMAN PINSCHERS, AND ANY CROSS-BREED THEREOF, AND ANY WOLF OR PART WOLF.**
2. The term “**public housing**” is defined as housing assisted under the 1937 Act, other than Section 8. Public housing includes dwelling units in a mixed finance project that are assisted by a public housing authority with capital or operating assistance, but does not include public housing developments for the elderly or persons with disabilities.

Section II. Requirements

1. **NUMBER LIMITATIONS** - No more than one domesticated Pet, and/or one 20 gallon tank of fish will be kept in a Dwelling Unit. Heads of household shall be responsible for their Pet. The Resident must maintain the Pet responsibly and in accordance with applicable State and local public health, animal control, and animal anti-cruelty laws and regulations.
2. **SIZE OF PET** - Dogs or cats or others defined in paragraph 1 shall weigh no more than twenty-five (25) pounds at maturity. Fish are limited to a single bowl or steel framed glass fish tank having a capacity of not more than twenty (20) gallons. Birds can be no larger than one (1) pound.
3. **RESPONSIBILITY FOR CARE**- A Pet owner is solely responsible for assuring the proper care of the Pet.
4. **SECURITY DEPOSIT** - A refundable Pet security deposit of twenty-five dollars (\$25.00) shall be required for each Pet. The Pet security deposit can be paid over a three (3) month consecutive period, and will be held in the manner required for applicable security deposits under Maryland law. **THE PET SECURITY DEPOSIT WILL BE RETURNED WITHIN 45 DAYS OF MOVE-OUT OR IF A PET IS REMOVED BEFORE RESIDENT MOVES FROM THE DWELLING UNIT, WITHIN 45 DAYS OF PET REMOVAL.**
5. Upon move-out or Pet removal the cost to de-flea, deodorize, and clean the carpet and/or floor tile will be deducted from the Pet security deposit if deemed necessary by Management. The Dwelling Unit will be inspected and the remainder of the Pet security deposit will be refunded, if the Dwelling Unit is free of damage. The move-out inspection will be performed by the Resident and Management.

The Pet security deposit may only be applied to damages caused by the Pet.
6. **HOLD HARMLESS** – The HABC, its agent and staff are in no way responsible for any actions or injuries or damages caused by the Resident’s Pet. A Pet is the sole responsibility of the Resident.
7. **VACCINATIONS** – Every Pet, if required by law, must wear a current City Animal license and be vaccinated. Resident must submit registration papers to the Management Office. A copy of the Pet’s (dog or cat) current inoculation and treatment is to be furnished and verified annually by a licensed veterinarian which must indicate dates of most recent shots and treatment against disease and parasites as follows:
 - (a) Dogs – rabies, parvo-virus, para-influenza, distemper, hepatitis, leptospirosis (D.H.L.), hookworm, heartworm, roundworm, tapeworm, and other internal and other parasites, fleas, ticks and other external parasites and other diseases of the skin including eczemas.

- (b) Cats – rabies, rhinotracheitis, calici virus, pnemonitis, tapeworms, hookworms, heartworms, and other internal parasites, fleas, lice, ticks and other external parasites.

Female cats and dogs over six months of age must be spayed and males over eight months must be neutered, unless a licensed veterinarian gives medical reasons why such is detrimental to the Pet’s health.

8. **HOUSEKEEPING** – The Dwelling Unit must be kept free of odors and maintained in a clean and sanitary condition. Cats must be litter box trained and dogs must be able to exercise outside the Dwelling Unit. Litter boxes must be changed a minimum of once a week and scooped once a day. Kitty litter is to be bagged securely in a heavy plastic trash bag, tied, and disposed of in an approved trash receptacle. **DO NOT FLUSH LITTER INTO COMMODE.**

- (a) Birds must be maintained in a cage and never allowed to fly free within the Dwelling Unit.
- (b) Dog and cat bedding and the Dwelling Unit are to be kept free of and treated regularly on an ongoing basis against infestations by fleas, ticks, lice, pet worms, mites, and other parasites. If infestation of any such parasites or vermin occur which shall be determined by Management to have occurred due to inattentive care by the Pet owner and/or if such infestation shall spread to other Dwelling Units, Management shall have the right to eradicate in all affected areas at Pets owner’s expense.
- (c) Pet owners must control excessive noise and odor caused by their Pets.

