

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

PHA Plans

5-Year Plan for Fiscal Years 2005 - 2009
Annual Plan for Fiscal Year 2006

City of Marietta
Housing Choice Voucher Program

GA266

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

**PHA Plan
Agency Identification**

PHA Name: City of Marietta HCV Program

PHA Number: GA266

PHA Fiscal Year Beginning: (mm/yyyy) 07.2006

Public Access to Information

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

- Main administrative office of the Section 8 Programs Office
- PHA development management offices
- PHA local offices

Display Locations For PHA Plans and Supporting Documents

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

- Main administrative office of the Section 8 Programs Office
- PHA development management offices
- PHA local offices
- Main administrative office of the local government
- Main administrative office of the County government
- Main administrative office of the State government
- Public library
- PHA website
- Other (list below)

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

- Main business office of the Section 8 Programs Offices
- PHA development management offices
- Other (list below)

5-YEAR PLAN
PHA FISCAL YEARS 2005 - 2009
[24 CFR Part 903.5]

A. Mission

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

- The PHA's mission is: It is the mission of the City of Marietta Housing Choice Voucher (HCV) Program to provide housing opportunities and housing choices to eligible Section 8 Program families and to promote homeownership by providing a family self-sufficiency program that empowers a family to become credit worthy and knowledgeable of the responsibilities of homeownership.

B. Goals

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

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

- PHA Goal: Expand the supply of assisted housing
Objectives:
- Apply for additional rental vouchers:
 - Reduce public housing vacancies:
 - Leverage private or other public funds to create additional housing opportunities:
 - Acquire or build units or developments
 - Other (list below)
- PHA Goal: Improve the quality of assisted housing
Objectives:
- Improve public housing management: (PHAS score)
 - Improve voucher management: (SEMAP score)
 - Increase customer satisfaction:
 - Concentrate on efforts to improve specific management functions: (list; e.g., public housing finance; voucher unit inspections)
 - Renovate or modernize public housing units:
 - Demolish or dispose of obsolete public housing:
 - Provide replacement public housing:
 - Provide replacement vouchers:
 - Other: (list below) Perform at a level that will remove the City from HUD's troubled status.

- PHA Goal: Increase assisted housing choices
 - Objectives:
 - Provide voucher mobility counseling:
 - Conduct outreach efforts to potential voucher landlords
 - Increase voucher payment standards
 - Implement voucher homeownership program:
 - Implement public housing or other homeownership programs:
 - Implement public housing site-based waiting lists:
 - Convert public housing to vouchers:
 - Other: (list below)

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

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

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

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

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

- PHA Goal: Ensure equal opportunity and affirmatively further fair housing
 - Objectives:
 - Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability:
 - Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability:

- Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required:
- Other: (list below)

Other PHA Goals and Objectives: (list below)

Goal #1

Complete tasks required by HUD to be removed from the “troubled status” designated during the last SEMAP Certification.

Objectives

- Develop a Corrective Action Plan (CAP) as required by HUD addressing all deficiencies cited by HUD during the SEMAP Certification.
- Comply with the HUD approved CAP to be removed from the “troubled status” within the next fiscal year.
- Implement a reorganization to become more customer-friendly, more professional and more efficient in the implementation of the Section 8 HCV Program.

Goal # 2

Provide an incentive to private owners to rent to extremely low, low and moderate-income families.

Objectives

- The City of Marietta HCV Program will ensure that the property owners who participate in the program are paid monthly housing assistance payments (HAP) in a timely manner.
- The City of Marietta HCV Program staff will encourage the property owners routinely on a one-on-one basis to screen applicants well to assist in protecting the available housing stock.
- At least twice (2) a year, the landlords will be invited to attend a landlord conference to receive updated program information and to share ideas.

Goal # 3

The City of Marietta will strategize to provide housing opportunities to extremely low, low and moderate-income families considering substantial budget restraints

Objectives

- As a cost reduction incentive, the City of Marietta reduced the Payment Standards this year and will evaluate them annually to take appropriate action based on HUD funding allocations and Fair Market Rents established for the metropolitan area.
- The City of Marietta will analyze annually the established minimum rent to determine if it should be increased.
- The City of Marietta Housing Choice Voucher (HCV) Program Director will consider such programs as welfare to work and other HUD sponsored programs to promote independence and to reward working families who are eligible for program assistance.

STATUS ON GOALS AND OBJECTIVES:

Goal #1

Complete tasks required by HUD to be removed from the “troubled status” designated during the last SEMAP Certification.

Objectives

- Develop a Corrective Action Plan (CAP) as required by HUD addressing all deficiencies cited by HUD during the SEMAP Certification.
- Comply with the HUD approved CAP to be removed from the “troubled status” within the next fiscal year.
- Implement a reorganization to become more customer-friendly, more professional and more efficient in the implementation of the Section 8 HCV Program.

Progress:

A Corrective Action Plan was developed and approved by HUD. We are making progress in resolving the issues in the corrective action plan. We are working closely with HUD to resolve all of the issues as soon as possible. It is our desire to be removed from the troubled list this fiscal year. We have reviewed the proposed reorganization plan developed by the Consultant. The Consultant is working on the reorganization plan and will provide this office with a draft report in the immediate future. We will work with our Office of Personnel and the Consultant to refine and implement the reorganization plan as soon as possible.

Goal # 2

Provide an incentive to private owners to rent to extremely low, low and moderate-income families.

Objectives

- The City of Marietta HCV Program will ensure that the property owners who participate in the program are paid monthly housing assistance payments (HAP) in a timely manner.
- The City of Marietta HCV Program staff will encourage the property owners routinely on a one-on-one basis to screen applicants well to assist in protecting the available housing stock.
- At least twice (2) a year, the landlords will be invited to attend a landlord conference to receive updated program information and to share ideas.

Progress:

One staff member has been assigned the responsibility of working hand-in-hand with the property owners. The HAP payment system is effective ensuring that the owners receive timely HAP checks. The staff member is available to deal one-on one with problems that develop with landlords. The seminars are conducted twice annually.

Goal # 3

The City of Marietta will strategize to provide housing opportunities to extremely low, low and moderate-income families considering substantial budget restraints

Objectives

- As a cost reduction incentive, the City of Marietta reduced the Payment Standards this year and will evaluate them annually to take appropriate action based on HUD funding allocations and Fair Market Rents established for the metropolitan area.
- The City of Marietta will analyze annually the established minimum rent to determine if it should be increased.
- The City of Marietta Housing Choice Voucher (HCV) Program Director will consider such programs as welfare to work and other HUD sponsored programs to promote independence and to reward working families who are eligible for program assistance.

Progress:

Although we implemented revised Payment Standards prematurely, we have made an effort to review all of the tenant files to determine if tenants and/or landlords need to be reimbursed monies due to our administrative errors. Many of the administrative errors have been corrected and noted in the files. This is an on-going process. At the beginning of the fiscal year, we will evaluate the minimum rent and give consideration to other HUD sponsored programs that may benefit our tenants.

Annual PHA Plan
PHA Fiscal Year 2006
[24 CFR Part 903.7]

i. Annual Plan Type:

Select which type of Annual Plan the PHA will submit.

Standard Plan

Streamlined Plan:

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

Troubled Agency Plan

ii. Executive Summary of the Annual PHA Plan

[24 CFR Part 903.7 9 (r)]

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

This Annual Plan is in compliance with the Quality Housing and Work Responsibility Act of 1998. The first and most important goal of the City of Marietta is to be removed from HUD's troubled status by complying with the Corrective Action Plan developed and approved by HUD.

iii. Annual Plan Table of Contents

[24 CFR Part 903.7 9 (r)]

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

Table of Contents

Annual Plan

- i. Executive Summary
- ii. Table of Contents
 - 1. Housing Needs
 - 2. Financial Resources
 - 3. Policies on Eligibility, Selection and Admissions
 - 4. Rent Determination Policies
 - 5. Operations and Management Policies
 - 6. Grievance Procedures
 - 7. Capital Improvement Needs
 - 8. Demolition and Disposition
 - 9. Designation of Housing

10. Conversions of Public Housing
11. Homeownership
12. Community Service Programs
13. Crime and Safety
14. Pets (Inactive for January 1 PHAs)
15. Civil Rights Certifications (included with PHA Plan Certifications)
16. Audit
17. Asset Management
18. Other Information

Attachments

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

Required Attachments:

- Admissions Policy for Deconcentration (see pages 28 & 29 of Agency Plan)
- FY 2005 Capital Fund Program Annual Statement (NA)
- Most recent board-approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY) Operating Budget NOTE: Budget mailed directly to HUD. Could not attach to AP. Sent via fax.

