

5 - Year Plan

City of Ruston Fiscal Years 2000 - 2004

Part I. The Five Year Plan

A. Mission

The mission of the Ruston Section 8 program 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.

B. Goals

I. Increase the availability of decent, safe, and affordable housing.

A. Expanding the supply of assisted housing

- 1] Apply for additional rental vouchers**
- 2] Public awareness campaign for housing availability**

A. Improve the quality of assisted housing

- 1] Improve voucher management [SEMAP score]**
- 2] Increase customer satisfaction: both client and landlord**
- 3] Concentrate on efforts to improve specific management functions:
-unit inspections
-timely reinspection**

C. Increase assisted housing choices

- 1] Provide voucher mobility counseling**
- 2] Conduct outreach efforts to potential voucher landlords**
- 3] Coordinate efforts with other agencies and the Public Housing Authority**

II. Improve community quality of life and economic vitality

- 1] Coordinate with other housing agencies to provide clean, safe housing to a broad spectrum of tenant**
- 2] Implement measures to deconcentrate assisted housing and make clients aware of all their options**

III. Ensure Equal Opportunity in Housing for Everyone

- 1] Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion, national origin, sex, familial state and disability
- 2] Undertake affirmative measures to provide suitable living environment for families, living in assisted housing regardless of race, color, religion, national origin, sex, family status and disability
- 3] Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required

IV. Enhance the Office Environment of Service, Concern and Caring

- 1] Recognize all clients as our ultimate customer
- 2] Seek relationships with other agencies in order to help our clients resolve problems and obtain services

Annual Plan

Ruston Section 8 Fiscal Year 2000

i. Annual Plan Type

Administering Section 8 Only

ii. Executive Summary of the Annual Plan

iii. Annual Plan Table of Contents

Part I. Five Year Plan	1
Mission	1
Goals	1
Annual Plan	3
Supporting Documents	4
Part II. Annual Plan Components	5
Housing Needs	5
Financial Resources	8
Policies Governing Eligibility, Selection and Admission	8
Rent Determination Policies	9
Operations and Management	10
Grievance Procedures	10
Home Ownership	11
Community Service and Self-Sufficiency Programs	11
Civil Rights Certification	11
Fiscal Audit	12
Other Information	12

iv. Attachments

- X Admissions Policy for Deconcentrating**
- X Most Recent Board Approved Operating Budget**

v. Supporting Documents Available for Review

Applicable & On Display	Supporting Document	Applicable Plan
X	State/Local Certification of Consistency with the Consolidated Plan	5 Year and Annual Plans
X	Fair Housing Documents	5 Year and Annual Plans
X	Most Recent Board Approved Operating Budget	Annual Plan/Financial Resources
X	Consolidated Plan	Annual Plan/Housing Needs
X	Admissions and Occupancy Policy/Tenant Selection Plan	Annual Plan/Policies
X	Section 8 Administrative Plan	Annual Plan/Policies
X	Section 8 Rent Determination [payment standard]	Annual Plan/Rent Determination

X	Section 8 Informal Review and Hearing Procedures : check here if included in Section 8 Administrative Plan	Annual Plan/Grievance Procedures
X	Most Recent Fiscal Year Audit	Annual Plan

Part II. The Components of the Annual Plan

HOUSING NEEDS

A. Housing Needs of Families in the City of Ruston

Housing Needs of Families in Ruston							
Family Type	Overall	Afford-ability	Supply	Quality	Accessability	Size	Location
Income<=30% of AMI	20	5	4	3	1	3	1
Income>=30% but <50% of AMI	43	5	4	3	1	3	1

Income >50% but <80% of AMI	89	3	4	1	1	3	1
Elderly	12	4	5	2	1	3	1
Families with Disabilities	2	2	4	2	3	3	1
Race/Ethnicity	62% black	5	4	3	1	3	1
Race/Ethnicity	36% white	2	3	1	1	3	1
Race/Ethnicity	2% other	3	3	1	1	3	1

The Section 8 program used the Consolidated Plan for Louisiana, U. S. Census data updated, real estate and rental agencies, LA Tech and the current active waiting list to develop the above table. All information coming from this current year - 2000. [1 being no impact and 5 being sever impact]

Supply and afford ability are the two major impediments to meeting the housing needs for Ruston. With two universities in the area the student population and the *at need* population are constantly competing for the units.

–The Section 8 program will work to inform the public about the need for housing availability and the benefits of having year round tenants rather than 9 month student renters.

–The Section 8 program will work with agencies and landlords to develop mixed use housing to meet the identified needs.

B. Housing Needs of Families on the Section 8 Tenant - Based Assistance Waiting List

Section 8 Tenant - based Assistance			
	# of Families	% of Total Families	Annual Turnover
Waiting list total	47	30%	20
Extremely low income	45	95%	
Very low income	2	5%	
Low Income	0	0	
Families with children	44	93%	
Elderly	2	4%	
Families with disabilities	1	3%	

Race/Ethnicity	42 black	89%	
Race/Ethnicity	5 white	11%	

1. The waiting list is closed because the city has adopted a local priority for homeless and victims of domestic violence. We will be opening the waiting list this fiscal year 2000.

C. Strategy for Addressing Needs

Identified Need

1. Shortage of affordable housing for eligible population
 - a. Maximize the number of affordable units by:
 1. Maintain or increase section 8 lease up rates by establishing payment standards that will enable families to rent throughout the city.
 2. Maintain or increase section 8 lease-up rates by marketing the program to owners, particularly those outside the areas of minority and poverty concentrations.
 3. Maintain or increase section 8 lease-up rates by effectively screening Section 8 applicants to increase owner acceptance of the program.
 4. Participate in the Consolidated Plan development process to ensure coordination with broader community strategies.

Increase the number of affordable units by:

 - 1) Applying for additional Section 8 units should they become available.
 - 2) Pursue housing resources other than public housing or Section 8 tenant-based assistance
2. Families at or below 30% of Area Median Income

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

Exceed HUD federal targeting requirements
3. Families at or below 50% of Area Median Income

Work with landlord to offer incentives for working tenants
4. Elderly Families
 - a. Work with other agencies to develop elderly housing
 - b. Apply for special-purpose vouchers targeted to the elderly, should they become available
5. Families With Disabilities

- a. Work with existing agencies to expand housing for people with disabilities
 - b. Apply for special-purpose vouchers targeted to families with disabilities, should they become available
6. Races or Ethnicities with Disproportionate Housing Needs
- c. Increase awareness of the Section 8 program among those groups showing disproportionate needs
 - d. Conduct Activities to affirmatively further fair housing
 - (1) Market the Section 8 program to additional landlords
 - (2) Counsel Section 8 tenants as to location of units outside areas of poverty or minority concentration

Reasons for Selecting Strategies

- 1. Funding constraints
- 2. Staffing constraints
- 3. Limited availability of sites for assisted housing
- 4. Community standards for success

FINANCIAL RESOURCES

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
Federal Grants (FY 2000)		

Annual Contributions for Section 8 Tenant Based Assistance	\$789,594	
Total Resources	\$789,564	

The only program for the City of Ruston Section 8 Program is Federal Funds - Annual Contributions.

POLICIES GOVERNING ELIGIBILITY, SELECTION and ADMISSIONS

A. Eligibility

1. The extent of screening conducted by the Section 8 staff
 - e. Criminal or drug-related activity only to the extent required by law
 - (3) The Section 8 staff request a criminal records search from local law enforcement
 - (4) The Section 8 staff request a criminal records search from state law enforcement
 - (5) The Section 8 staff does not request a criminal records search by the FBI
2. Waiting List Organization

No additional program waiting lists are merged with the Section 8 tenant-based list.

Those interested in the program can apply at the Section 8 office at 1302 South Farmerville Street, Ruston, Louisiana; when the lists are open.
3. Search Time

The Section 8 will given an extension if the customer is making every attempt to find a place but is caught in the renting frenzy associated with the universities.
4. Admissions Preferences
 - f. Income targeting

The Section 8 program 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 income.
 - g. Preferences
 - (6) The Section 8 program has established preferences for admission to the Section 8 program
 - (7) Former Federal preferences
 - Homelessness

- Involuntary Displacement (disaster)
 - Victims of domestic violence
 - (8) Prioritization of additions preferences
 - [1] Homelessness, involuntary displacement, domestic violence
 - [2] Date and time
 - (9) Equal preferences status is then a determination based on date and time
 - (5&6) We have found that those who are homeless or victims of domestic violence already fit into the targeted income group, so that no further program adjustment are necessary to meet or exceed the targeted percentages.
5. Special Purpose Section 8 Assistance Programs
We have no special purpose programs at this time.

RENT DETERMINATION POLICIES

- A. Section 8 Tenant-Based Assistance
 - 2. Payment Standard
 - 3. Payment Standards
 - 100% of Fair Market rent
 - 4. Fair Market Rents are adequate to ensure success among assisted families in the City of Ruston.
 - 5. The payment standard is reviewed annually.
 - 6. The payment standard assessment is determined by the rent burdens of the assisted families.
 - 2. Minimum Rent
 - h. \$25 has been approved by the Board as a minimum rent.
 - i. No discretionary minimum rent hardship has been established.

OPERATIONS AND MANAGEMENT

B. Section 8 Management Structure

An organization chart showing the management structure is attached.

B. HUD Programs under Section 8 Management

PROGRAM NAME	UNITS OR FAMILIES SERVED AT YEAR BEGINNING	EXPECTED TURNOVER
Section 8 Vouchers	47	10
Section 8 Certificates	136	20
Section 8 Mod Rehab	16	4

C. Management and Maintenance Policies

Section 8 Management
Adopted Administrative Plan

GRIEVANCE PROCEDURES

A. Section 8 Tenant – Based Assistance

1. The Section 8 program has not established any additional 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 programs other than the federal requirements found at 24 CFR 9827.
2. Those procedures can be viewed at:
Section 8 Office
1302 S. Farmerville Street
Ruston, Louisiana 71270

HOME OWNERSHIP

A.. Section 8 Tenant Based Assistance

1. The Section 8 program does not plan on administering a Section 8 Home ownership program

COMMUNITY SERVICE AND SELF-SUFFICIENCY PROGRAMS

A. Section 8 Coordination with the Welfare (TANF) Agency

1. Cooperation agreements

The Section 8 program has not at this time entered into any cooperative agreements with the TANF agency to share information, although informally both parties share information at this time.