9. **PET CONTROL IN PUBLIC AREA** – Pets must be on a leash outside of the Dwelling Unit and in all public areas. Under no circumstances may any Pet of any kind be taken into, or permitted to be in, the recreation/community rooms, or any other “common” room.

10. **WASTE CONTROL** – Pet owners shall be responsible for immediate clean up of Pet feces in accordance with applicable law. Resident must insure that their yard is kept clear

of Pet feces. Resident will not place any animal fecal waste, kitty litter, etc., or other articles in the sinks, plumbing fixtures or on the grounds. Residents must place all Pet waste in a heavy plastic trash bag, tied and disposed of in an approved trash receptacle. If a toilet has to be unclogged or a sink unstopped because of animal waste, kitty litter, and/or stones from a fish bowl, the Resident will pay all associated cost.

11. **NUISANCE** – If, in the judgement of Management, any Pet becomes a threat to the safety and comfort or quiet enjoyment of the Premises to any other Resident, employee, or visitor to the Premises, or if such Pet causes substantial damage to any part of the building or grounds or the furnishings and fixtures thereof, then, upon the written request of Management, such Pet shall be permanently removed from the Premises by the Pet’s owner within five (5) days.

If the Resident files a grievance the Pet shall be allowed to remain until the grievance process is exhausted. In the case of a Pet biting a person, the Pet must be immediately removed to an area for surveillance for a period designated by a Health Officer and must then be examined by a licensed Veterinarian. Animal bites must also be reported to the local Health Department and/or the Police. A bite victim or parent of a child bitten by an animal can swear out a complaint against the owner of the Pet at the nearest district court.

Refusal by the Pet owner to abide by Management’s request for a Pet’s removal may result in termination of residency.

12. **COMPLAINTS/PROBLEMS** – Any and all complaints about Pets will not be considered valid (or heard) unless they are in writing, dated and signed by the person(s) making the complaint. Management will review complaints and/or problems concerning a Pet/Pet owner. Management will notify in writing the Pet owner of the complaint and the Resident will have 24 hours to answer the complaint. Two or more legitimate complaints will mean the Pet must be removed unless the Pet owner initiates a grievance procedure. Failure to comply may result in termination of residency.

13. **RESIDENT’S ABSENCE** – No dog or cat shall be left alone in any Dwelling Unit over twenty-four (24) hours. Any Resident who is away twenty-four (24) hours or longer for any reason must make arrangements for such Pet to be kept elsewhere during his/her absence.

14. **RESPONSIBILITY FOR PET IN AN EMERGENCY** – The Pet owner shall file with the Management an affidavit of agreement signed by one (1) person who is not - a Resident of the Dwelling Unit who will assume immediate responsibility for the Pet in case of an emergency or in case the Pet owner becomes unable to provide proper care for the Pet. In addition, the Pet owner shall file with Management an affidavit authorizing Management to have the Pet removed in the event that the Pet owner cannot care for the

Pet and the responsible party cannot be reached. Management will contact the SPCA or an appropriate authority for removal of the Pet in such event

15. **FIRE EMERGENCY** – When a fire alarm or smoke detector sounds, Pets are to be placed in the bathroom and the door is to be closed. If evacuation is necessary the fire department will be responsible for the evacuation of Residents first, and then the Pet.
16. **SUBSEQUENT AGREEMENTS** – If a Resident has an approved Pet and that Pet is disposed of, the Resident must notify Management. The Resident and Management will perform an inspection of the apartment. The Pet security deposit will be used towards any damages and the balance, if any, of the Pet security deposit will be returned to the Resident within 45 days. If the Resident determines they want a new Pet, the Pet must be registered with the Management Office and a new Pet security deposit must be collected in accordance with the Pet Policy.
17. **RESIDENT’S SIGNATURE** – All Residents, whether desiring a Pet or not, must sign this Attachment to the Lease, thereby acknowledging agreement and acceptance of the Pet Policy. Those Residents desiring a Pet will have to meet all requirements listed in this Attachment and sign the “Application for Pets” including Section 3 which includes the “Co-Responsibility” section for a non-Resident friend or relative to sign.
18. HABC reserves the right to rescind or change any of the foregoing rules to make such rules and regulations as may be deemed necessary for the safety, care and cleanliness of the Premises, and for the security, comfort and convenience of all Residents. Any changes deemed necessary by HABC will be made in compliance with the Lease Agreement.
19. This Pet Policy is made a part of the HABC Dwelling Lease as Attachment No. 7, and any violation of the terms and conditions contained herein, will be considered a breach of the Lease. If any Court declares a particular provision of this Pet Policy to be invalid or illegal, all other terms of this Pet Policy will remain in effect, and both HABC and the Resident will continue to be bound by all valid, legitimate terms of the Pet Policy.