Optional Attachments:

- PHA Management Organizational Chart
- FY 2005 Capital Fund Program 5-Year Action Plan
- Public Housing Drug Elimination Program (PHDEP) Plan
- Comments of Resident Advisory Board or Boards (included in PHA Plan text)
- Other (List below, providing each attachment name)

Supporting Documents Available for Review

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

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
X	PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
NA	State/Local Government Certification of Consistency with the Consolidated Plan	5 Year and Annual Plans
X	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair	5 Year and Annual Plans

form HUD 50075 (03/2003)

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions' initiatives to affirmatively further fair housing that require the PHA's involvement.	
NA	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI)) and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources;
NA	Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP]	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
NA	Public Housing Deconcentration and Income Mixing Documentation: 1. PHA board certifications of compliance with deconcentration requirements (section 16(a) of the US Housing Act of 1937, as implemented in the 2/18/99 <i>Quality Housing and Work Responsibility Act Initial Guidance; Notice</i> and any further HUD guidance) and 2. Documentation of the required deconcentration and income mixing analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
NA	Public housing rent determination policies, including the methodology for setting public housing flat rents <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
NA	Schedule of flat rents offered at each public housing development <input type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
NA	Section 8 rent determination (payment standard) policies <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Rent Determination
NA	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation)	Annual Plan: Operations and Maintenance
NA	Public housing grievance procedures <input type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures	Annual Plan: Grievance Procedures

form HUD 50075 (03/2003)

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	<input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	
NA	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs
NA	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant	Annual Plan: Capital Needs
NA	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs
NA	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other approved proposal for development of public housing	Annual Plan: Capital Needs
NA	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
NA	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
NA	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
NA	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
X	Policies governing any Section 8 Homeownership program <input checked="" type="checkbox"/> check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
NA	Any cooperative agreement between the PHA and the TANF agency	Annual Plan: Community Service & Self-Sufficiency
X	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
NA	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
NA	The most recent Public Housing Drug Elimination Program (PHDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
X	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
X	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)

1. Statement of Housing Needs

[24 CFR Part 903.7 9 (a)]

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

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

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Affordability	Supply	Quality	Accessibility	Size	Location
Income <= 30% of AMI	7,638	4	4	4	4	3	3
Income >30% but <=50% of AMI	8,162	3	3	3	3	3	3
Income >50% but <80% of AMI	9,348	3	3	3	3	3	3
Elderly	2,143	4	4	4	4	3	3
Families with Disabilities	NA	NA	NA	NA	NA	NA	NA
Race/Ethnicity	NA	NA	NA	NA	NA	NA	NA
Race/Ethnicity	NA	NA	NA	NA	NA	NA	NA
Race/Ethnicity	NA	NA	NA	NA	NA	NA	NA
Race/Ethnicity	NA	NA	NA	NA	NA	NA	NA

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

- Consolidated Plan of the Jurisdiction/s
Indicate year:
- U.S. Census data: the Comprehensive Housing Affordability Strategy (“CHAS”) dataset
- American Housing Survey data
Indicate year:
- Other housing market study
Indicate year:
- Other sources: (list and indicate year of information)

Georgia Department of Community Affairs CHAS datasets

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

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

Housing Needs of Families on the Waiting List			
Waiting list type: (select one)			
<input checked="" type="checkbox"/> Section 8 tenant-based assistance			
<input type="checkbox"/> Public Housing			
<input type="checkbox"/> Combined Section 8 and Public Housing			
<input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional)			
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	1,143		
Extremely low income <=30% AMI			
Very low income (>30% but <=50% AMI)			
Low income (>50% but <80% AMI)			
Families with children	1,070	94%	
Elderly families	17	.01	
Families with Disabilities	56	.05%	
Race/ethnicity Black	1,105	97%	
Race/ethnicity White	36	.03%	
Race/ethnicity Other	2	.001%	
Race/ethnicity			
Characteristics by Bedroom Size (Public Housing Only)			
1BR			
2 BR			
3 BR			
4 BR			
5 BR			
5+ BR			
Is the waiting list closed (select one)? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
If yes:			
How long has it been closed (# of months)? 36			
Does the PHA expect to reopen the list in the PHA Plan year? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
Does the PHA permit specific categories of families onto the waiting list, even if generally closed?			
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			

C. Strategy for Addressing Needs

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

(1) Strategies

Need: Shortage of affordable housing for all eligible populations

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

Select all that apply

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

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

Select all that apply

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

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

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

Select all that apply

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

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

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

Select all that apply

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

Need: Specific Family Types: The Elderly

Strategy 1: Target available assistance to the elderly:

Select all that apply

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

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:

Select all that apply

- Seek designation of public housing for families with disabilities
- Carry out the modifications needed in public housing based on the section 504 Needs Assessment for Public Housing
- Apply for special-purpose vouchers targeted to families with disabilities, should they become available
- Affirmatively market to local non-profit agencies that assist families with disabilities
- Other: (list below)

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

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

Select if applicable

- Affirmatively market to races/ethnicities shown to have disproportionate housing needs
- Other: (list below)

Strategy 2: Conduct activities to affirmatively further fair housing

Select all that apply

- Counsel section 8 tenants as to location of units outside of areas of poverty or minority concentration and assist them to locate those units
- Market the section 8 program to owners outside of areas of poverty /minority concentrations
- Other: (list below)

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

(2) Reasons for Selecting Strategies

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

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

2. Statement of Financial Resources

[24 CFR Part 903.7 9 (b)]

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

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants (FY 2005 grants)		
a) Public Housing Operating Fund		
b) Public Housing Capital Fund		
c) HOPE VI Revitalization		
d) HOPE VI Demolition		
e) Annual Contributions for Section 8 Tenant-Based Assistance	\$6,312,612	
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)		
g) Resident Opportunity and Self-Sufficiency Grants	\$63,000	
h) Community Development Block Grant		
i) HOME		
Other Federal Grants (list below)		
Homeownership	\$63,000	
2. Prior Year Federal Grants (unobligated funds only) (list below)		
3. Public Housing Dwelling Rental Income		
4. Other income (list below)		
KDHAP-DVP Program	\$518,463	
4. Non-federal sources (list below)		
Total resources	\$6,9448,562	

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.7 9 (c)]

A. Public Housing

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

Not Applicable

(1) Eligibility

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

- When families are within a certain number of being offered a unit: (state number)

- When families are within a certain time of being offered a unit: (state time)
- Other: (describe)

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

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

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

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

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

The above apply as applicable on a case-by-case basis.

(2) Waiting List Organization

Not Applicable

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

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

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

- PHA main administrative office
- PHA development site management office
- Other (list below)

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

1. How many site-based waiting lists will the PHA operate in the coming year?

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

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

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

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

(3) Assignment

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

- One
- Two
- Three or More

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

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

(4) Admissions Preferences

a. Income targeting:

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

b. Transfer policies:

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

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

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

Former Federal preferences:

Involuntary Displacement (Disaster, Government Action, Action of Housing

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- Owner, Inaccessibility, Property Disposition)
- Victims of domestic violence
- Substandard housing
- Homelessness
- High rent burden (rent is > 50 percent of income)

Other preferences: (select below)

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

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

Date and Time

Former Federal preferences:

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

Other preferences (select all that apply)

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

4. Relationship of preferences to income targeting requirements:

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

(5) Occupancy

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

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

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

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

(6) Deconcentration and Income Mixing

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

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

10.4 DECONCENTRATION POLICY

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

- Adoption of site based waiting lists
If selected, list targeted developments below:
- Employing waiting list "skipping" to achieve deconcentration of poverty or income mixing goals at targeted developments
If selected, list targeted developments below:
- Employing new admission preferences at targeted developments

If selected, list targeted developments below:

Other (list policies and developments targeted below)

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

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

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

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

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

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

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

B. Section 8

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

(1) Eligibility

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

Suitability for Tenancy

The City determines eligibility for participation and will conduct criminal background checks on all adult household members, including live-in aides. A family will be denied assistance because of drug-related criminal activity or violent criminal activity by family members. This check will be made through state or local law enforcement or court records in those cases where the household member has lives in the local jurisdiction for the last three

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years. If the individual has lived outside the local area, the City may contact law enforcement agencies where the individual had lived or request a check through the FBI's National Crime Information Center (NCIC). This criminal background check will proceed after each adult household member has signed a consent form. The information received as a result of the criminal background check shall be used solely for screening purposes. The information shall be maintained confidentially, not misused or improperly disseminated, and destroyed once the purpose(s) for which it was requested has been accomplished and the period for filing a challenge to the City's action has expired without a challenge or final disposition of any litigation has occurred.

The City will check with the State sex offender registration program and will ban for life any individual who is registered as a lifetime sex offender. The City will check with our state registry and if the applicant has resided in another State(s), with that State(s)'s list.

If an applicant is about to be denied housing based on either the criminal check or the sex offender registration program, the applicant will be informed of this fact and given an opportunity to dispute the accuracy of the information before the denial or eviction occurs.

Additional screening is the responsibility of the owner. Upon the written request of a prospective owner, the City will provide to the owner the name, address, and phone number of the applicant's current landlord and any previous landlords that are known. The owner may consider a family's background with respect to such factors as payment of rent and utility bills; caring for a unit and premises; respecting the rights of others to the peaceful enjoyment of their housing; drug-related criminal activity or other criminal activity that is a threat to life, safety or property of others; and compliance with other essential conditions of tenancy.

The owner may deny a rental application based on poor credit or rental history, criminal record, or any other related reason that complies with Fair Housing standards. The owner may not deny an application due to race, color, sex, religion, national origin, familial status, or handicap.

The City shall prohibit admission to the Section 8 Program for any household with a member who the City determines is illegally using a controlled substance; or the City determines that it has reasonable cause to believe that such household member's illegal use (or pattern of illegal use) of a controlled substance, or abuse (or pattern of abuse) of alcohol, may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

In determining whether to deny admission to the Section 8 Program to any household based on a pattern of illegal use of a controlled substance or a pattern of abuse of alcohol by a household member, the City may consider whether such household member has successfully completed a supervised drug or alcohol rehabilitation program and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol; has otherwise been rehabilitated successfully and is no longer engaging in the illegal use of a controlled substance or abuse of

alcohol; or is participating in a supervised drug or alcohol rehabilitation program and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol.

- Criminal or drug-related activity only to the extent required by law or regulation
 - Criminal and drug-related activity, more extensively than required by law or regulation
 - More general screening than criminal and drug-related activity (list factors below)
 - Other (list below)
- b. Yes No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?
- c. Yes No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?
- d. Yes No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)
- e. Indicate what kinds of information you share with prospective landlords? (select all that apply)
- Criminal or drug-related activity
 - Other (describe below) Refer to above statements extracted from the AP.