2. Other efforts between the Section 8 program and the TANF agency

- client referrals
- informal sharing regarding mutual clients

B. Services and programs offered to residents and participants

1. General

- Section 8 admissions policies

2. Economic and Social self-sufficiency programs

The Section 8 program directly works with the local domestic abuse shelter to house, train and counsel victims of domestic violence both at the DART shelter and in tenant's own residences.

CIVIL RIGHTS CERTIFICATIONS

The Section 8 Program Board certifies that the program is carried out in conformity to all applicable civil rights requirements and affirms fair housing rights under:

- Title VI of the Civil Rights Act of 1964
- The Fair Housing Act

- Section 504 of the Rehabilitation Act of 1973
- Title II of the Americans with Disabilities Act of 1990

FISCAL AUDIT

1. The Section 8 program has a recent audit.
2. That audit was not submitted to HUD.
3. There was one finding.
4. That finding has been resolved.

OTHER INFORMATION

A. Resident Advisory Board Recommendation

The RAB reviewed the plan but did not have any recommendations. Concern was expressed by two members that the plan needs to be followed, not just stuck on a shelf. [Diana Prichard]

ADMISSION AND CONTINUED

OCCUPANCY POLICIES

The City of Ruston

Section 8 Program

of

Ruston, Louisiana

June 2000

TABLE OF CONTENTS

INTRODUCTION	
1	
AUTHORITY	2
A1.0 AUTHORITY	
2	
A1.1 OBJECTIVES	
2	
A1.2 APPLICABILITY	3
A1.3 SOURCES OF STANDARDS	
3	
A1.4 REVIEW OF PLAN	3
A1.5 METHODS OF ADMINISTRATION	3
A1.6 TITLE VI COMPLIANCE	
4	
A1.7 NON-DISCRIMINATION IN ADMISSION AND OCCUPANCY	
5	
DEFINITIONS	
6	
B1.0 DEFINITIONS	6
ADMISSION POLICY	23
C1.0 APPLICATION TAKING	
23	
C2.0 ADMISSIONS - ELIGIBILITY CRITERIA	
24	
C3.0 VERIFICATION OF INCOME AND CIRCUMSTANCES	27
C4.0 DETERMINATION AND NOTIFICATION OF ELIGIBILITY.....	
29	
C4.1 NOTIFICATION PROCEDURE	29
C5.0 OCCUPANCY STANDARDS	30

C6.0 INCOME TARGETING AND DECONCENTRATION	32
C7.0 APPLICANT SELECTION AND ASSIGNMENT PLAN	32
C7.1 APPLICANT RANKING	
32	
C7.2 APPLICANT ASSIGNMENT	
32	
C7.4 UNIT REFUSALS	
32	
C8.0 LEASING OF DWELLING UNITS	32
C9.0 ADMISSION OF ADDITIONAL MEMBERS TO A CURRENT HOUSEHOLD.....	34
C10.0 RENT RULES	35
C11.0 APPROVAL PROCESS FOR RESIDENTS REQUESTING PERMISSION TO OPERATE A BUSINESS IN THE UNIT.....	36
CONTINUED OCCUPANCY	
37	
D1.0 ELIGIBILITY FOR CONTINUED OCCUPANCY	
37	
D2.0 RE-EXAMINATIONS	38
D2.1 ANNUAL RE-EXAMINATIONS	39
D2.2 SPECIAL RE-EXAMINATIONS	
39	
D2.3 INTERIM RE-EXAMINATIONS	40
D2.4 PROCESSING RE-EXAMINATIONS	
41	
D3.0 RE-EXAMINATION DATES	42
D4.0 TEMPORARY RENTS	
42	
D5.1 EVICTION OF FAMILIES FOR DRUG-RELATED AND/OR CRIMINAL ACTIVITIES.....	
42	
TRANSFERS	43
E1.0 TRANSFER POLICY	
43	
E1.1 TYPES OF TRANSFERS	
43	
E1.4 RIGHT OF MANAGEMENT TO MAKE EXCEPTIONS	
45	
FRAUD	45

INTRODUCTION

The City of Ruston Section 8 Program was established pursuant to the United States Housing Act of 1937, as amended, to provide decent, safe, sanitary and affordable housing to low income families. In accordance with this objective, the development of standard policies and procedures are necessary in order to ensure equitable treatment for all applicants and residents, as well as, to ensure the efficient operation of the Section 8 Program managed by the City of Ruston Section 8 office. In recognition thereof the City of Ruston Section 8 Office has developed Policies on Admission and Continued Occupancy which implement federal and state regulations. Said policies are also based on a recognition that the provision of decent, safe, sanitary and affordable housing is dependent upon social and economic factors as well as physical factors.

This admission and Continued Occupancy Policy is intended to be consistent with the latest addition of the Code of Federal Regulations governing the Department of Housing

and Urban Development, and all related HUD Transmittals and Notices, in the event of an inconsistency, the provisions of that code shall prevail.

The word Section 8 when used herein is intended to refer to the City of Ruston, Louisiana Section 8 Housing office.

The programs administered by Section 8 are:

Federal:

- 2) Family Low Income Certificate and Voucher Program
- 3) Family Low Income Mod – Rehab Program
- 4) Family Low Income Portability Program

AUTHORITY

A1.0 Authority

Eligibility for admission to and occupancy of Low-Income Section 8 program is governed by requirements of the Department of Housing and Urban Development, with some latitude for local policies and procedures. This Admissions and Continued Occupancy Policy (the Plan) incorporates these requirements and is binding upon applicants, residents, and the Section 8 office alike, the latter two through inclusion of the Plan. Notwithstanding the above, changes in applicable Federal Law or regulations shall supersede this policy at any point in which they are in conflict.

A1.1 Objectives

The Objectives of this policy are to:

7. Promote the overall goal of safe, decent and sanitary housing in good neighborhoods by:
 - j. Insuring a social and economic mix of low-income residents within each housing neighborhood in order to foster social stability and upward mobility.
 - k. Insuring the fiscal stability of the Section 8 Program.
 - l. Lawfully denying admissions or continued occupancy to families whose presence in a housing neighborhood is likely to adversely affect the health, safety or welfare of other residents or the physical environment of the neighborhood.
8. Facilitate the efficient management of the Section 8 office and compliance with Federal and State regulations by establishing the policy basis for management procedures, record keeping and auditing.
9. Comply in letter and spirit with Title VI of the Civil Rights Act of 1964 and all other applicable Federal and State laws and regulations to ensure that admission to and occupancy of public housing neighborhoods is conducted without regard to race, color, creed, age, sex, handicap, familial status or national origin.

10. Prescribe standards and criteria for resident selection and annual reexamination of income and family composition.

Terminology – The term “He” or “She” used throughout this document is used in the generic sense to include male/female, singular/plural as appropriate. In addition, the term “the Plan” used throughout this document is used in the generic sense for Admission and Continued Occupancy Policies.

A1.2 Applicability

The provisions of the Plan are applicable to all Section 8 programs receiving financial assistance from either the Federal and/or State Governments. Applicants and residents will be treated with courtesy and consideration in all verbal and written communications.

A1.3 Sources of Standards

The pertinent laws of the Federal, State and Municipal Governments.

The Contractual agreements pertaining to the various programs between the Section 8 Office, State and/or Federal agencies. The provision of Title 24, Sub-part B (Section 960.201 thru 960.207), Sub-part D (Section 960.401 thru 960.409) and Sub-part A (Section 966.1 thru 966.6) as set forth in the Code of Federal Regulations, Volume 40, Numbers 153, 154, and 188.

Policies established by the City of Ruston Section 8 Program Board of Commissioners.

Directives issued by the Section 8 administrative officers.

A1.4 Review of Plan

Annually the Administrator or his/her designee shall review the operations of this plan and make changes as appropriate.

A1.5 Methods of Administration

The administration of the Plan is to provide each applicant the greatest opportunity for the exercise of his/her rights under this plan; to avoid any discrimination in any manner or provisions of any service against any applicant because of race, creed, religion, color, national origin, age, sex, handicap, familial status or source of income; and to promote integrated developments and/or programs.

The Section 8 Office will post, in a conspicuous place in the Administration office where applications are received, a notice that the facilities and services of Section 8 are provided on a non-discriminatory basis.

A copy of this manual will be available to agencies, institutions, organizations and political subdivisions, which may refer applicants.

Section 8 will instruct its staff concerning its and their obligations under the Civil Rights and Non-Discrimination laws and regulations of the Federal and State governments by conducting training, distributing copies of pertinent documents and ongoing supervisory review.

All applicants and residents will be treated with courtesy and consideration at all times in all verbal and written communications.

No applicant, resident or staff will be intimidated nor will any retaliatory action be taken, nor threats thereof made, by Section 8 or its staff because of the applicant, resident or staff participation in Civil Rights activities or for having asserted any of his/her rights under the Civil Rights Acts, DOH, HUD's regulations and requirements pursuant thereto.

A1.6 Title VI Compliance

With Section 8's continuing efforts to provide voluntary compliance with Title VI, Section 8 is adhering to the following general provisions regarding its Housing Programs:

With respect to any services, financial aid or other benefits involved in its federally funded public housing programs, Section 8, its officers, administrators, agents, servants, employees,

successors, all persons exercising governance over the Section 8 Office and all persons in active concert or participation with any of them, agree to refrain from any acts which, on the grounds of race, color, creed, age, sex, handicap, familial status or national origin such as to:

- m. Deny a person such benefits.
- n. Provide such benefits to a person, which are different from those provided to others.
- o. Subject a person to segregation or separate treatment in any matter related to such benefits.
- p. Provide a preference for such benefits to any person, except as provided by this Agreement.
- q. Restrict a person in any way in access to such benefits or enjoyment of any advantage or privilege enjoyed by others in connection with such benefits.
- r. Treat a person differently from others in determining whether he/she satisfies any occupancy, admission, enrollment, eligibility, membership or other requirement or condition which the person must meet.
- s. Deny a person an opportunity to participate in the program or activity through the use of biased preference criteria, or otherwise afford the person a different opportunity to participate from that afforded others.