AGREED AND ACCEPTED BY RESIDENT(S):

DATE:

ADDRESS: _____

MANAGER’S SIGNATURE: _____

DATE: _____

APPLICATION FOR PETS

Date: _____

SECTION I

I, _____ and _____

Resident(s) of _____, living at _____ verify

I have received, reviewed, understand and accept the Pet Policy Regarding Pets Admittance and Ownership at _____. I am also aware that the Pet Policy is an official part of my Lease, and that I am to abide by all its terms.

Resident Signature:

Date:

SECTION II

Pet Description: Type: _____ Sex: _____

Weight: _____ Age: _____ Name: _____

Color and Markings: _____

Security Deposit Required: _____ Security Deposit Paid: _____

Veterinarian's Name: _____

Address: _____

Telephone Number: _____

Acknowledgment
____ Resident Initials
____ Landlord Initials

SECTION III

I, _____, (non Resident) relative /friend (circle one) of
Resident _____,
(Resident's Name)

live at _____, and I agree
(Non-Resident's Address)

to accept full responsibility of the Pet listed above in the event the said Resident is unable to care
for the Pet in any twenty-four hour period.

Print Name: _____

Date: _____

Signed: _____

Date: _____

Telephone Number: _____

Resident Signature: _____

Date: _____

Telephone Number: _____

Manager Signature: _____

Date: _____

SECTION IV

I, _____
(Name of Housing Manager)

Housing Manager, permit the ownership by Resident of
the Pet described as _____

at the following address:_____.

Manager's Signature:_____

Date:_____

RESIDENT LEASE AGREEMENT

I hereby acknowledge my right as a Resident to keep a household Pet as defined in paragraph 1 of the Pet Policy.

I agree to comply with HABC's Pet Policy (an Attachment to the Lease) with the understanding that violation of this Pet Policy may be grounds for Pet removal or termination of tenancy.

HABC: _____

RESIDENT: _____

By: _____

RESIDENT: _____

Title: _____

Date: _____

Date: _____

LEASE ATTACHMENT 8

Mold Prevention

Attachment 8 – Mold Prevention Notice

Ten Things You Should Know About Mold

1. Potential health effects and symptoms associated with mold exposures include allergic reactions, asthma, and other respiratory complaints.
2. There is no practical way to eliminate all mold and mold spores in the indoor environment; the way to control mold growth is to control moisture.
3. If mold is a problem in your building, you must clean up the mold and eliminate sources of moisture.
4. Fix the source of the water problem or leak to prevent mold growth.
5. Reduce indoor humidity (to 30-60%) to decrease mold growth by: venting bathrooms, dryers, and other moisture-generating sources to the outside; using air conditioners and de-humidifiers; increasing ventilation; and using exhaust fans whenever cooking, dishwashing and cleaning.
6. Clean and dry any damp or wet building materials and furnishings within 24-48 hours to prevent mold.
7. Clean mold off hard surfaces with water and detergent, and dry completely.
8. Prevent condensation: Reduce the potential for condensation on cold surfaces (i.e. windows, piping, exterior walls, roof, or floors) by adding insulation.
9. In areas where there is perpetual moisture problem, do not install carpeting (i.e. drinking fountains, by sinks, or on concrete floors with leaks or frequent condensation).
10. Molds can be found almost anywhere; they can grow on virtually any substance, providing moisture is present. There are molds that can grow on wood, paper, carpet and foods.

Source: U.S Environmental Protection Agency

THE RESIDENT MUST NOTIFY THE DEVELOPMENT HOUSING MANAGER OR THE MAINTENANCE MANAGER OF A WATER LEAK, EXCESSIVE MOISTURE, STANDING WATER OR VISIBLE MOLD.