(2) Waiting List Organization

- a. With which of the following program waiting lists is the section 8 tenant-based assistance waiting list merged? (select all that apply)
- None
 - Federal public housing
 - Federal moderate rehabilitation
 - Federal project-based certificate program
 - Other federal or local program (list below)
- b. Where may interested persons apply for admission to section 8 tenant-based assistance? (select all that apply)
- PHA main administrative office
 - Other (list below)

(3) Search Time

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

If yes, state circumstances below:

Extensions are granted upon request provided the request is made in writing before the latest expiration date.

(4) Admissions Preferences

a. Income targeting

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

At least 75% of all new admissions shall be families whose income at the time of admission does not exceed 30% of the area median income. Not more than 25% of the dwelling units that were available for occupancy under Section 8 before the effective date of the Housing and Community Development Amendments of 1981 shall be available for leasing by low-income families other than very low-income families. Not more than 15% of the dwelling units that become available for occupancy under Section 8 on or after the effective date of the Housing and Community Development Amendments of 1981 shall be available for leasing by low-income families other than very low-income families. The income limitations shall not apply to dwelling units made available under project-based contracts under Section 8 for the purpose of preventing displacement, or ameliorating the effects of displacement.

b. Preferences

1. Yes No: Has the PHA established preferences for admission to section 8 tenant-based assistance? (other than date and time of application) (if no, skip to subcomponent

Preferences in order of priority are as follows:

Involuntarily Displaced Due to City of Marietta Code Enforcement

This preference takes priority over every other preference and eligible applicants will be placed at the top of the waiting list by date and time of application. Applications under this category will be accepted when the waiting list is open or closed. The application will be processed immediately and the family issued a Voucher as soon as eligibility is verified and funds become available. The displacement must have occurred within the Marietta City limits. Applicants must complete a Section 8 application, present a letter of condemnation from the City of Marietta Code Enforcement and any other documentation required by the City. All other eligibility criteria for Section 8 assistance are also required. Displacement does not include disconnection of utilities due to non-payment. In cases where two families are doubled up in one unit, a separate application may be taken on each family providing each are legal tenants residing in the unit at the time of condemnation.

Working Families

Families who are working within the City’s jurisdiction, including families with a member hired to work in the jurisdiction will have priority over other families. Documentation to support the working families preference must be provided by the applicant.

Residents of Cobb County

Families who are living within Cobb County have preference over non-residents of Cobb County. Families living outside Cobb County will not be eligible to claim a preference and will be at the bottom of the waiting list by date and time of application.

(5) Special purpose section 8 assistance programs)

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

Former Federal preferences

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

Other preferences (select all that apply)

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

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

Date and Time

See above statements from AP for order of preferences.

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

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

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

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

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

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

(5) Special Purpose Section 8 Assistance Programs

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

- The Section 8 Administrative Plan
- Briefing sessions and written materials
- Other (list below) Homeownership Program

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

- Through published notices
- Other (list below) **Mailing information to DFAC and SS District Office**

4. PHA Rent Determination Policies

[24 CFR Part 903.7 9 (d)]

Not Applicable

A. Public Housing

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

(1) Income Based Rent Policies

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

a. Use of discretionary policies: (select one)

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

---or---

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

b. Minimum Rent

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

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

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

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

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

1. Yes No: Does the PHA plan to charge rents at a fixed amount or percentage less than 30% of adjusted income?

2. If yes to above, list the amounts or percentages charged and the circumstances under which these will be used below:

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

- For the earned income of a previously unemployed household member
 For increases in earned income
 Fixed amount (other than general rent-setting policy)
If yes, state amount/s and circumstances below:

- Fixed percentage (other than general rent-setting policy)
If yes, state percentage/s and circumstances below:

- For household heads
 For other family members
 For transportation expenses

- For the non-reimbursed medical expenses of non-disabled or non-elderly families
- Other (describe below)

e. Ceiling rents

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

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

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

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

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

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

f. Rent re-determinations:

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

- Never
- At family option
- Any time the family experiences an income increase

- Any time a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold)_____
- Other (list below)

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

(2) Flat Rents

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

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

B. Section 8 Tenant-Based Assistance

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

(1) Payment Standards

Describe the voucher payment standards and policies.

a. What is the PHA’s payment standard? (select the category that best describes your standard) See Below comments:

- At or above 90% but below 100% of FMR
- 100% of FMR
- Above 100% but at or below 110% of FMR
- Above 110% of FMR (if HUD approved; describe circumstances below)

Establishing the Payment Standard

The Statute requires that the payment standard be set by the City at between 90 and 110% of the FMR without HUD's prior approval. The City will review its determination of the payment standard annually after publication of the FMRs. The City will consider vacancy rates and rents in the market area, size and quality of units leased under the program, rents for units leased under the program, success rates of housing choice voucher holders in finding units, and the percentage of annual income families are paying for rent under the Voucher Program. If it is determined that success rates will suffer or that families are having to rent low quality units located only in poverty-impacted neighborhoods, or pay over 40% of income for rent, the payment standard may be raised to the level judged necessary to alleviate these hardships. The

objective is to allow families a reasonable selection of modest, decent, and safe housing in a range of neighborhoods.

The City may establish a higher payment standard (although still within 110% of the published fair market rent) as a reasonable accommodation for a family that includes people with disabilities. With approval of the HUD Field Office, the payment standard can go to 120%. Payment standards will not be raised solely to allow the renting of luxury quality units.

If success levels are projected to be extremely high and rents are projected to be at or below 30% of income, the City will reduce the payment standard. Payment standards for each bedroom size are evaluated separately so that the payment standard for one bedroom size may increase or decrease while another remains unchanged. The City may consider adjusting payment standards at times other than the annual review when circumstances warrant.

Before increasing any payment standard, the City will conduct a financial feasibility test to ensure that in using the higher standard, adequate funds will continue to be available to assist families in the program.

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

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

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

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

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

- Annually
- Other (list below)

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

- Success rates of assisted families
- Rent burdens of assisted families

Other (list below)

Selecting the Correct Payment Standard for a Family

For the housing choice voucher tenancy, the payment standard for a family is the lower of the payment standard for the family unit size; or the payment standard for the unit size rented by the family. If the unit rented by a family is located in an exception rent area, the City will use the appropriate payment standard for the exception rent area.

During the HAP contract term for a unit, the amount of the payment standard for a family is the higher of the initial payment standard (at the beginning of the lease term) minus any amount by which the initial rent to owner exceeds the current rent to owner; or the payment standard as determined at the most recent regular recertification of family income and composition effective after the beginning of the HAP contract term.

At the next annual recertification following a change in family size or composition during the HAP contract term and for any recertification thereafter, paragraph C above does not apply. If there is a change in family unit size resulting from a change in family size or composition, the new family unit size will be considered when determining the payment standard at the next annual recertification.

Area Exception Rents

In order to help families find housing outside areas of high poverty or when housing choice voucher holders are having trouble finding housing for lease under the program, the City may request that HUD approve an exception payment standard rent for certain areas within its jurisdiction. The areas may be of any size, though generally not smaller than a census tract. The City may request one such exception payment standard area or many. Exception payment standard rent authority may be requested for all or some unit sizes, or for all or some unit types. The exception payment standard area(s) may not contain more than 50% of the population of the FMR area. When an exception payment standard rent has been approved and the FMR increases, the exception rent remains unchanged until such time as the City requests and HUD approves a higher exception payment standard rent. If the FMR decreases, the exception payment standard rent authority automatically expires.

(2) Minimum Rent

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

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

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

See above comments from AP.

5. Operations and Management

[24 CFR Part 903.7 9 (e)]

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

A. PHA Management Structure

Describe the PHA's management structure and organization.

(select one)

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

The City strives to provide decent, safe and sanitary housing for very low income and families at affordable rent levels; promote freedom of housing choice and spatial deconcentration of very low income families; and provide an incentive to private property owners to rent to very low income families by offering timely housing assistance payments.

The City will comply with Federal, State, and local nondiscrimination laws; Title II of the Americans With Disabilities Act; the Fair Housing Act; Title VI of the Civil Rights Act of 1964; the Age Discrimination Act of 1975; Executive Order 1103, Equal Opportunity in Housing; Section 504 of the Rehabilitation Act of 1973; and the U. S. Department of Housing and Urban Development regulations governing Fair Housing and Equal Opportunity.

No person shall, on the grounds of race, color, sex, religion, national or ethnic origin, familial status, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under the Section 8 Housing Programs.

To further its commitment to full compliance with applicable Civil Rights laws, the City will provide information to applicants for and participants in the Section 8 Housing Choice Voucher Program regarding discrimination and any recourse available to them if they believe they may be victims of discrimination. Such information will be made available with the application, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made available at the Section 8 Programs office. In addition, all appropriate written information and advertisements will contain the appropriate Equal Opportunity language and logo.

The City will assist any family that believes they have suffered illegal discrimination by providing them copies of the housing discrimination form. If necessary, the City will assist them in completing the form and will provide them with the address of the local HUD Office of Fair Housing and Equal Opportunity.

The general approach is to inform the community of the services provided by the Section 8 Programs and to administer the program according to HUD rules and regulations and in a manner consistent with state law.

B. HUD Programs Under PHA Management

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

Program Name	Units or Families Served at Year Beginning	Expected Turnover
Public Housing		
Section 8 Vouchers	642	
Section 8 Certificates		
Section 8 Mod Rehab		
Special Purpose Section 8 Certificates/Vouchers (list individually)		
Public Housing Drug Elimination Program (PHDEP)		
Other Federal Programs(list individually)		
FSS/Home Ownership Program	77	

C. Management and Maintenance Policies

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

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

(2) Section 8 Management: (list below)

NOTE: Policies mandated by HUD and implemented by the City such as income verifications, calculating rent, etc. are not included below. The Administrative Plan is available for public view at any given time and contains all policies and procedures.