A1.7 Non-Discrimination in Admission and Occupancy

The Section 8 Program hereby assures and certifies that it will comply with:

- a. Title VI of the Civil Rights Act of 1964 (P.C. 88-352) and regulations pursuant thereto (Title 24CFR Part 1);
- b. Title VIII of the Civil Rights Act of 1968 (P.L. 90-284) as amended, and administer its programs and activities relating to housing in a manner to affirmatively further fair housing;

- c. Executive Order 11063 on Equal Opportunity in Housing and non-discrimination in the sale and rental of housing provided with Federal Financial Assistance;
- d. Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination based upon handicap in programs receiving Federal Financial Assistance;
- e. The Age Discrimination Act of 1975, which prohibits discrimination based upon age in programs receiving Federal Assistance.
- f. Title II of the Americans with Disabilities Act, to the extent that it applies.

DEFINITIONS

B1.0 Definitions

Adjusted Income – Adjusted Income means annual income less the following:

11. \$400 for any elderly or disabled family.
12. Unreimbursed medical expenses for elderly or disabled families, unreimbursed medical expenses for other families to the extent approved in Appropriation Acts and unreimbursed reasonable attendant care and auxiliary apparatus expenses for each handicapped family members to the extent necessary to enable said person to be employed; to the extent these sums exceed 3% of annual family income.
13. Reasonable child expenses necessary for a member of the family to be employed or further their education.
14. \$480 for each minor child, full-time student or person with disabilities.
15. Subject to the Appropriations Act, a deduction of up to \$480 for making child support payments.
16. Subject to the Appropriations Act, a deduction of up to \$550 for spousal support payments that one has a legal obligation to make.
17. The earned income of a person under 18 years old who is not the head of household or the spouse of the head of household.

Annual Income

Annual Income is the anticipated total income from all sources received by the family head and spouse (even if temporarily absent) and by each additional member of the family, including all new income derived from assets, for the 12-month period following the effective date of initial determination or re-examination of income, exclusive of income that is temporary, non recurring, sporadic, and exclusive of certain other types of income specified in this policy.

Annual Income includes, but it not limited to:

- g. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses and other compensation for personal services;
- h. The net income from 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;
- i. 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 authorized in 2 above of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is a reimbursement of cash assets invested by the Family. Where the family has Net Family Assets in excess of \$5,000, Annual Income shall include the greater of 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;
- j. 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, including the lump-sum payment for the delayed start of a periodic payment except from SSI and Social Security pay, per Notice PIH 93-11;
- k. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (but see "lump sum additions" in this policy);
- l. Welfare assistance;
- m. Scholarship payments specifically designated for room and board or a computed amount remaining after the expenses of books, tuition or travel;

- n. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the dwelling;
 - o. All regular pay, special pay and allowances of a member of the Armed Forces (whether or not living in the dwelling, but see paragraph 5 in the next sub-section regarding special pay); and
 - p. Annual Income does not include such temporary, non-recurring or sporadic income as the following:
 - a. Temporary, non-recurring or sporadic income (including gifts);
 - b. Amounts that are specifically for or in reimbursement of the cost of medical expenses;
 - c. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, lump-sum payments of deferred periodic payments from SSI and Social Security and settlement for personal or property losses (but see "payments in lieu of earnings" in this policy);
 - d. Amounts of educational scholarships paid directly to the student or the educational institution, and amounts paid by the Government to a veteran, for use in meeting the costs of tuition, fees, books, equipment, materials, supplies, transportation, and miscellaneous personal expenses of the student. Any amount of such scholarship or payment to a veteran not used for the above purposes that is available for subsistence is to be included in income;
 - e. The special pay to a family member in the Armed Forces away from home and exposed to hostile fire;
18. Amounts received under training programs funded by HUD;
19. Amounts received by a disabled person 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); or
20. 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.

- f. Monies received for performing census data collection;
- g. Income from employment of children (including foster children) under the age of 18 years;
- h. Payments received for the care of foster children;
- i. Income of a Live-in Aide, as defined in 24 CFR 913.102;
- j. Any earned income tax credit refunds, per Notice PIH 91-10;
- k. 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 in the Federal Register and distributed to Section 8's and Section 8's identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary. The following is a list of types of benefits that qualify for that exclusion, effective July 23, 1990:
 - 21. Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 USC 3050(f));
 - 22. The value of the allotment provided to an eligible household for coupons under the Food Stamp Act of 1977 (7 U.S.C. 2017 (b));
 - 23. Payment to volunteers under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5044(g), 5058);
 - 24. Payments received under the Alaska Native Claims Settlement Act of 1973 (43 U.S.C. 1626 (a));
 - 25. Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459 (e));

26. Payments or allowances made under the Department of Health and Human Services Low-income Home Energy Assistance Program (42 U.S.C. 8624 (f));
 27. Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1 552 (b));
 28. Income derived from the disposition of funds of the Grand River Band of Ottawa Indians (Pub. L. 94-540, 90 Stat. 2503-2504);
 29. The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Court of Claims (25 U.S.C. 1407-1408) or from funds held in trust for an Indian tribe by the Secretary of Interior (25 U.S.C. 117);
 30. Amounts of scholarships funded under Title IV of the Higher Education Act of 1965 that are used to cover the cost of attendance at an educational institution (See 24 CFR 215.1(c)(6), 236.3(c)(6), 813.106(c)(6), and 913.106(c)(6);
 31. Payment received after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the In Re Agent Orange Product Liability Litigation M.D.L. No 381 (EDNY); and
 32. Payments received under the Maine Indian Claims Settlement Act of 1980 (Pub. L. 96-240, 94 Stat. 1785).
1. Per the final rule published in the Federal Register, dated November 18, 1996, the following nine exclusions to annual income are:
33. Resident Service Stipends - but only if it does not exceed \$200 per month
 34. Adoption Assistance Payments - payments received for the care of adopted children in excess of four hundred eighty (480)
 35. Full Amount of Student Financial Assistance - all amounts received from student financial assistance

36. Earned Income of Full-Time Students - exempts earnings in excess of \$480 for each full-time student 18 years or older
37. Adult Foster Care Payments - usually individuals with disabilities unrelated to the resident family who are unable to live alone
38. State or local training programs and training of resident management staff
39. State tax credits and rebates for property taxes paid in a dwelling unit
40. Homecare Payments - exempts amounts paid by a State agency to families that have developmentally disabled children or adult family members living at home
41. Deferred periodic payments of SSI and Social Security

If it is not feasible to anticipate a level of income over a 12-month period, the income anticipated for a shorter period may be annualized, subject to a redetermination at the end of the shorter period.

Appliances

Appliances are stoves and refrigerators.

Assets

The value of equity in real property, savings, stocks, bonds, checking and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles is not to be considered as an asset.

Child Care Expenses

Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a family member to be gainfully employed or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall

reflect reasonable charges for childcare, and, in the case of childcare necessary to permit employment, the amount deducted shall not exceed the amount of income received from such employment. The Section 8 Office will not normally determine childcare expenses necessary when the household contains an additional unemployed adult whom is physically capable of caring for children.

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. An unborn child shall not be considered a dependent.

Disabled Family

A family whose head or spouse or sole member is a person with disabilities. It may include two or more persons with disabilities living together and one or more persons with disabilities living with one or more persons who are determined to be essential to the care or well being of the person or persons with disabilities.

Disabled Person

- m. Has a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423), or
- n. Is determined to have a physical, mental or emotional impairment that:
 - (10) Is expected to be long-continued and indefinite duration,
 - (11) Substantially impedes the person's ability to live independently, and
 - (12) Is of such a nature that such ability could be improved by more suitable housing conditions.
- o. Has a developmental disability as defined in Section 102 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(5)).

A person with disabilities does not exclude persons who have the disease of acquired immun.-deficiency syndrome or any conditions arising from the etiologic agent for acquired immun.-deficiency syndrome.

Displaced Person

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

Elderly Family

A family whose head or spouse (or sole member) is an elderly person. It may include two or more elderly persons living together, with one or more persons living whom are determined to be essential to the care and well being of the elderly person or persons.

Elderly Person

A person who is at least 62 years of age.

Eviction

The dispossession of the resident from the leased unit as a result of the termination of the lease prior to the end of the term, for serious or repeated violations of material terms of the lease or to fulfill the resident's obligations set forth in HUD regulations, Federal, State, or Local Law or for other good cause.

Familial Status

One or more individuals (who have not attained the age of 18 years) being domiciled with (having a permanent residence):

42. A parent or another person having legal custody of such individual or individuals; or
43. The designee of such parent or other person having custody, with the written permission of such parent or other person.

Family

- p. The term “family” as used in this policy means:
44. A group of two or more people related by blood, marriage or legal adoption, who will live regularly together in the same dwelling unit in the neighborhood (including foster children and members of the family who are temporarily absent). There must be some concept of family living beyond the mere sharing or intention to share housing accommodations by two or more persons to constitute them as a family within the meaning of this policy. Some recognized and acceptable basis of family relationship must exist as a condition of eligibility. By definition, a family must contain a competent adult who is capable of functioning as the head of household;
 45. A single person who has attained at least age 62; or
 46. A person who is under a disability as defined in Section 223 of the Social Security Act or who has a developmental disability as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7)). Section 223 of Social Security Act defines disability as:
 - C. Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; or
 - D. In the case of an individual who has attained the age of 55 and is blind (within the meaning of “blindness” as defined in Section 416(i)(1) of the title), inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he has previously engaged with some regularity of a substantial period of time; or
 47. A handicapped person who has a physical or mental impairment which (1) is expected to be of long continued or indefinite duration, (2) substantially impeded their ability to live independently, and (3) is of such nature that such ability could be improved by more

suitable housing conditions (Note: all three conditions must be met to qualify as handicapped); or

48. Two or more Elderly, Disabled or Handicapped persons living together, or one or more of these persons living with one or more Live-In Aides; or
 49. For continued occupancy purposes only, the remaining member of a resident family who meets all the requirements for continued occupancy; or
 50. A single person who has been displaced by governmental action or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized under Federal Disaster relief laws; or
 51. Other single persons who are not 62 years or older, disabled, handicapped, displaced, or the remaining member of a resident family; or
 52. Single pregnant women with no other children, provided verification of pregnancy furnished from a physician; or
 53. A single person with other children, who is in the process of securing legal custody of an individual under the age of 18 years.
- q. Elderly Family. A family whose head or spouse (or sole member) is an Elderly, Disabled or Handicapped person. It may include two or more Elderly, Disabled or Handicapped persons living together, or one or more persons living with one or more Live-in Aides.
- r. The above definitions of “family” do not exclude a person living alone during the temporary absence of a family member who will later live regularly as a part of the family.
- s. A person necessarily residing with a family by reason of employment by or for such family (a) to permit the employment of a sole wage earner, or (b) for the health and welfare of a sick or incapacitated member of the family, need not be considered as a member of the family for the purposes of determining family income for eligibility or establishing the Total Tenant Payment. However, the necessity or such an arrangement must be evidenced by a doctor’s certificate when health-related reasons are given for the arrangement. In all cases, the presence of such a person must be

determined essential and so certified by Section 8. Under no circumstances may such an arrangement be either continued longer than necessary or permitted only for the convenience of the resident or such employee. This provision is applicable both for admission and continued occupancy and is not restricted to elderly families.

Full-Time Student

A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution offering a college degree, vocational education degree or certificate program.

Handicapped Assistance Expense

Reasonable expenses that are anticipated, during the period for which Annual Income is computed, for attendant care and auxiliary apparatus for a Handicapped or Disabled family member and that are necessary to enable a family member (including the Handicapped or Disabled member) to be employed, provided that the expenses are neither paid to a member of the family or reimbursed by an outside source.

Handicapped Person

A person with disabilities who:

- a. Has a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423) or
- b. Is determined to have a physical, mental or emotional impairment that:
 - (13) Is expected to be of long-continued and indefinite duration,
 - (14) Substantially impedes the person's ability to live independently, and
 - (15) Is of such a nature that such ability could be improved by more suitable housing conditions.
- c. Has a developmental disability as defined in Section 102 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001 [5])

A person with disabilities does not exclude persons who have the disease acquired immun.-deficiency syndrome or any conditions arising from the etiologic agent for acquired immun.-deficiency syndrome.

Head of Household

Head of Household means the adult member of the family who is held primarily responsible and accountable for the family, particularly in regard to lease obligations.

Homeless Family

Any individual or family who:

- a. Lacks a fixed, regular, and adequate nighttime residence; and
- b. Has primary nighttime residence that is:
 54. A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
 55. An institution that provides a temporary residence for individuals intended to be institutionalized; or
 56. A public or private place not designed for or ordinarily used as, a regular sleeping accommodation for human beings.

Income for Eligibility

“Income for Eligibility” for purposes of determining eligibility for statistical reporting, means “Annual Income.”

- c. Developments available for occupancy on or after 10/01/81 – Income for eligibility shall not exceed the “Lower Income” limits.
- d. Developments available for occupancy on or after 10/01/81 – Income for eligibility shall not exceed the “Very Low Income” limits.

Income for Rent

For the purpose of determining rents and for statistical reporting means adjusted income: except that Annual Income is to be used in determining the 10 percent minimum rent.

Involuntary Displacement

For purposes of determining whether an applicant is entitled to a priority for housing program admission under Federal law, an applicant is or will be involuntarily displaced if he or she was vacated or will have to vacate his or her housing unit as a result of one or more of the following actions:

- a. A natural disaster, such as a fire or flood, that results in the applicant's unit being uninhabitable;
- b. Activity carried on by an agency of the United States or by any State or local governmental body or agency in connection with code enforcement or a public improvement or development program; or
- c. Action by a housing owner that results in an applicant's having to vacate his or her unit, where:
 57. The reason for the owner's action is beyond an applicant's ability to control or prevent;
 58. The action occurs despite an applicant's having met all previously imposed conditions of occupancy; and
 59. The action taken is other than a rent increase.
- d. An applicant has vacated a housing unit because of domestic violence or the applicant is currently living in a housing unit with a person who engages in domestic violence.
- e. To avoid reprisals because a family member provides information on criminal activities to a law enforcement agency.
- f. If one or more members of the applicant's family have been the victim of one or more hate crimes and the applicant has vacated a housing unit because of such crime, or the fear associated with such crime has destroyed the applicant's peaceful enjoyment of the unit.

- g. If a member of the family has mobility or other impairment that makes the person unable to use critical elements of the housing unit.
- h. If the family is displaced because of HUD disposition of a multi-family development.

For purposes of this definition reasons for an applicant's having to vacate a housing unit include, but are not limited to, conversion of an applicant's housing unit to non-rental or non-residential use; closure of an applicant's housing unit for rehabilitation or for any other reasons; notice to an applicant that he or she must vacate a unit because the owner wants the unit for the owner's personal or family use or occupancy; sale of a housing unit in which the applicant resides under an agreement that the unit must be vacant when possession is transferred; or some other legally authorized act that results or will result in the withdrawal by the owner of the unit or structure from the rental market. Such reasons do not include the vacating of a unit by a resident as a result of actions taken because of the resident's refusal to comply with applicable program policies and procedures with respect to occupancy of under occupied and overcrowded units or to accept a transfer to another housing unit in accordance with a court decree or in accordance with such policies and procedures under a HUD approved desegregation plan. Eviction for non-payment of rent or for other lease violations will not be considered involuntary displacement.

An applicant also is involuntarily displaced if the applicant has vacated his or her housing unit as a result of actual or threatened physical violence directed against the applicant or one or more members of the applicant's family by a spouse or other member of the applicant's household; or the applicant lives in a housing unit with such an individual who engages in such violence. For the purposes of this paragraph, the actual or threatened violence must, as determined by Section 8 in accordance with HUD's administrative instructions, have occurred recently or be of a continuing nature.

In order to qualify for the priority based on involuntary displacement, a family must either have been involuntarily displaced as defined above and not living in "Standard Permanent Replacement Housing," or it must be verifiable

that the family will be involuntarily displaced within the next six months.

Live-In Aide

A person who resides with an Elderly, Disabled, or Handicapped person or persons and who:

- a. Is determined by Section 8 to be essential to the care and well-being of the person(s);
- b. Is not obligated for support of the person(s); and
- c. Would not be living in the unit except to provide supportive services.

Lower 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 limits higher or lower than 80 percent of the median income for the area on the basis of its finding that such variations are necessary because of the prevailing levels of construction costs of unusually high or low family incomes.

Medical Expenses

Medical expenses, including medical insurance premiums, that are anticipated during the period of which Annual Income is computed, and that are not covered by insurance. Medical expenses, in excess of 3% of Annual Income, are deductible from annual income for elderly families and handicapped assistance expense as outlined on page **18**.

Military Service

Military service means the active military service of the United States, which includes the Army, Navy, Air Force, Marine Corps, Coast and since July 29, 1945, the commissioned corps of the United States Public Health Service.

Minor

A “minor” is a person less than eighteen years of age. (An unborn child may not be counted as a minor but is counted for eligibility of a single, pregnant female.)

Monthly Adjusted Income

One-twelfth of Adjusted Income.

Monthly Income

One-twelfth of Annual Income. For purposes of determining priorities based on an applicant’s rent as a percentage of monthly income.

Near Elderly Income

A family whose head or spouse (or sole member) is at least 50 years of age but below the age of 62.

Neighborhood or Community

Any lower income Public Housing site as established in a development program, except that when sites are adjacent or within a block of each other, such sites collectively shall be considered one location.

Net Family Assets

Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investments, excluding, interests in Indian trust land and excluding equity accounts in HUD ownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded. (In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered as an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining Annual

Income.) In determining Net Family Assets, the Section 8 shall include the value of any assets disposed of by an applicant or resident for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or re-examination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or resident received important consideration not measurable in dollar terms.

Public Housing Agency (Section 8)

Any State, County, municipality or other government entity or public body (or agency or instrumentality thereof) that is authorized to engage in or assist in the development or operation of housing for lower income families.

Ranking Applicant Family

Is that eligible family within any particular rent range with the highest priority as defined in this policy or priority being equal, the earliest date and time of application.

Ranking Rentable Unit

The “ranking rentable unit” is that rentable dwelling unit which is located in the neighborhood having the greatest number of the same bedroom size and type of rentable vacant units.

A “rentable unit” is a vacant unit, which has been prepared for occupancy, which is not encumbered by an offer, which has been made but not yet been accepted or rejected.

Rent

For purposes of determining whether an applicant is entitled to a priority for housing admission based on current rent as a percentage of monthly income, rent is defined as the actual amount due, calculated on a monthly basis, under a lease or rental agreement between a family and the family’s current landlord, plus any monthly payments that a family makes

toward resident purchased utilities (except telephone). In calculating a family's payments toward utilities, Section 8 will use its reasonable estimate of resident-purchased utilities and other housing services that are normally included in rent; or if the family chooses, the family's average monthly utility costs, based on the family's utility bills furnished by the family, for the most recent 12-month period, or, where bills are not obtainable for the entire period, for an appropriate recent period.

For the purposes of calculating rent under this paragraph, amounts paid to or on behalf of a family under any energy assistance program must be subtracted from the otherwise applicable rental amount to the extent that they are not included in the family's income.

Resident Rent

The amount payable monthly by the Family as rent to the landlord. Where some or all utilities (except telephone) and other essential housing services are not supplied by the landlord and the cost thereof is not included in the amount paid as rent, Resident Rent equals Total Payment less the Utility Allowance. (Resident Rent is a term established and defined by 24 CFR (Part 913) and as such, is occasionally awkward in ordinary usage. For this reason, the term "Resident Rent" is used interchangeably with "rent" as defined elsewhere in the Plan to refer to the net monthly payment by the family to the landlord. The only exception is the term "rent" as defined in this policy in reference to admission priorities based on an applicant's rent as a percentage of monthly income).

Section 8 Program

Local government entity that is authorized to engage in or assist in the development of program assistance for lower income families.

Single Person

A person who lives alone or intends to live alone, and who does not qualify as an elderly family or displaced person or as the remaining member of a resident family.

Spouse

Spouse means the husband or wife of the head of household.