Objectives for Fair Housing and Equal Opportunity

The City strives to provide decent, safe and sanitary housing for very low income and families at affordable rent levels; promote freedom of housing choice and spatial deconcentration of very low income families; and provide an incentive to private property owners to rent to very low income families by offering timely housing assistance payments.

The City will comply with Federal, State, and local nondiscrimination laws; Title II of the Americans With Disabilities Act; the Fair Housing Act; Title VI of the Civil Rights Act of 1964; the Age Discrimination Act of 1975; Executive Order 1103, Equal Opportunity in Housing; Section 504 of the Rehabilitation Act of 1973; and the U. S. Department of Housing and Urban Development regulations governing Fair Housing and Equal Opportunity.

No person shall, on the grounds of race, color, sex, religion, national or ethnic origin, familial status, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under the Section 8 Housing Programs.

To further its commitment to full compliance with applicable Civil Rights laws, the City will provide information to applicants for and participants in the Section 8 Housing Choice Voucher Program regarding discrimination and any recourse available to them if they believe they may be victims of discrimination. Such information will be made available with the application, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made available at the Section 8 Programs office. In addition, all appropriate written information and advertisements will contain the appropriate Equal Opportunity language and logo.

The City will assist any family that believes they have suffered illegal discrimination by providing them copies of the housing discrimination form. If necessary, the City will assist them in completing the form and will provide them with the address of the local HUD Office of Fair Housing and Equal Opportunity.

Approach

The general approach is to inform the community of the services provided by the Section 8 Programs and to administer the program according to HUD rules and regulations and in a manner consistent with state law.

Income Targeting

At least 75% of all new admissions shall be families whose income at the time of admission does not exceed 30% of the area median income. Not more than 25% of the dwelling units that were available for occupancy under Section 8 before the effective date of the Housing and Community Development Amendments of 1981 shall be available for leasing by low-income families other than very low-income families. Not more than 15% of the dwelling units that become available for occupancy under Section 8 on or after the effective date of the Housing and Community Development Amendments of 1981 shall be available for leasing by low-income families other than very low-income families. The income limitations shall not apply to dwelling units made available under project-based contracts under Section 8 for the purpose of preventing displacement, or ameliorating the effects of displacement.

Monitoring Program Performance

Program performance is monitored with data collected by the Section 8 Programs office and HUD and records maintained in files; periodic reports to the City; independent audits and reviews; and

HUD management reviews. Access to records is provided to HUD and City officials upon request. Internal systems are developed to monitor routine work performance by the staff.

Housing Outside Areas of Poverty or Minority Concentration

Owners providing housing to the Section 8 Programs are encouraged to provide housing outside areas of poverty or minority concentration in order to provide more housing choices and to expand mixed housing opportunities in the community. Monitoring housing outside areas of poverty or minority concentration is encouraged by HUD. Periodic evaluations will be conducted to identify owner outreach for specific areas within the City's jurisdiction. Outreach to owners will include formal and informal discussions and meetings and printed publications. Exception rents will be granted within the City's jurisdiction for accessible properties and properties in suburban areas outside areas of poverty or minority concentration to promote housing outside areas of poverty or minority concentration. Recipients of Housing Choice Vouchers will be informed of the full range of areas where they may lease units and will be provided with a participating landlords with properties outside areas of poverty or minority concentration list. Owner lists will be provided in the briefing packet and will be available at the Section 8 Programs office.

Record Retention

The City will comply with HUD regulations for record retention. All records, including forms and documentation, will be retained in the client file for a minimum of three years before disposition.

Administrative Fee Reserves and Charges Against the Section 8 Administrative Fee Reserve

Occasionally, it is necessary for the Section 8 Program to spend money out of its Section 8 Administrative Fee Reserve to meet unseen or extraordinary expenditures or for its other housing related purposes consistent with State law.

The Marietta City Council authorizes the Section 8 Program Director to expend without prior City Council approval up to one thousand (\$1,000) for authorized expenditures. Any item(s) exceeding one thousand (\$1,000) will require prior City Council approval before any charge is made against the Section 8 Administrative Fee Reserve.

Privacy Rights

All adult program applicants and participants in each household must sign a release of information request annually. HUD Form 9886, Authorization for Release of Information of Information and Privacy Act Notice must be executed. The Notice states how family information will be released and includes the Federal Privacy Act Statement.

Core Values and Ethical Standards

The City shall maintain written standards of conduct governing the performance of its employees engaged in professionally performing public service and in all administrative functions. It

is not the intent of the Code of Conduct to place unreasonable restraints on its employees or Council members with respect to their right to privacy and the performance of their jobs. Compliance with the Code of Conduct requires employees and Council members to act professionally and ethically in performing their respective duties for the City and when representing the City, to do so with integrity during office hours and at other official functions.

In accordance with Title 24 CFR Part 84 Subpart C Section 84.42, no employee, officer, agent or Council member shall participate in the selection, award, or administration of a contract supported by Federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, agent, Council member or any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award.

The officers, employees, agents or Council members of the recipient shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, or parties to sub agreements. In accordance with Title 24 CFR Part 982 Section 11, the City staff, its contractors and subcontractors may not enter into any contract or arrangement in connection with the tenant based programs in which any of the following classes of persons has any interests, direct or indirect, during his or her tenure with the City and for one year thereafter:

- An employee of the City or any contractor, subcontractor or agent of the City who formulates policy or who influences decisions with respect to programs;
- Any present or former council member;
- Any member of a governing body, or State or local legislator who exercises functions or responsibilities with respect to the City and its programs; or
- A member of the Congress of the United States.

Persons in the above categories must disclose their interest or prospective interest to the City and HUD. The conflict of interest prohibition may be waived for good cause by the HUD field office upon request from the City. With respect to procurement standards, the City and sub grantees will use the procurement procedures of the City that reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in Title 24 CFR Part 85 Subpart C Section 85.36. The City and sub grantees will maintain a contract administration system that ensures that contractors perform in accordance with the terms, conditions and specifications of their contracts or purchase orders. No City staff member or Council Member shall solicit any gift or consideration of any nature, nor shall the staff member or Council Member accept or receive a gift from any person who has an interest in any business, proposed or pending with the City regardless of the type of gift.

In accordance with Title 24 CFR 85.3 (b) (3) and Title 24 CFR 905.10 (b), the City is responsible for establishing the administrative and disciplinary actions for violations of the Code of Conduct. Employee and Council member sanctions for misconduct may include:

- Oral or written warnings or reprimands;
- Suspension with or without pay for specified periods of time; or

- Termination of employment.

The City shall implement the sanctions at its discretion depending on the severity of the breach of the Code of Conduct. The value of anything received by an employee or non-employee in breach of the ethical standards shall be recovered. The sanctions will be in accordance with due process requirements and existing laws. In addition, notice and an opportunity for a hearing shall be provided before imposing any suspension or termination of employment. Sanctions against contractors may include suspension and debarment.

Reasonable Accommodation

People with disabilities may need a reasonable accommodation in applying or participating in the Section 8 Programs. It is the responsibility of the Section 8 Programs to make the program fully accessible to persons with disabilities. The City will provide a Request for Reasonable Accommodation Form to all applicants and program participants since disabilities are not always apparent. The Request for Reasonable Accommodation will be provided to applicants and will be provided to program participants in routine correspondence that requires the participant to provide information to the City, such as notifications of recertification, inspections, appointments and termination of assistance notices. Should the applicant or participant request reasonable accommodations and the City determines that the request is reasonable, the notification of approval or denial of the request will be in writing.

Considerations in approving reasonable accommodations include making a determination whether the requestor is a person with disabilities. A person with a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment (the impairment may not be apparent, i.e. heart condition) should be considered for assistance. Verification of the disability may be requested by the City to determine that reasonable accommodation is related to the disability. The City will not inquire as to the nature of the disability.

Should the participant desire to make physical modifications to the selected dwelling unit at their own expense as reasonable accommodation, the request should be made to the owner of the property. The City may grant a higher payment standard for units where property owners make physical modifications for persons with disabilities. The payment standard must not exceed 110% of the Fair Market Rent.

Language Services for Non English Speaking Applicants and Participants

Applicants and/or participants may need to communicate in sign language, Braille, or a language other than English. The applicant and/or program participant may use another family member or friend to translate. The City will be as accommodating as possible. The City will endeavor to have bilingual staff or access to people who speak languages other than English.

Required Postings

The City will post in a conspicuous place and at a height easily read by all persons, including persons with disabilities, the income limits for admission; address, telephone number, office hours, the TDD number and the name of a contact person for the Section 8 Programs, status of the waiting list, when applications will be received; access to the Section 8 Administrative Plan; grievance procedures; the Fair Housing Poster and the Equal Opportunity in Employment Poster.

Quality Control of the Section 8 Program

In order to maintain the appropriate quality standards for the Section 8 program, the City will, at least annually, review files and records to determine if the work documented in the files or records conforms to program requirements. This shall be accomplished by a supervisor or another qualified person other than the one originally responsible for the work or someone subordinate to that person. The number of files and/or records checked shall be at least equal to the number specified in the Section 8 Management Assessment Program (SEMAP) for the size of the Section 8 Program.

Quality control reviews shall include, at a minimum, determinations that the proper families were selected from the waiting list; the families met the program eligibility criteria; rent reasonableness determinations are adequate; program participants are paying the appropriate rent; proper verifications of all data were obtained at admission and during program participation; HQS inspections were conducted timely and properly; and HQS deficiencies were corrected according to the specifications in this Administrative Plan and their selection criteria were actually met by the applicants.

The purpose of the quality control review is to determine staff capability and overall program performance. If the quality control review reveals a need for specific training for staff in any area, or if it is determined that a particular staff member is inefficient in performing the program requirements, training will be provided either as a group or individually, as the need dictates.