Standard Permanent Replacement Housing

For purposes of determining if a family is entitled to a priority for admission based on involuntary displacement, Standard Permanent Replacement Housing, is housing that is decent, safe and sanitary, is adequate for the family size, and the family is occupying pursuant to a lease or occupancy agreement, but does not include transient facilities such as motels, hotels or temporary shelters for victims of domestic violence or homeless families, and in the case of domestic abuse referred to in the Section above, does not include the housing unit in which the applicant and the applicant's spouse or other member of the household who engages in such violence live.

Substandard Housing

For purposes of determining whether an applicant is entitled to a priority for public housing admission based on residency in substandard housing, a dwelling unit shall be considered substandard if it:

- a. Is dilapidated;
- b. Does not have operable indoor plumbing;
- c. Does not have a usable flush toilet inside the unit for the exclusive use of a family;
- d. Does not have a usable bathtub inside the unit for the exclusive use of a family;
- e. Does not have electricity, or has inadequate or unsafe electrical service;
- f. Does not have a safe or adequate source of heat;
- g. Should, but does not have a kitchen; or

- h. Has been declared unfit for habitation by an agency or unit of government.

For purposes of this definition, a housing unit is dilapidated if it does not provide safe and adequate shelter, and in its present condition endangers the health, safety, or well being of a family, or it has one or more critical defects, or a combination of intermediate defects in sufficient number or extent to require considerable repair or rebuilding.

The defects may involve original construction or they may result from continued neglect or lack of repair or from serious damage to the structure.

For the purposes of this paragraph, an applicant who is a homeless family as defined below is living in substandard housing.

For the purposes of this paragraph, Single Room Occupancy (SRO) Housing (as defined in 24 CFR 882.102) is not substandard solely because it does not contain sanitary or food preparation facilities (or both).

Total Resident Payment

Total Resident Payment for families whose initial lease is effective on or after August 1, 1982, shall be the higher of the following, rounded to the nearest dollar:

- a. 30 percent of Monthly Adjusted Income; or
- b. 10 percent of Monthly Income;
- c. If the family receives Welfare Assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the monthly portion of such payments which is so designated. If the family's Welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this subsection shall be the amount resulting from one application of the percentage.

The Resident Payments does not include charges for excess utility consumption or other miscellaneous charges, such as maintenance charges, late charges, etc.

Utility

The provision of general electricity, gas, heating fuel, cooking fuel, water, sewage services and trash collection.

Utility Allowance

The cost of utilities (except telephone) for an assisted unit which are not provided by the landlord but are the responsibility of the family occupying the unit is called a utility allowance. This utility allowance is based upon building type and is determined by number of bedrooms and is equal to the estimate made by Section 8 or HUD, of the monthly cost of a reasonable consumption of such utilities for the unit by an energy conservative household of modest circumstances consistent with the requirements of a safe, sanitary and healthful living environment.

Utility Reimbursement

The amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Resident Payment for the family occupying the unit.

Very Low-Income Family

A family whose annual income does not exceed 50 percent of the median income for the area, as determined by HUD, with adjustments for small and larger families. HUD may establish income limits higher or lower than 50 percent 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 income.

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.

ADMISSION PROCESS

C1.0 Application Taking

Section 8 maintains a waiting list for applicants interested in the various public housing programs. All admissions to the housing program shall be made on the basis of a pre-application in such form as Section 8 shall prescribe. The Application for Admission shall constitute the basic record of each family applying for admission. All supplemental materials pertaining to eligibility shall also be considered a part of the application record and carefully recorded. This includes verification of income and family composition and such other data as may be required. Section 8 does not provide emergency housing and cannot modify the order of assignments otherwise prescribed because of emergency considerations.

The following conditions shall govern the taking and processing of applications:

- a. Section 8 will not, on account of race, color, creed, religion, familial status, age, handicap, sex or national origin, deny or hinder any applicant family the opportunity to make application or lease a dwelling unit suitable to its needs in any of its developments.
- b. Section 8 reserves the right to suspend taking applications for its wait lists when the current supply of applications exceeds the number of families which could be reasonably expected to be housed within the next eighteen months.
- c. All pre-applications must be made by a responsible adult member of the applicant family, who will reside in the household. He/she shall sign the pre-application and certify, subject to civil and criminal penalties, to the accuracy of all statements made therein. The Section 8 reserves the right to require the signature of any or all adult members of the applicant household.
- d. Section 8 will normally take applications from a central location, but reserves the right to establish satellite locations for application taking, so long as all processing is done in a central location.

- e. Section 8 reserves the right to establish times for taking applications, including by appointment. The Section 8 staff may at its discretion provide for application interviews outside of normal hours when necessary for hardship reasons.
- f. Insofar as possible, application interviews shall be conducted in private.
- g. In addition to income, family composition and information unique to each applicant, each application shall be hand dated upon time of receipt and Section 8's determination of an applicant's position will be based upon the date/time of receipt. All information regarding application and eligibility will be filed and as such, considered part of their permanent record. When the family is eligible, the application shall also record the correct unit size and type; the priority rating; the date, unit location and reason for rejection for any offers refused by the applicant.
- h. Applications shall be updated as applicants report changes in income and family circumstances. All such communications from the applicant must be in writing and signed by the applicant. All modifications to applications shall be properly documented on hard copy and to the computer systems and the transaction initialized by the staff member making the change.
- i. Every twelve (12) months, Section 8 shall purge the application pool of applications no longer actively seeking housing. Normally, this shall be performed by removing applicants from the waiting list who fail to respond to a "still interested" notice mailed to the last known address on the application. It shall be the sole responsibility of the applicant to inform Section 8 in writing of changes in address or other family circumstances, which might affect the status of the application.
- j. Section 8 shall maintain such records as are necessary to document the disposition of all applications to meet Department of Housing and Urban Development audit requirements as well as the regulations of Louisiana State agencies.
- k. Applicants will have thirty (30) days to provide all necessary information as requested to document their application for eligibility. Failure to provide this information at the end of this period will result in the withdrawal of their application by Section 8.

C2-0 Admissions – Eligibility Criteria

- a. All families who are admitted to Housing must be individually determined eligible under the terms of the policy. In order to be determined eligible, an applicant must meet ALL of the following requirements:
 60. The applicant family must qualify as a family as defined in B1.0.
 61. The applicant family's Annual Income as defined in (HUD Secretary's definition) must not exceed income limits established by the Department of Housing and Urban Development for Public Housing in the Parish of Section 8's jurisdiction.
 62. The applicant family must conform to the Occupancy Standards contained in policy C5.0 regarding unit size and type.
 63. The applicant family must have a satisfactory record in meeting past financial obligations, especially in payment of rent.
 64. The applicant family must have no record of disturbance of neighbors, destruction of property, unsafe living habits, unsanitary housekeeping practices, substance abuse, sexual deviation or any other history which may be reasonably expected to adversely affect:
 - E. The health, safety, or welfare of other residents;
 - F. The peaceful enjoyment of the neighborhood by other residents;
 - G. The physical environment and fiscal stability of the neighborhood.
 65. The applicant family must not have a record of grossly unsanitary or hazardous housekeeping. This includes the creation of a fire hazard through acts such as the hoarding of rags and papers; severe damage 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 improperly; or serious neglect of the premises. In a case where a qualified agency is working with the applicant family to improve its housekeeping and the agency reports the applicant family shows potential for improvement, decision as to eligibility shall be reached after referral

to and recommendation by the Administrator or his/her designee. This category does not include applicant families whose housekeeping is found to be superficially unclean or lacks orderliness, where such condition does not create a problem for the neighbors.

66. The applicant family must have no history of criminal activity, which, if continued, could adversely affect the safety or welfare of other residents.
 67. The applicant family must be able to demonstrate capacity to discharge all lease obligations. This determination shall be made on a case by case basis and shall not be used to exclude a particular group by age, handicap, etc., in determining the applicant family's capacity to discharge all lease obligations. The Section 8 must consider the family's ability to secure outside assistance in meeting those obligations.
 68. If a prior resident of public housing or other housing programs administered by Section 8, the applicant family must have a satisfactory record in meeting financial and other lease obligations. Any former resident who owes a move out balance to the Housing Authority will not be considered for re-admission until the account is paid in full and reasonable assurance is obtained of the applicant's ability to meet his or her rent obligations. In addition, persons evicted from public housing, Indian housing, Section 23, or any Section 8 program because of drug-related criminal activity, are ineligible for admission to public housing for a three- (3) year period beginning on the date of such eviction.
 69. The applicant family must have properly completed all applicant requirements, including verifications. Misrepresentation of income, family composition or any other information effecting eligibility, rent, unit size, neighborhood assignment, etc., will result in the family being declared ineligible. In the event the misrepresentation is discovered after admission, the family may be subsequently evicted, even if the family meets current eligibility criteria at that time.
- b. Substance abuse as use in "E" above and criminal activity as used in "G" above shall include, but not limited to, 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 Substance Act (21 U.S.C. 802)) including methamphetamine.

- c. Sources of information for eligibility determination may include, but are not limited to, the applicant (by means of interviews of home visits), landlords, employers, family social workers, parole officers, court records, drug treatment centers, clinics, physicians or police departments where warranted by the particular circumstances. Information relative to the acceptance or rejection of an applicant shall be documented in accordance with C3.0 (Section below) and placed in the applicant's file. Such documentation may include reports of interviews, letters or written summaries of telephone conversations with reliable sources. At a minimum, such reports shall indicate the date, the source of information, including the name and title of the individual contacted, and a summary of the information received.

- d. 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 or to factors, which might indicate a reasonable probability of favorable future conduct or financial prospects. For example:
 - 70. Evidence of rehabilitation;

 - 71. Evidence of the applicant family's participation or willingness to participate in social services or other appropriate counseling service programs in the locality;

 - 72. Evidence of the applicant family's willingness to attempt to increase family income and the availability of training or employment programs in the locality;

 - 73. In the case of applicants whose capacity for independent living and discharge of lease obligations is in question, the resources actually available in support of the family, such as visiting nurses, homemakers or live-in caretakers.

C3.0 Verification of Income and Circumstances

No applicant family shall be admitted to public housing without thorough verification of income, family composition and all other factors pertaining to the applicant's eligibility, rent, unit size and type, priority rating, etc. The same type of

verifications is required to process any interim or regular re-examination for public housing residents. Complete and accurate verification documentation shall be maintained for each applicant and resident. Such documentation may include, but is not limited to, the following:

- e. Letters or other statements from employers and other pertinent sources giving authoritative information concerning all items and amounts of income and deduction, together with other eligibility and preference determinations.
- f. Verification forms supplied by the Authority and returned properly completed by employers, public welfare agencies, etc.
- g. Originals, photocopies, or carbon copies of documents in the applicant's possession which substantiates his statements, or a brief summary of pertinent contents of such documents signed and dated by the staff member who view them.
- h. Statements from self-employed persons, and from persons whose earnings are irregular, such as salesmen, etc., sworn to before a Notary, setting forth gross receipts, itemized expenses and net income (expenses incurred for business expansion or amortization of capital indebtedness are to be included in net income).
- i. Memoranda of verification data obtained by personal interview, home visit, telephone, or other means, with source, date received, name and title of person receiving the information clearly indicated, and a summary of information received.
- j. Certified birth certificates, or other substantial proof of age, to support claims to the various entitlements in these policies for each member of the household.
- k. Verification of evidence of citizenship and/or eligible immigration status.
- l. Social Security Card or legal documents verifying the Social Security number for the applicant and each member of the applicant's household who is at least six (6) years old. (If the applicant cannot provide the proper documentation requirements he/she must submit to the Authority the individual's SSN(s) and a certification executed by the individual that the SSN(s) submitted has been assigned to the individual, but that acceptable documentation to verify the SSN(s) cannot be provided.)

- m. Proof of disability, or of physical impairment, if necessary to determine the applicant's eligibility as a family or entitlement consideration under the criteria established in these policies, provided in written form by the appropriate government agency.
- n. Statements from landlords, family social workers, parole officers, court records, drug treatment centers, clinics, physicians, or police departments, where warranted in individual cases.
- o. Receipts for utility services.
- p. In addition to such other verification as the Section 8 may require, verification that an applicant is living in substandard housing shall consist of a written statement or notice from a unit or agency of government or from an applicant's present landlord that the applicant's unit has one or more of the deficiencies listed in, or the unit's condition is, as described in the definition of Substandard Housing.

In the case of a homeless family, verification consists of certification, in a form prescribed by the Secretary of the Department of Housing and Urban Development or as developed by the Section 8, of this status from a public or private facility that provides shelter for such individuals, or from the local police department or social services agency.

- q. In addition to such other verification as Section 8 normally requires of applicants, a family who desires a priority based on paying more than fifty percent of income for rent must supply documentation of the amounts due to the landlord under the lease or rental agreement and the amounts the family pays for utilities of the family's income in accordance with appropriate regulatory and HUD handbook provisions. Information or documentation shall be determined to be necessary if it is required for purposes of determining a family's eligibility for a preference for paying more than 50 percent of the family's income for rent. The use or disclosure of information obtained from a family or from another source pursuant to this release and consent shall be limited to purpose directly connected with determining eligibility for the preference. The Section 8 shall verify the amount due to the family's landlord under the lease or rental agreement by requiring the family to furnish copies of its most recent rental receipts or a copy of the family's current lease or rental agreement. To verify the amount a family pays for utilities the Section 8 may require a family to provide copies of the family's most recent bills/receipts for such services or it may use its Section 8 Utility Allowance Schedule as documentation.

{#14 SKIPPED?????}

15. Section 8 shall require the family head, head of household, members 18 years or older, or legally appointed designee to execute a HUD-approved release and consent authorizing any depository or private source of income, or any Federal, State, or local agency to furnish or release to Section 8 and to HUD such information as Section 8 or HUD determines to be necessary.

Because of eligibility for Federal housing assistance is not based on a “declaration system” but upon verification of actual income and family circumstances, the Section 8 is not limited to verification of data supplied by applicants or residents. Failure of an applicant to cooperate with the Section 8 in obtaining verifications will result in the application being declared incomplete and inactive. A resident who fails to cooperate or to release information may be evicted. In addition, interim rent reductions will not be made for residents until after receipt of all required verifications. In consideration of the privacy rights of residents and applicants, Section 8 shall restrict its requests to those matters of income, family composition and other family circumstances which are related to eligibility, rent, unit size and type, admission priority rating, or other lawful determinations made by Section 8. If the verified data as listed in this policy are not more than one hundred twenty days old at the time an applicant is selected for admission, the data will be considered as reflecting the applicant’s family’s status at the time of admission.

C4.0 Determination and Notification of Eligibility

As soon as possible after receipt of an application, Section 8 will determine the applicant family’s eligibility for public housing in accordance with the provisions of C2.0 and send a letter signifying the status of the applicant. In the event an applicant family is determined to be eligible, it shall be informed of the time estimated before an offer of a dwelling unit will be made. If this period is estimated to be longer than one year, the applicant family shall be informed of this fact in addition to its place on the current waiting list. In the event an applicant family is determined to be ineligible, it shall also be informed in writing of the basis for this determination. An applicant family does not have the right to use the Resident Grievance Procedure, but will be given, upon request, the opportunity for an Informal Hearing to present such facts as it

wishes. In circumstances when waiting lists are very long, thorough investigation of each application may not be practical until such application approaches selection. In such cases, apparently eligible applicant families will be notified if its eligibility determination is tentative in nature, being largely based on declarations made by the applicant family, and is subject to further reviews prior to admission. In all cases, Section 8 reserves the right to withdraw any determination of eligibility, tentative or otherwise, when additional information indicates that the prior determination was inappropriate.

C4.1 Notification Procedure

Upon completion of the application, a prompt decision of initial eligibility or ineligibility will be made, and the appropriate notification mailed to the applicant.

Eligible Applicants

All applicants will be notified in writing of initial eligibility and the basis of that determination.

The notification will include:

- * Client number, application status, program and unit size.

A redetermination of eligibility and suitability will be undertaken prior to the offer of a dwelling unit.

Ineligible Applicants

All applicants will be notified in writing of initial eligibility and the basis of that determination.

The notification will include:

- * Client number, application status, and reason for ineligibility.

Any applicants notified of his/her initial ineligibility will be afforded the right to resubmit information that may result in the applicant being redetermined initially eligible.

C5.0 Occupancy Standards

To avoid overcrowding and prevent wasted space, units are to be leased in accordance with the occupancy standards set forth below. If there should be a dwelling unit, which cannot be filled with a family of appropriate size, after all possible efforts have been made to stimulate applications; a family eligible for the next smaller size unit may be offered this unit. This shall be with the understanding that the family is subject to later transfer to a unit of the proper size.

- a. The head of household and co-resident are usually assigned a separate bedroom.
- b. Family members are generally assigned to bedrooms on the basis of two of the same sex per bedroom or of opposite sex up to the age of six (6).
- c. Section 8 will assign a separate bedroom to any family member with a documented medical need.
- d. Section 8 will allow a child under two (2) years of age to share a bedroom with a parent(s).
- e. Section 8 shall not require children of opposite sex, over the age of six (6) to share a bedroom. The family shall have the opportunity to use the living room as a sleeping area should they so desire.
6. Section 8 will treat a single pregnant woman as a two-person family.
7. Section 8 at its sole discretion may assign a separate bedroom to any family member with a documented medical need.

Section 8 will also assign units based on the type of unit needed by the individual applicant or applicant family. This refers to the family's ability to use stairs or their status as an elderly family.

8. In no case, should residents be assigned to bedroom sizes outside of the minimum and maximum constraints listed below and in addition, any "single person" shall not be assigned a unit with two or more bedrooms:

Number of Bedrooms	Number of Min	Persons Max
-----------------------	---------------------	----------------

0	1	1
1	1	2
2	2	4
3	3	6
4	4	8
5	5	10

These stands regarding the minimum and maximum number of persons who will occupy a unit will be applied within the restraints of financial solvency and program stability.

Section 8 reserves the right to over house in its conventional public housing programs in an effort to correct unacceptable high vacancy rates. An unacceptably high vacancy rate is when a development or Section 8 wide vacancy rate is 2% or more. Families placed into larger than needed units will sign a wavier agreeing to be transferred to a smaller, but appropriate sized unit, should the larger unit be needed in the future by an applicant family or a tenant family.

When it is found that the size of the dwelling is no longer suitable for the family in accordance with these standards, the family will be required to move as soon as a dwelling of appropriate size becomes available. These families will be transferred in accordance with the Transfer Policy [E1.0].

C6.0 Income Targeting and De-concentration

Section 8 shall make every effort possible to provide for de-concentration of poverty and income mixing in its communities by bringing higher income residents into lower income developments and lower income residents into higher income developments.

Section 8 does not intend to utilize and/or impose any specific income or racial quotas not will Section 8 offer incentives for eligible families to occupy units in developments predominately occupied by families having either lower or higher incomes.

C7.0 Applicant Selection and Assignment Plan

C7.1 Application Ranking

Applications will be filed and selected in the following order:

1. By date and time of application.

C7.2 Applicant Assignment

Selection of applicant families for making offers of dwelling units shall be performed by matching the ranking unit to the applicants as follows:

The “ranking applicant family” is that eligible family with the earliest date and time of application.

C7.4 Unit Refusals

When an applicant refuses an offer of an apartment, the application shall be returned to the waiting list, being assigned [for processing purposes the lowest priority and an application date and time which corresponds to the date of the refusal. Upon return to the top of the waiting, such an applicant would be made an offer in accordance with the provisions of this policy. Upon refusal of the second such offer, including any in neighborhoods previously refused, the application shall be removed from the waiting list and classified as inactive for a period of twelve months.

If the applicant is willing to accept the unit offered but is unable to move at the time of the offer and presents clear evidence of his inability to move to Section 8's satisfaction, refusal of the offer shall not count as one of the number of allowable refusals permitted the applicant before placing his name at the bottom of the eligible applicant list or placing the application in the inactive status.

If an applicant presents, to the satisfaction of Section 8, clear evidence that acceptance of a given offer of a suitable vacancy will result in undue hardship or handicap not related to considerations of race, color, creed, age, handicap, familial status or national origin, such as inaccessibility to source of employment, children's day care and the like, refusal of such as offer shall not be counted as one of the number of allowable refusals permitted the applicant before placing his/her name at the bottom of the eligible list or placing the application in the inactive status.