Program Integrity

HUD has identified deficiencies in program administration and estimates that more than ten percent of the assisted families are ineligible or are receiving benefits for which they do not qualify. The City is committed to maintaining program integrity and serving low and very low-income families who are eligible for the program benefits.

The staff will make every effort to inform families in order to avoid program violations. The City will initiate an investigation of a participating family upon evidence of possible fraud. Written complaints will be documented and the City will follow up on the complaints in an attempt to resolve the issue at hand. A copy of the allegation and the final disposition of the complaint will be placed in the file.

The City will follow HUD Program Integrity guidelines to ensure that the Section 8 Program is administered with best practices that meet program regulations, policies, procedures and statutes. The Things You Should Know program integrity bulletin will be furnished and explained to all applicants to promote understanding of program rules.

Mandatory orientation sessions will be conducted for program participants. The family representative will be required to certify in writing that program regulations were explained to them by signing the "Participant Certification" form contained in HUD's Participant Integrity Program Manual.

Participating Families in the Military Reserves and National Guard Units

The City supports part time military Reserve and National Guard units realizing that at times they are call into active duty. If a participating family finds it necessary for another adult to temporarily move into a unit solely to serve as a temporary guardian for children residing in the unit, the income received by the temporary guardian will not be counted in determining family income. The landlord will be requested to approve the admission of the temporary guardian. The criminal background check will be waived in this instance until the temporary custodian actually moves into the unit. Should the guardian fail the criminal background check, the participating family may opt to search for another temporary guardian. The income of the guardian will not be considered in rent determination; however, the income of the family will be reevaluated to determine if a rent change is appropriate.

Federal regulations prohibit holding a unit that a family is not residing in form more than 180 consecutive calendar days. If necessary, the City may request a waiver of the 180 day calendar limit due to unforeseen circumstances. The military family may retain control of the unit by paying the required rent and returning to the unit within 30 calendar days after the active duty service concludes.

Anti-Fraud Policy

Fraud is a single act or pattern of actions that include false statements, the omission of information, or the concealment of a substantive fact made with the intention of deceiving or misleading the City and resulting in inappropriate use of public funds and/or program violations. The most common fraud acts are the failure to report all sources of income and assets and the failure to accurately report the number of persons residing in the household.

Upon discovery of alleged fraud by a participating family, the family will be requested to repay the monies deemed appropriate; be terminated from the program; and/or be referred to the proper officials for criminal prosecution.

Outreach Goals and Public Notice

The City will provide outreach activities that will produce a demographically mixed applicant pool. Pamphlets, brochures, newspaper ads, radio spots, or other similar types or notices will be

utilized as needed in the outreach effort. To maximize participation of program participants and owners, the City will monitor the outreach process.

The City may contact senior citizen centers, property management firms, social service agencies, faith based organizations and other organizations serving eligible households in the City's jurisdiction. The Section 8 Director may appear at civic meetings to make program presentations.

Outreach to Owners

The City will hold briefings for owners who participate in or who are seeking information about the Section 8 Program. The briefings are intended to explain how the program works; explain how the program benefits owners; explain owners' responsibilities (including lead-based paint) under the program.

Emphasis will be placed on screening applicants thoroughly. Owners may ask questions, obtain written materials, and meet the City staff. Owners of suitable units located outside of low-income or minority concentration will be encouraged to participate in the program.

Also, owners of accessible units will be recruited for program participation and will be invited to attend briefing sessions. Owner mailing lists will be developed and announcements mailed to owners routinely in order to maintain an adequate stock of available units.

Owner Disapproval

Owners who exhibit a history of drug trafficking, non compliance with Housing Quality Standards, renting units that repeatedly fail to meet local housing codes, non payment of property taxes, etc. will be eliminated from program participation. Fair housing and equal opportunity must be a priority with the owners. Owners who have been debarred, suspended or denied participation shall not be permitted to participate in the Section 8 Programs. The City will not enter into a HAP Contract with a owner who refuses to take action to terminate tenancy for activities engaged in by the tenant, any member of the tenant's household, any guest, or any other person under the control of any member of the household that threatens the well being or right to peaceful enjoyment of the premises by other tenants or employees of the City, owner, or other manager of housing; threatens the well being of, or right to peaceful enjoyment of the residences by persons residing in the vicinity; or is involved in drug and/or criminal activities.

The City will not enter into or renew a HAP contract with an owner who refuses, or has a history of refusing to consent to local law enforcement agencies, local code enforcement or other agencies as HUD determines appropriate, to enter common areas of the project at any time and without advance notice upon a determination of probable cause by such officers that criminal activity is taking place.

Lottery System

The lottery system to be implemented in selecting applicants for the waiting list will be conducted as follows:

- Date, time and locations of the lottery registration will be established by the City.
- Public Notice will be announced as directed by this Administrative Plan.
- Interested families will register for the lottery at the locations announced during the specific dates and times announced in the public notice.
- Pick up and drop off points for registration will be determined by the City; however, other public agencies, such as the Department of Family and Children Services, homeless shelters, Cobb Human Resources Center, etc. will be considered.
- Head of Household must present a picture identification and sign the registration form to certify the accuracy of the name, current address, Social Security number, telephone number and the contact person listed on the registration form.
- Families may register once at one location.
- Only one lottery ticket will be issued per family.
- The lottery registration card must be filled out completely and returned by the specified deadline.
- Incomplete and/or late registrations will not be accepted by the City.
- An official outside the Section 8 office will perform and certify the lottery selection.
- The number of lottery tickets selected will be based on the needed applicants for an adequate pool of families on the waiting list.
- Registrants selected from the lottery will be notified in writing of the date, time and location to meet and complete a pre application form.
- The lottery registration will be voided if the registrant fails to appear at the meeting, or if the notice to meet is returned due to erroneous address.
- Lottery results will be posted at all lottery registration sites as stated in the public notice.
- Applicant's position on the waiting list will be determined by their claimed preference and the date and time the lottery ticket was drawn.
- Changes in preference status will not be allowed until the final results of the lottery are tabulated.
- Persons with disabilities may request reasonable accommodations for consideration by the City.
- The need for special accommodation must be verified by a physician or social service agency.
- At the discretion of the City, persons with disabilities will be assisted in completing the lottery ticket, through home visits, or by registering by telephone.

Admission to the Section 8 Programs

Applicants must provide a written application. The application process is in two stages. The initial application is the pre application and contains all pertinent family information, family preference and all information required with the exception of information that must be verified for program

eligibility. Once the family reaches the top of the waiting list and is notified by the City to come in for an appointment, the full application will be completed and verification of data will be initiated.

Interviews will be conducted with the applicants. The full application is accepted and is an official document for the file. The application and verification of employment, income, family composition, etc. shall be used to determine eligibility, priority status and the amount of rent. All supplemental information shall be considered part of the application and carefully recorded. This includes, but is not limited to, verifications of income and family composition, the most recently filed income tax return and such other data as may be required.

Processing of Applications

Applications will be maintained on the City's computer system. Applicants shall complete and sign the application and certify, subject to civil and criminal penalties, to the accuracy of all statements made therein. The signatures of any and all adult members of the applicant household will be required. Each complete application shall reflect the date and time of receipt by the City and any other factors upon which priority and preference are assigned.

Applicants will be required to submit verification documentation as part of the application process. Applicants will be supplied with a list of required verifications for the purpose of determining eligibility. Should applicants fail to provide required information within the time frame established by the City, their case will be placed in an inactive status and they will be required to reapply during the next enrollment.

The City, at its discretion, may suspend application taking when the current supply of completed full applications exceed the number of families that could be reasonably expected to be housed within the next 12 months. The City will generally take applications from a central location which will allow for processing by staff knowledgeable of the rules and regulations governing the Section 8 Programs but reserves the right to establish satellite locations for application taking so long as all processing is done in a central location.

The City reserves the right to establish time for taking applications, including by appointment. The City staff may, at its discretion, provide for application interviews outside normal hours when necessary for hardship reasons. Application interviews shall be conducted in private.

Applications are updated as applicants report changes in income and family status. All revisions to applications shall be properly documented and the transaction initialed by the staff member making the change.

Active applications will be purged no less than every 12 months. Notification shall be sent to each applicant informing him/her that unless he/she confirms his/her continued interest, the application will be retired from the active file. Returned notifications will be attached to the respective application as evidence of unsuccessful effort to locate the applicant.

All applicants will be instructed to notify the City whenever there is a change in family composition, income, address and any other factors relative to their eligibility status. Applicants should

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notify the City if he/she no longer desires consideration for the Section 8 Program assistance. The City shall maintain such records as necessary to document the disposition of all applications and to meet HUD audit requirements. If an applicant is determined to be ineligible on the basis of program guidelines, the applicant shall be notified in writing of the reasons for the ineligibility determination.

The applicant shall be informed of his/her right to an informal review of the determination. If, after the review, the applicant remains ineligible, or if the right to a review is waived, the applicant shall receive a written notice of the final decision.

Waiting List Management and Preferences

Opening and Closing the Waiting List

Opening of the waiting list will be announced via public notice that applications for Section 8 will again be accepted. The public notice will state where, when, and how to apply. The notice will be published in a local newspaper of general circulation, and also by any available minority media. The public notice will state any limitations to who may apply. The notice will state that applicants already on waiting lists for other housing programs must apply separately for this program, and that such applicants will not lose their place on other waiting lists when they apply for Section 8. The notice will include the Fair Housing logo and slogan and otherwise be in compliance with Fair Housing requirements. Closing of the waiting list will be announced via public notice. The public notice will state the date the waiting list will be closed. The public notice will be published in a local newspaper of general circulation, and also by any available minority media.

Organization of the Waiting List

The waiting list will be maintained as an official record and will be available for review by HUD at any time. At a minimum, the applicant's name, time and date of application, bedroom size and preference will be maintained on the waiting list. The waiting list cannot be maintained by bedroom size under current HUD regulations.

Definitions and Order of Preferences

Preferences in order of priority are as follows:

Involuntarily Displaced Due to City of Marietta Code Enforcement

This preference takes priority over every other preference and eligible applicants will be placed at the top of the waiting list by date and time of application. Applications under this category will be accepted when the waiting list is open or closed. The application will be processed immediately and the family issued a Voucher as soon as eligibility is verified and funds become available. The displacement must have occurred within the Marietta City limits. Applicants must complete a Section 8 application, present a letter of condemnation from the City of Marietta Code Enforcement and any other documentation required by the City. All other eligibility criteria for Section 8 assistance are also required. Displacement does not include disconnection of utilities due to

non-payment. In cases where two families are doubled up in one unit, a separate application may be taken on each family providing each are legal tenants residing in the unit at the time of condemnation.

Working Families in the City of Marietta

Families who are working within the City's jurisdiction, including families with a member hired to work in the jurisdiction, will have priority over other working families. Documentation to support the working families preference must be provided by the applicant.

Working Families in Cobb County

Families who are living and working within Cobb County have preference over other working non-residents of Cobb County. Working families living outside Cobb County will not be eligible to claim a preference and will be at the bottom of the waiting list by date and time of application.

Families Nearing the Top of the Waiting List

When it appears that a voucher will become available, the City will select the family by preference at the top of the waiting list. The order of admission from the waiting list is not based on family size, or the family size unit for which the family qualifies for under the City's occupancy guidelines. When there is insufficient funding for the family at the top of the waiting list, the City will not admit any other applicant until funding is available for the first applicant. Families will be offered vouchers in waiting list sequence.

The family will be invited to a briefing that includes re-verification of the family's eligibility and preference. If the family no longer qualifies to be near the top of the list, the family's name will be returned to the appropriate spot on the waiting list. The City must notify the family in writing of this determination, and give the family the opportunity for an informal review.

Updating the Pre Application

It is the responsibility of the applicants on the waiting list to notify the City of circumstances that change their family status. Changes in family size will not affect the placement on the waiting list. If the information submitted changes the family's preference status, once verified, the pre application will be reprioritized using the date and time of acceptance of the original application.

Missed Appointments

Applicants who fail to keep a scheduled appointment in accordance will be sent a notice of denial. The City will allow the family to reschedule appointments for good cause. Generally, no more than one opportunity will be given to reschedule without good cause, and no more than two opportunities for good cause. When a good cause exists, the City will work closely with the family to find a more suitable time.

Applicants will be offered the right to an informal review before being removed from the waiting list. If an applicant claims they did not receive a letter confirming the scheduled appointment,

the City will determine whether the letter was returned to the Section 8 office. If the letter was not returned, the applicant will be assumed to have received the letter.

If the letter was returned to the City and the applicant can provide evidence that they were living at the address to which the letter was sent, the applicant would be reinstated with the date and time of the application in effect at the time the letter was sent.

Purging the Waiting List

The City will update and purge its waiting list at least annually to ensure that the pool of applicants reasonably represents families still actively interested in the Housing Choice Voucher Program assistance. Purging also enables the City to update the information regarding address, family composition, income category and preferences. The “still interested letter” will indicate that the purpose of the contact is to determine the applicant’s interest in remaining on the waiting list and to offer the applicants an opportunity to update information previously provided to the City.

The City will mail via first class mail a form to be completed by the person on the waiting list to be returned to the City within 10 calendar days. If the envelope is returned as undeliverable or if no response is received from the applicant within 10 calendar days, the applicant shall be removed from the waiting list. If the envelope is returned with a forwarding address on it, the City shall mail the form to the new address, with a new response deadline. Upon request for reasonable accommodation for a person with a disability, a ten-day extension may be granted.

Applicant Status While on the Waiting List

Applicants who are placed on the waiting list will also be informed of their responsibility to report changes in name, address and family composition within 30 days of the occurrence. Applicants will be notified that, if the City is unable to contact the family due to their failure to promptly submit a change of address, it may result in their name being removed from the waiting list.

Applicants will be removed from the waiting list if they fail to respond to written requests for information or other requests within the City’s specified time frames. Exceptions will be granted for applicants with disabilities as defined in the Code of Federal Regulations at Title 24 CFR Part 5 Section 403.

Removal of Applicants From the Waiting List

The City will not remove an applicant’s name from the waiting list unless the applicant requests that his/her name be removed; the applicant does not meet either the eligibility or screening criteria for the program; the applicant fails to respond to a written request for information or a request to declare their continued interest in the program; and/or the applicant misses scheduled appointments.

The reason for all removals from the waiting list shall be carefully documented in the applicant’s file and in the comments section of the waiting list. The file shall be retained for three years from the date the file is closed.

Grounds for Denial

The City shall deny assistance to applicants who do not meet any one or more of the eligibility criteria; do not supply information or documentation required by the application process; fail to respond to a written request for information or a request to declare their continued interest in the program; fail to complete any aspect of the application or lease-up process; or the applicant currently owes rent or other amounts to any Public Housing Authority and/or the applicant has a family member who was evicted from federally assisted housing within the past three years because of drug-related criminal activity;. The three-year limit is based on the date of such eviction, not the date the crime was committed.

The City may admit the household if it is determined the evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program approved by the City; or the circumstances leading to the eviction no longer exist (for example, the criminal household member is imprisoned or has died).

The City may not admit a family whose household member is currently engaging in illegal use of a drug; a household member whose illegal drug use or a pattern of illegal drug use may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents; a household member who has ever been convicted of drug-related criminal activity for the manufacture or production of met amphetamine on the premises of federally assisted housing; a household member who is subject to a lifetime registration requirement under a State sex offender registration program; a household member whose abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents; a household member who is a fugitive felon, parole violator or person fleeing to avoid prosecution, or custody or confinement after conviction, for a crime, or attempt to commit a crime, that is a felony under the laws of the place from which the individual flees; a household member who is currently engaged in, or has engaged in, the following during the last five (5) years before the projected date of admission:

- Drug-related criminal activity;
- Violent criminal activity;
- Other criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; or
- Other criminal activity which may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the City (including a City employee or a City contractor, subcontractor or agent);
- A family member who violated any family obligations under previous participation in the program;
- A family member who has been evicted from federally assisted housing in the last five years;
- A family member that the City terminated assistance for under the program;

- A family member who has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program;
- Currently owes rent or other amounts to the City or to a City in connection with Section 8 or public housing assistance under the 1937 Act;
- Have not reimbursed any City for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease;
- Have breached an agreement with City to pay amounts owed to a City or amounts paid to an owner by a City;
- If a family participating in the Family Self-Sufficiency Program fails to comply, without good cause, with the family's FSS Contract of Participation;
- Have engaged in or threatened abusive or violent behavior towards any City staff member or resident;

A household member is “currently engaged in” criminal activity if the person has engaged in the behavior recently enough to justify a reasonable belief that the behavior is current. If the City denies admission to the Housing Choice Voucher program on the basis of a criminal record, the City will provide the person with the criminal record (i.e., the family member) and the applicant head of household with a copy of the criminal record and an opportunity to dispute the accuracy of that record at an Informal Review. The applicant will have fourteen (14) calendar days to dispute the record in writing. If the City does not receive the dispute within the time limit, the applicant will be denied.

Notification of Adverse Actions

Any applicant whose name is being removed from the waiting list will be notified in writing and will be given ten (10) business days, from the date of the written correspondence, to present mitigating circumstances or request an informal review in writing.

The letter will state that their name will be removed from the waiting list if they fail to respond within the time frame specified. The City will not violate the rights of persons with disabilities. If an applicant's failure to respond to a request for information or updates was caused by the applicant's disability, the City will provide for reasonable accommodation. If the applicant indicates that they did not respond due to a disability, the disability will be verified and the accommodation they are requesting will be provided if reasonable. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of the original application.

Informal Review

If the City determines that an applicant does not meet the criteria for receiving Section 8 assistance, it will promptly provide the applicant with written notice of the determination. The notice must contain a brief statement of the reason(s) for the decision, and state that the applicant may request an informal review of the decision within 10 business days of the denial. The notice to the applicant will describe how to obtain the informal review.

Special Family Circumstances

Children subject to a joint custody agreement but live with one parent at least 51% of the time will be considered members of the household. The definition of 51% of the time is 183 days of the year that do not have to run consecutively.

Multiple families, families consisting of two families, applying, as a family unit will be treated as one family unit. When a family on the waiting list splits into two otherwise eligible families due to divorce or legal separation, and both families claim the same place on the waiting list, the City will make the decision taking into consideration which family unit retains the children or any displaced or elderly members; role of domestic violence in the split; and recommendations of social service agencies or qualified professionals such as children's protective services.

These considerations will be used to determine which family remains on the waiting list provided no court determination has been made.

Eligibility for Admissions

The five eligibility factors for admission are that a family must qualify as a family, meet the income limits, meet citizenship/eligible immigrant criteria, provide documentation of Social Security Numbers, and all adult household members must sign consent authorization documents. In addition to the eligibility criteria, families must also meet the screening criteria in order to be admitted to the Section 8 Program.

Family Composition

A **family with or without children**. Such a family is defined as a group of people related by blood, marriage, adoption or affinity that lives together in a stable family relationship. Children temporarily absent from the home due to placement in foster care are considered family members. Unborn children and children in the process of being adopted are considered family members for purposes of determining bedroom size, but are not considered family members for determining income limit.

An **elderly family**, which is a family whose head, spouse, or sole member is a person who is at least 62 years of age; two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aides.