C8.0 Leasing of Dwelling Units

The head of household of each family accepted as a resident is required to execute a lease agreement in such a form as Section 8 shall require prior to actual admission. All remaining adult members who are 18 years of age or older of the household are also required to sign the lease. One copy of the lease will be given to the lessee, the original will be filed as part of the permanent records established for the family in Section 8 Central Office and the remaining copy will go to the development office as part of the tenant's records.

Each lease shall specify the unit to be occupied, the date of admission, the size of the unit to be occupied, all family members who will live in the unit, the rent to be charged, the date rent is due and payable, other charges under the lease, and the terms of occupancy. It shall be explained in detail to the head of household or other responsible adult before execution of the lease.

The lease shall be kept current at all times. If a resident family transfers to a different unit the existing lease will be canceled. A new lease will be executed for the unit to which the family is to move by the head of household. If any other change in the resident's status results in the need to change or amend any provisions of the lease, [1] the existing lease is to be canceled and a new lease executed, or [2] an appropriate rider is to be prepared and executed and made a part of the existing lease.

In the case of an inter programmatic or inter development transfer, the tenant file shall follow the tenant to their new place of residency.

Cancellation of a resident's lease is to be in accordance with the provisions of the lease. Generally, the lease shall not be canceled or not renewed except for serious or repeated violations of its terms by the resident. Written records shall be maintained containing the pertinent details of each eviction.

C9.0 Admission of Additional Members to A Current Household

1. Purpose - Population in excess of the number of persons for which a neighborhood or unit was designed is often the cause of many serious management problems including crime, vandalism, excessive maintenance costs, and low resident satisfaction. It is with this in mind that this section of the Plan is resident satisfaction. It is with this in mind that this section of the Plan is established. The purpose is not to establish an alternate means of Admissions.
2. Application Procedure - The resident of a house hold that wishes to add additional members with the exception of a new born child to their

household must first submit a written application in the form prescribed by management, for approval by the Executive Director or his/her designee.

3. Eligibility Criteria
 - A. All new member[s] must be determined eligible in accordance with Section C2.0 eligibility criteria.
 - B. The unit in which new members are requesting admission shall not be overcrowded and shall be maintained in accordance with the Section C5.0, Occupancy Standards.
4. Application Denial - Section 8 may deny the application for inclusion of additional family member for any of the following reasons:
 - A. The dwelling unit is overcrowded or would exceed the Occupancy Standards as outlined in Section C5.0.
 - B. Additional members are not related to resident by blood, marriage or legal adoption.
 - C. Additional members are prior tenants with balances owed.
 - D. Additional members are prior tenants whom have been evicted for criminal or illegal activities.
 - E. Other reasons as determined from time to time by the Executive Director.
5. Additional members which do not require approval of Section 8. Section 8 shall not deny approval for any of the following:
 - A. Newborn infants of members currently on the lease.
 - B. Minor children of members currently on the lease who were removed from their care by court action and are being returned.

C10.0 Rent Rules

Section 8 general rent calculation is 30% of a residents gross income, with minor income adjustments pr 10% of the family's monthly income or the welfare rent. However, Section 8 in an effort to encourage self-sufficiency anc quality of life improvement has expanded its rent rules to include the following:

1. Minimum Rent

Section 8's minimum rent is \$25 including utilities.

There are exemptions from the payment of the minimum rent and those financial hardship circumstances are :

- § The family has lost eligibility for, or is awaiting an eligibility determination for , a federal, state or local assistance program.
- § The family would be evicted as a result of the imposition of the minimum rent requirements.
- § The income of the family has decreased because of changed circumstances, including the loss of employment.
- § A death in the family.
- § Other situations as may be determined by Section 8.

In addition, if a resident requests a hardship exemption and Section 8 determines the hardship to be a “temporary nature”, the exemption shall not be granted for 90 days. The resident cannot be evicted during this 90-day period for non-payment of rent. If the resident can demonstrate that the hardship is long-term, then Section 8 must retroactively exempt the resident from the minimum rent for the initial 90 day period.

2. Utility Allowance

Section 8 has determined that it shall forward all utility allowance payments to the office of the local Power and Light Office in order to ensure the continuation of utilities for eligible tenants.

3. Loss in Income from Welfare Work-Related Sanctions

If state or local public assistance benefits are decreased because of any failure of any member of the family to comply with the conditions under the assistance program requiring participation in an economic self-sufficiency program or imposing a work activities requirement shall not be entitled to a rent reduction.

C11.0 Approval Process for Residents Requesting Permission to Operate a Business in the Unit

Prior to making a determination the resident shall request Section 8's permission in writing and include in the request a complete outline of business activities and other data as may be requested by Section 8. When a resident desires to operate a legal profit making business from the leased unit, Section 8 shall use the following factors in determining whether or not such activities are incidental to the primary use of the leased unit.

- A. Local building health codes, requirements for license or governmental approval.
- B. Local zoning ordinances.
- C. The effect on landlord insurance coverage.
- D. Utility consumption.
- E. Possible damage to the leased unit.
- F. Estimated traffic and parking.
- G. Disturbance of other residents.
- H. Attraction of non-residents to the neighborhoods.
- I. Possible use of resident business as a cover for drug-related activities.

In addition, Section 8 shall take into consideration the many benefits to be found in shall-scale in-home businesses such as; supplying necessary services to the developments; opportunities for individual economic and personal development; increased feeling of self-worth and a positive sense of community; and potential increased resident income.

Continued Occupancy

D1.0 Eligibility for Continued Occupancy

Eligibility for continued occupancy in Section 8 programs for only those residents:

1. Who qualify as a family as defined by Federal requirements and this policy [see definition in B1.0].
2. Who conform to the Occupancy Standard established for lower income housing. [see C5.0]
3. Whose past performance in meeting financial obligations, especially rent, and other charges, is satisfactory; and
4. Whose family does not have a record of disturbance of neighbors, destruction of property, unsafe living habits, unsanitary housekeeping practices, substance abuse, sexual deviation, or any other history which, may be reasonably expected to adversely affect;
 - A. The health, safety, or welfare of other residents.
 - B. The peaceful enjoyment of the neighborhood by other residents.
 - C. The physical environment and fiscal stability of the neighborhood.

5. Whose family does not have a record of grossly unsanitary or hazardous housekeeping. This includes the creation of fire hazard through acts such as the hoarding of rags and papers; severe damage to premises and equipment, if it is established that the family is responsible for the condition; seriously affecting neighbors by causing infestation, foul orders, depositing garbage improperly; or serious neglect of the premises. In cases where a qualified agency is working with the family to improve its housekeeping and the agency reports that the family shows potential for improvement, a decision as the eligibility shall be reached after a referral with the Executive Director or his designee. This category does not include families whose housekeeping is found to be superficially unclean or lacks orderliness, where such conditions do not create a problem for the neighbors.
6. Who do not have a history of criminal activity which, if continued, could adversely affect the health, safety, or welfare of other residents.
7. Who continues to occupy the apartment on a full time basis. Ownership or occupancy of another dwelling unit or failure to occupy the unit for a period greater than thirty [30] days shall be grounds for termination of the lease.
8. Who are, with the aide of such assistance is actually available to the family, physically, and mentally able to care for themselves and their apartment and to discharge all lease obligations. A person or persons remaining as a resident of a family may be permitted to remain in occupancy provided that Section 8, in its sole judgement, determines that the remaining person[s] is [are]:
 - A. Otherwise eligible for continued occupancy; and
 - B. Capable of carrying out all lease obligations, including but not limited to rent payment, care of the apartment, and proper conduct; and
 - C. Willing to assume all lease obligations of the prior leasehold, including all payments under the lease, and
 - D. Legally competent to execute a lease in his [their] own name. Section 8 will not execute a lease with a minor.

9. Who have complied with the community work requirement of 8 hours of community service per month or participated in an economic self-sufficiency program for 8 hours per month.

Exemption exist for any family member who is:

- § 62 years of age or older
- § Is blind or disabled and is unable to comply or is a primary caretaker of such individual.
- § Any adult in a family receiving TANF or other state welfare assistance, including a state welfare assistance, including a state welfare-to-work program.
- § Any adult who meets a state welfare program's criterion for exemption from work requirements.

D2.0 Re-examination

Re-examinations of income and family circumstances are conducted for the following purposes:

1. To comply with the Federal and State requirements relating to annual re-examinations.
2. To determine if each family remains eligible for continued occupancies under the terms of the lease and this policy.
3. To determine if the unit size and type is still appropriate to the family's needs and in compliance with the Occupancy Standards [C5.0].
4. To establish the Total Resident Payment and the Resident Rent to be charged to the family [C10.0].
5. Interim re-examination shall be conducted within 30 days of a change in income or family composition. It is the family's responsibility to initiate the process.
6. Interim re-examination is required for the following transfers; interim rent adjustments; changes in names of head of household or other adult

members in the household; and in other special circumstances that affect family composition or income.

D2.1 Annual Re-examinations

Annual re-examinations are necessary to comply with the Federal requirement that each family have its eligibility re-examined at least every twelve months. Residents will be notified in writing of the requirements for re-examination in sufficient time to allow for the complete processing and verification of data. Failure to complete re-examination is a serious lease violation which will result in the termination of tenancy. Failure to complete re-examination includes:

1. Failure to appear for a scheduled re-certification interview without making prior alternative arrangements with Section 8.
2. Failure to appear for a scheduled re-certification in the verification process pertaining to income, family composition and eligibility.
3. Refusal to properly execute required documents.
4. Non compliance for non-exempt members of a household with the community service requirement. However, Section 8 will permit the noncompliant family to cure the noncompliance with a signed agreement to make up the hours needed during the next 12 month period, continued non compliance shall result in eviction of the entire family unless the noncompliant family member is no longer a part of the household.

D2.2 Special Re-examinations

If at the time of admission, annual re-examination or interim re-examination, it is not possible to make an estimate of the Family Income with any reasonable degree of accuracy because:

1. Family member[s] are unemployed and there are not anticipated prospects of employment: or,
2. The conditions of employment and/or income are so unstable as to invalidate usual and normal standards of determinations:

Then a special re-examination will be scheduled on a date determined by Section 8's estimate of the time required for the family's circumstances to stabilize. If at the time of the scheduled special re-examination, it is still not possible to make a

reasonable estimate of Family Income, special re-examinations will continue to be scheduled until such time as a reasonable estimate of Family Income can be made and the re-examination completed. The special re-examinations are not to replace the annual re-examination [C10.0].

D2.3 Interim Re-examinations

Interim re-examinations are performed to allow residents to comply with the dwelling lease requirements to report changes in income and family circumstances. The following are specific changes which must be reported in writing thirty [30] days after their occurrence. No adjustment of rent either upward or downward is to be made except at the time of a regular or special re-examination unless:

1. There is a change in family composition. [Additions to the family, other than through birth of a child to a family member on the lease, must be approved by Management in advance as established in this policy].

There is a new source of family income. Changes in family income resulting from increases or periodic increases in government benefits do not have to be reported to on-site Management until annual re-examination, unless the amount of increase is equal to or greater than \$40 per month. However, a family who has had an income reduction between annual re-examinations must report all changes in income regardless of the amount or source within thirty [30] days of their occurrence.

2. A hardship occurs. [A hardship is interpreted to mean the occurrence of a situation which would warrant a reduction in rent based on the current definition in income and maximum rent-to-income ratio]. [C10.0]
3. There is a need to correct an error. [The rent increase or decrease will be made as appropriate based on the circumstances].

Rent increases shall be made effective the first day of the second month following the month in which the change actually occurred. After having given the resident a written thirty [30] day notice.

Rent decreases resulting from changes specified in items 1, 2, and 3 above shall be made effective the first day of the month following the month in which the change was REPORTED in writing, provided however that no decrease shall be made until proof of changes, as outlined above, has been furnished and deemed sufficient by Management. When rent is reduced

between re-examinations, the resident must report all changes in income regardless of amount or source and rent shall be adjusted accordingly. It is the responsibility of the resident to report in writing all changes as outlined in items 1 and 2 within thirty [30] days of their occurrence.

D2.4 Processing Re-examinations

All re-examinations - annuals, special and interims - shall be processed under the following conditions:

1. All data must be verified and documented as required in C3.0 Section 8 will NOT adjust rents downward until satisfactory verification is received.
2. Lease terminations resulting from re-examination shall be conducted in accordance with the terms of the lease.
3. Families who are determined to be in an incorrect size or type of unit will be placed on the Transfer List in accordance with the Transfer Policy [pages 43-44] or be allowed to remain if over housed in accordance with Section 8's vacancy reduction policy.
4. All interim changes in resident's rent are to be made by a copy of "Notice of Rent Adjustment" which shall become a part of the lease. Changes in rent resulting from annual re-certifications shall be incorporated into the lease by a "Notice of Rent Adjustment".
5. Interim decreases in rent shall be effective on the first day of the month following the month in which the change was reported in writing and verification is completed to the satisfaction of Section 8.
6. Interim increases in rent are to be effective on the first day of the month following the month in which the change actually occurred. For employment, this is the date employment began, not the date income was first received. For government benefits, this date is the beginning of the period covered by the payment. Section 8 shall give a thirty [30] day written notice of the increase, unless exempted under the Earned Income Disregard.
7. If it is found that a resident has misrepresented or failed to report facts upon which his rent is based so that he is paying less than he should be paying, the increase in rent shall be made retroactively to the date that the increase would have taken effect. The resident may be required to pay within seven [7] days of official notifications by Section 8 or be required to sign and

abide by a repayment agreement, the difference between the rent he has paid and the amount he should have paid. In addition, the resident may be subject to civil and criminal penalties. Any misrepresentation is a serious lease violation which may result in termination of the lease.

D3.0 Re-examination Dates

The re-examination date[s] is the effective date of rent changes resulting from the annual re-examination. The re-examination will commence sufficiently in advance to obtain signed Application for Continued Occupancy as may be appropriate and to process to completion.

D4.0 Temporary Rents

If, at the time of admission or re-examination, Section 8 can satisfy itself that a family is of low income and within the approved income limits, but cannot make a determination of income for purpose of determining rent with a necessary degree of accuracy because of the ability to secure adequate verification or instability of income, a temporary rent may be established based on the data supplied by the applicant in the application. If a temporary rent is established, the resident will be notified of this action by a temporary rent notice or such other method determined to be legally and administratively sufficient and that his appropriate rent, when determined, will be effective retroactively to the date of re-examination. The resident will be required to pay any balance due or Section 8 will credit his account with any overpayment which results from a temporary rent. Section 8 will schedule special re-examination (see D2.2) of all factors relating to both rent and eligibility of each resident established on a temporary rent at intervals established by Section 8 until a permanent determination can be made as to rent and eligibility status of the family.

D5.1 Termination of Families for Drug-Related and/or Criminal Activities

Section 8 shall commence termination proceedings of the resident family for:

1. Any drug-related activities of the resident, household member or guest,
2. Any criminal activities occurring on or off the premises;
3. Alcohol abuse is grounds for termination if it is determined that such abuse interferes with the health, safety or right to peaceful enjoyment of the premises by other residents.

Section 8 has a “one strike” or “or zero tolerance” policy with respect to Violations of lease terms regarding drug-related and other criminal activities.

E1.0 Transfer Policy

Objectives of the Transfer Policy:

- S To fully utilize available housing resources while avoiding overcrowding by insuring that each family occupies the appropriate sized unit,
- S To facilitate humane relocation when required for modernization or other management purposes,
- S To facilitate relocation of families with complete and permanent inability to continue living in a multiple-story apartment.
- S To eliminate vacancy loss and other expenses due to unnecessary transfers.

E1.1 Types of Transfers

1. Section 8 Initiated - Section 8 may at its discretion transfer residents because of an uninhabitable unit, major repairs, or other actions initiated by management as follows:
 - A. In the event of a fire, accident or natural disaster that results in the dwelling unit becoming uninhabitable.
 - B. To protect a family from reprisals because family members provided information on criminal activities to a law enforcement agency.
 - C. To protect a family who’s member[s] have been the victim of a hate crime.
 - D. To accommodate a member of a family who has a mobility or other impairment that makes the person unable to use critical elements of the unit.
 - E. If there is involuntary disposition of the multi-family rental housing development by HUD under Section 203 of the Housing and Community Development Amendments of 1978.

2. Transfers for Approved Medical Reasons - Residents may be transferred from their current apartment in order to obtain reasonable accommodations of the needs of any resident with disabilities. The Authority may require medical documentation of a resident's condition from a physical or service provider and reserves the right to make its own evaluation of such documentation. Normally such transfers will be within the resident's original neighborhood unless the appropriate size, reasonable accommodations and type of unit does of exist on the site. All other medical related transfer requests shall be shall be determined solely by the Executive Director or his/her designee.

A resident who desires to relocate on advice of a physician or service provider for reasons other than inability to negotiate stairs may file an application for an apartment with the management on site.

3. **Transfers to Appropriately Sized Unit**

Section 5, Paragraph [a] [2] of the dwelling lease states that:

Resident's family composition NO LONGER conforms to Management's Occupancy Standards for the unit occupied, Management may require the Resident fo move into a unit of appropriate size.

This section establishes both Section 8 has an obligation to accept such transfers. These will be made in accordance with the following principles:

- A. Determination of the correctly size apartment shall be in accordance with Section 8's Occupancy Standards.
- B. Singles persons, elderly and handicapped residents who occupy a one bedroom apartment will not be required to relocate into an efficiency (0-BR).
- C. Transfers into the appropriately sized unit will be made within the same neighborhood unless that size unit does not exist on the site.
- D. Management may, at it's discretion, separate a single household into multiple households if sufficiently large units are not available or is management and the family determine this to be in the interest of both the family and the neighborhood. Based on the selection criteria bor new admissions, management shall determine that each smaller family unit is eligible by HUD definition and contains a leaseholder capable of discharging lease obligations. The new household must apply to Section 8 for occupancy and be processed through the regular wait list procedures.

E1.4 Right of Management to Make Exceptions

The plan is to be used as a guide to insure fair and impartial means of assigning units for transfer. It is not intended that this policy shall create a property right or any other type of right for a resident to transfer or refuse transfer. Management reserves the right to make exceptions to this policy as circumstances require, consistent with applicable regulations of the Department of Housing and Urban Development.

F1.0 Fraud

Section 8 takes the position that:

“Any person who obtains or attempts to obtain or who establishes or attempts to establish eligibility for, and any person who knowingly or intentionally aids or abets such person in obtaining or attempt to obtain or in establishing or establish eligibility for any public housing or a reduction in public housing or a reduction in public housing rental charges or any rent subsidy or payment from a resident in connection with public housing to which such person would not otherwise be entitled, by means of a false statement, failure to disclose information, impersonation, or other fraudulent scheme or device shall be guilty of a fraud.”

Section 8 considers the misrepresentation of income and family circumstances to be a serious lease and policy violation as well as a crime and will take appropriate action if apparent fraud is discovered. Specifically:

1. An applicant family who has misrepresented income or family circumstances may be declared ineligible for housing assistance.
2. If any examination of the resident's file discloses that the resident made any misrepresentation [at the time of admission or any previous re-certification date] which resulted in his/her being classified as eligible when in fact he/she was ineligible, the resident may be required to vacate the apartment even though he/she may be currently eligible.
3. A resident family who has made misrepresentation of income or family circumstances is subject to both eviction and being declared ineligible for future housing assistance.
4. If it is found that the resident's misrepresentations resulted in his/her paying a lower Resident Rent than he/she should have paid, he/she will be

required to pay the difference between rent owed and the amount that should have been paid. This amount shall be paid whether or not the resident remains in occupancy, but failure to pay under terms established by Section 8 shall always result in immediate termination of the lease. Section 8 reserves the right to demand full payment within seven days.

5. Section 8 shall report apparent cases of resident or applicant fraud to the appropriate government agency. It shall be the policy of Section 8 to press State and Federal authorities for prosecution of cases which, in Section 8's judgement, appear to constitute willful and deliberate misrepresentation.