A **near elderly family**, which is a family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62; two or more persons who are at least 50 years of age but below the age of 62 living together; or one or more persons who are at least 50 years of age but below the age of 62 living with one or more live-in aides.

A **disabled family**, which is a family whose head, spouse, or sole member is a person with disabilities; two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides. For purposes of qualifying for low-income housing, disabled family does not include a person whose disability is based solely on any drug or alcohol dependence.

A **displaced family** is a family in which each member, or whose sole member, has been displaced by governmental action, or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.

A **remaining member of a tenant family** is a family member of an assisted family who remains in the unit when other family members have left the unit.

A **single person** who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family.

The **head of household** is the adult member of the household whose income is considered for the purposes of determining income eligibility and rent and the household member who has the legal capacity to enter into a lease under State or local law.

The **spouse of head** means the marriage partner of the head, who in order to dissolve the relationship would have to be divorced. Spouse includes the partner in a common law marriage but does not apply to boy friends, girl friends, companions, significant others, co head, etc. A co head is an individual in the household equally responsible for the lease with the head of household. A family may have a spouse or co head but not both. A co head never qualifies as a dependent.

Live in attendants may be included in the family provided it is determined by the City to be essential to the care and well being of an elderly person, a near elderly person or a person with disabilities. Written verification for the need of a live in attendant from a reliable professional is required. The live in attendant is not obligated for the financial support or rent of the person(s) and would not be living in the unit except to provide care for the person(s). The income of the live in aide is not considered for determining program eligibility. Live in aides are not subject to the non-citizen rule requirements and may not be considered as a remaining member of the tenant family. The City has discretion of disapproval of a live in aide if the person commits fraud, bribery and any other corrupt or criminal act; commits drug related criminal activity or violent criminal activity; or the person currently owes rent or other amounts to the City or to another City in connection with the Section 8 Program or the public housing program.

Income Eligibility

A family shall, at the time the family initially receives assistance under the Section 8 program shall be an extremely low-income or a very low-income family; a low-income family continuously assisted under the 1937 Housing Act, including families relocated from public housing for the convenience of the agency (continuously assisted families are not counted against the income targeting requirements); a low-income family that is a non purchasing resident in a HOPE 1 or HOPE

2 project or a property subject to a resident homeownership program under 24 CFR 248.173; a low income family or moderate income family that is displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low income housing. Income limits apply only at admission and are not applicable for continued occupancy; however, as income rises the assistance will decrease. The applicable income limit for issuance of a Housing Choice Voucher is the highest income limit for the family size for areas within the City's jurisdiction.

The applicable income limit for admission to the program is the income limit for the area in which the family is initially assisted in the program.

The family may only use the Voucher to rent a unit in an area where the family is income eligible at admission to the program. Families who are moving into the City's jurisdiction under portability and have the status of applicant rather than of participant at their initial City must meet the income limit for the area where they are initially assisted under the program.

Families who are moving into the City's jurisdiction under portability and are already program participants at their initial City do not have to meet the income eligibility requirement for the City's program.

Income limit restrictions do not apply to families transferring units within the City's Section 8 Program.

Eligibility of Students for Assisted Housing Under Section 8 of the U. S. Housing Act of 1937

Effective January 30, 2006, Section 327 of Public Law 109-115 (Section 327) provides no assistance shall be provided under Section 8 of the United States Housing Act of 1937 to any individual who is:

- (1) enrolled as a student at an institution of higher education (as defined under Section 102 of the Higher Education Act of 1965;
- (2) is under 24 years of age;
- (3) is not a Veteran;
- (4) is unmarried;
- (5) does not have a dependent child; and
- (6) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible to receive assistance under Section 8 of the U. S. Housing Act of 1937.

For purposes of determining the eligibility of a person to receive assistance under Section 8 of the U. S. Housing Act of 1937, any financial assistance (in excess of amounts received for tuition) that an individual receives under the Higher Education Act of 1965) shall be considered income to that individual, except for a person over the age of 23 with dependent children.

This law is intended to address incidents of college students obtaining federal housing assistance without their educational assistance counting as income for purposes of income eligibility for housing assistance. HUD encourages management agents administering Section 8 Programs to

recertify existing Section 8 participants that have family members that may meet the requirement of Section 327 of the Act.

Prompt recertification, in addition to careful applicant screening will ensure compliance with the restrictions of this law.

Citizenship/Eligible Immigrant Status

To be eligible for a housing choice voucher at least one member of the family must be a citizen, national, or a non-citizen who has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980 (see 42 U.S.C. 1436a(a)) or a citizen of the Republic of Marshall Islands, the Federated States of Micronesia, or the Republic of Palau. However, people in the last category are not entitled to housing assistance in preference to any United States citizen or national resident within Guam.

Family Eligibility for Assistance

A family shall not be eligible for assistance unless at least one member of the family residing in the unit is determined to have eligible status, with the exception noted below. Despite the ineligibility of one or more family members, a mixed family may be eligible for one of three types of assistance (See Section 11.5(F) for calculating rents under the non-citizen rule). A family without any eligible members and receiving assistance on June 19, 1995, may be eligible for temporary deferral of termination of assistance.

Social Security Number Documentation

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

Signing Consent Forms

In order to be eligible each member of the family who is at least 18 years of age, and each family head and spouse regardless of age, shall sign one or more consent forms. The consent form must contain, at a minimum, authorization for HUD and the City to obtain from State Wage Information Collection Agencies (SWICAs) any information or materials necessary to complete or verify the application for participation or for eligibility for continued occupancy; authorization for HUD or the City to verify with previous or current employers or other sources of income information pertinent to the family's eligibility for or level of assistance; authorization for HUD or the City to request income information from the IRS and the SSA for the sole purpose of verifying income information pertinent to the family's eligibility or level of benefits; a statement allowing the City permission to access the applicant's criminal record with any and all police and/or law enforcement agencies; and a statement that the authorization to release the information requested by the consent form expires 15 months after the date the consent form is signed.

Suitability for Tenancy

The City determines eligibility for participation and will conduct criminal background checks on all adult household members, including live-in aides. A family will be denied assistance because of drug-related criminal activity or violent criminal activity by family members. This check will be made through state or local law enforcement or court records in those cases where the household member has lives in the local jurisdiction for the last three years. If the individual has lived outside the local area, the City may contact law enforcement agencies where the individual had lived or request a check through the FBI's National Crime Information Center (NCIC). This criminal background check will proceed after each adult household member has signed a consent form. The information received as a result of the criminal background check shall be used solely for screening purposes. The information shall be maintained confidentially, not misused or improperly disseminated, and destroyed once the purpose(s) for which it was requested has been accomplished and the period for filing a challenge to the City's action has expired without a challenge or final disposition of any litigation has occurred.

The City will check with the State sex offender registration program and will ban for life any individual who is registered as a lifetime sex offender. The City will check with our state registry and if the applicant has resided in another State(s), with that State(s)'s list.

If an applicant is about to be denied housing based on either the criminal check or the sex offender registration program, the applicant will be informed of this fact and given an opportunity to dispute the accuracy of the information before the denial or eviction occurs.

Additional screening is the responsibility of the owner. Upon the written request of a prospective owner, the City will provide to the owner the name, address, and phone number of the applicant's current landlord and any previous landlords that are known. The owner may consider a family's background with respect to such factors as payment of rent and utility bills; caring for a unit and premises; respecting the rights of others to the peaceful enjoyment of their housing; drug-related criminal activity or other criminal activity that is a threat to life, safety or property of others; and compliance with other essential conditions of tenancy.

The owner may deny a rental application based on poor credit or rental history, criminal record, or any other related reason that complies with Fair Housing standards. The owner may not deny an application due to race, color, sex, religion, national origin, familial status, or handicap.

In addition, if an owner submits a request to the City for criminal records concerning an adult member of an applicant or resident household, signed consent forms, and the owner's standards for prohibiting admission, the City must request the criminal conviction records from the appropriate law enforcement agency or agencies.

If the City receives criminal conviction records requested by an owner, the City must determine whether criminal action by a household member, as shown by such criminal conviction records, may be a basis for applicant screening, lease enforcement or eviction, as applicable in accordance with HUD regulations and the owner's criteria. The City must notify the owner whether it

has received criminal conviction records concerning the household member, and of its determination whether such criminal conviction records may be a basis for applicant screening, lease enforcement or eviction. However, the City must not disclose the household member's criminal conviction record or the content of that record to the owner, but merely the fact of whether or not they comply with HUD regulations and the owner's criteria.

The same service shall be available to owners of federally assisted housing in their attempt to determine if an applicant is on the state sex offender list upon the request of the owner. Once again, the information itself will not be disclosed to the owner; the City will merely apply the criteria the owner establishes.

The City shall prohibit admission to the Section 8 Program for any household with a member who the City determines is illegally using a controlled substance; or the City determines that it has reasonable cause to believe that such household member's illegal use (or pattern of illegal use) of a controlled substance, or abuse (or pattern of abuse) of alcohol, may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

In determining whether to deny admission to the Section 8 Program to any household based on a pattern of illegal use of a controlled substance or a pattern of abuse of alcohol by a household member, the City may consider whether such household member has successfully completed a supervised drug or alcohol rehabilitation program and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol; has otherwise been rehabilitated successfully and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol; or is participating in a supervised drug or alcohol rehabilitation program and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol.

Conflict of Interest

An employee of the City who meets the eligibility criteria may be eligible to participate in the program provided they do not have decision making authority regarding the program.

Suitability of the Family

The City will take into consideration any of the criteria for admission but may not otherwise screen for suitability of the applicant family as tenants. It is the responsibility of the owner to screen the applicants for suitability of tenancy.

Changes in Lease or Rent

If the participant and owner agree to any changes in the lease, all changes must be in writing, and the owner must immediately give the City a copy of the changes. The lease, including any changes, must be in accordance with this Administrative Plan.

Owners must notify the City of any changes in the amount of the rent at least sixty (60) calendar days before the changes go into effect. Such changes are subject to the City determining them to be reasonable.

Assistance shall not be continued unless the City has approved a new tenancy in accordance with program requirements and has executed a new HAP contract with the owner if any of the following changes are made:

- Requirements governing participant or owner responsibilities for utilities or appliances;
- In the lease terms reducing the length of the lease;
- If the participant moves to a new unit, even if the unit is in the same building or complex.

The approval of the City is not required for changes other than those stated above.

However, owners wishing to change ownership must receive the written permission of the City prior to assigning a HAP contract. The owner shall inform the City of the impending change and give the Authority thirty (30) calendar days to review the prospective owner to make sure they are appropriate. The new owner shall meet the same criteria as the existing owner. Approval shall not be unreasonably withheld.

Annual Recertifications

At least annually (within 365 calendar days of the anniversary date of the HAP contract), the City will conduct a recertification of family income and circumstances. The results of the recertification determine (1) the rent the family will pay, and (2) whether the family subsidy is correct based on the family unit size.

The City will send a notification letter to the family letting them know that it is time for their annual recertification and schedule an appointment. The letter includes forms for the family to complete in preparation for the interview. The letter includes instructions permitting the family to reschedule the interview if necessary. The letter tells families who may need to make alternate arrangements due to a disability that they may contact staff to request an accommodation of their needs.

During the interview, the family will provide all information regarding income, assets, deductions (eligible expenses), and other information necessary to determine the family's share of rent, including a copy of the most recent income tax return.

The family will sign the HUD consent form and other consent forms that later will be mailed to the sources that will verify the family circumstances. Upon receipt of verification, the City will determine the family's annual income and will calculate their family share.

Effective Date of Rent Changes for Annual Recertifications

The new family share will generally be effective upon the anniversary date with 30 calendar days notice of any rent increase to the family.

If the rent determination is delayed due to a reason beyond the control of the family, then any rent increase will be effective the first of the month after the month in which the family receives a 30-day notice of the amount. If the new rent is a reduction and the delay is beyond the control of the family, the reduction will be effective as scheduled on the anniversary date.

If the family caused the delay, then any increase will be effective on the anniversary date. Any reduction will be effective the first of the month after the rent amount is determined.

Missed Appointments

If the family fails to respond to the letter and fails to attend the interview, a second letter will be mailed. The second letter will advise of a new time and date for the interview, allowing for the same considerations for rescheduling and accommodation as above. The letter will also advise that failure by the family to attend the second scheduled interview will result in the City taking action to terminate the family's assistance. If there is no response to the second letter, a termination notice will be issued to both the family and the owner. The termination notice will inform the family of its right to request an informal hearing.

Interim Recertifications

During an interim recertification only the information affected by the changes being reported will be reviewed and verified. Families will be required to report any increase in income or decreases in allowable expenses between annual recertifications within ten (10) days of the change. Increases in rent shall be made only if the increase in income is \$6,000 or more per year. Families are required to report the changes to the City within ten (10) business days between regular recertifications. Changes in income and family composition must be reported within the 10-day period and documented in the file. However, interim recertifications will not be conducted unless the family changes units due to an increase in family composition or if the family's income increases \$6,000 or more per year. The changes reported will be maintained in the file and considered at the next annual recertification.

In circumstances of a family break-up, the City will make a determination of which family member will retain the housing choice voucher. Determination considerations include to whom the housing choice voucher was issued; the interest of minor children or of ill, elderly or disabled family members; whether the assistance should remain with the family members remaining in the unit; and whether family members were forced to leave the unit because of actual or threatened physical violence.

If a court determines the disposition of property between members of the assisted family in a divorce or separation under a settlement of judicial decree, the City will be bound by the court's determination as to which family members continue to receive assistance in the program.

Because of the number of possible different circumstances in which a determination will have to be made, the City will make determinations on a case-by-case basis.

The City will issue a determination within 10 business days of the request for a determination. The family member requesting the determination may request an informal hearing in compliance with the informal hearing procedures.

To add a household member other than through birth, adoption, or court-awarded custody (including a live-in aide), the family must request that the new member be added to the lease. Before adding the new member to the lease, the individual must complete an application form stating their income, assets, and all other information required of an applicant. The individual must provide their Social Security Number, and must verify their citizenship/eligible immigrant status.

Housing will not be delayed due to delays in verifying eligible immigrant status other than delays caused by the family. The new family member will go through the screening process similar to the process for applicants. The City will determine the eligibility of the individual before allowing them to be added to the lease.

If the individual is found to be ineligible or does not pass the screening criteria, they will be advised in writing and given the opportunity for an informal review.

If they are found to be eligible and pass the screening criteria, the City will grant approval to add their name to the lease. At the same time, the family's annual income will be recalculated taking into consideration the income and circumstances of the new family member.

Families are not required to, but may at any time, request an interim recertification based on a decrease in income, an increase in allowable expenses, or other changes in family circumstances. Upon such request, the City will take timely action to process the interim recertification and recalculate the family share.

Special Recertifications

If a family's income cannot be projected for 12 months, including families that temporarily have no income or have a temporary decrease in income, the City may schedule special recertifications every sixty (60) calendar days until the income stabilizes and an annual income can be determined.

Effective Date of Rent Changes Due to Interim or Special Recertifications

Any decrease in rent resulting from any decreases in family income will be made effective the first of the month following the date the decrease in family income was reported provided the report of decrease by the family was done prior the 25th of each month or prior to the cut off for housing assistance payments to owners that month, whichever occurs first; and verification of the decrease was received in writing at the time of the report. For those decreases reported on the 25th of each month or prior to the cut off for housing assistance payments to owners, the decrease will become effective the first of the second month following the date the decrease in family income was reported providing verification of the decrease was received. The participant agrees to pay any increase in rent resulting from an increase in family income the first of the second month following the date in which such increase in family income occurred, and to pay any back rent due because of failure to report

such increase in family income. Any interim change in rent will require re-verification of all family income that has not been verified within ninety (90) calendar days of the previous rent determination.

The participant agrees to pay any increase in rent resulting from the implementation of changes in rent computation or increases due to changes in regulations, policies or procedures requiring implementation by the U.S. Department of Housing and Urban Development. If it is found that a participant has misrepresented or failed to report facts upon which rent is based so that the participant is paying less than they should be paying, the increase in rent shall be made retroactive to the date the increase would have taken effect. The participant will be required to pay the difference between the rent paid and the amount that should have been paid. In addition, the participant may be subject to civil and criminal penalties. Misrepresentation is a serious program violation which may result in termination

Termination of Assistance by the City

The City may terminate program assistance for a participant because the:

- family violates family obligations under the program;
- family was evicted from housing assisted under the Section 8 program for serious violations of the lease;
- family member fails to sign and submit consent forms;
- family fails to establish citizenship or eligible immigrant status and is not eligible for or does not elect continuation of assistance, pro-ration of assistance, or temporary deferral of assistance;
- family member knowingly permitted an ineligible non-citizen (other than any ineligible non-citizens listed on the lease) to permanently reside in their Section 8 unit (such family will not be eligible to be readmitted to Section 8 for a period of 24 months from the date of termination; household member is currently engaging in illegal use of a drug;
- household member whose pattern of illegal drug use interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents;
- household member has been convicted of drug-related criminal activity for the manufacture or production of met amphetamine on the premises of federally assisted housing;
- household member is subject to a lifetime registration requirement under a State sex offender registration program;
- family commits drug-related or violent criminal activity in violation of this Administrative Plan and 24 CFR 982.551;
- household member whose abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents;
- household member who is a fugitive felon, parole violator or person fleeing to avoid prosecution, or custody or confinement after conviction, for a crime, or attempt to commit a crime, that is a felony under the laws of the place from which the individual flees;
- family member who violates any family obligations under the program;
- family member has been evicted from federally assisted housing in the last five years;

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- family member that has been terminated by the City for assistance for under the program;
- family member has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program, currently owes rent or other amounts to the City or to another Housing Authority in connection with Section 8 or public housing assistance under the 1937 Act, has not reimbursed any Housing Authority for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease;
- family breached an agreement with City to pay amounts owed to a Housing Authority, or amounts paid to an owner by a Housing Authority;
- family is in non compliance, without good cause, with the family's FSS Contract of Participation;
- family has engaged in or threatened abusive or violent behavior towards any City staff member or resident; and/or
- Welfare-to-work (WTW) family fails, willfully and persistently, to fulfill its obligations under the welfare-to-work voucher program.

For purposes of this section, the City may terminate assistance for criminal activity by a household member as authorized in this section if the City determines, based on a preponderance of the evidence, that the household member has engaged in the activity, regardless of whether the household member has been arrested or convicted of such activity.

If the City proposes to terminate assistance for criminal activity as shown by a criminal record, the City will notify the household of the proposed action to be based on the information and must provide the person with the criminal record (i.e., the family member) and the head of household with a copy of the criminal record and an opportunity to dispute the accuracy and relevance of that record, in accordance with the procedures established for the Informal Hearing. The household will have fourteen (14) calendar days to dispute the accuracy and relevance of the record in writing.

Any family absent from the assisted unit for more than sixty (60) consecutive calendar days (180 is the maximum) must be terminated from the program.

In circumstances of a family break-up, the City will make a determination of which family member will retain the housing choice voucher, taking into consideration to whom the housing choice voucher was issued; the interest of minor children or of ill, elderly, or disabled family members; whether the assistance should remain with the family members remaining in the unit and/or whether family members were forced to leave the unit as a result of actual or threatened physical violence by a spouse or other member(s) of the household.

If a court determines the disposition of property between members of the assisted family in a divorce or separation under a settlement of judicial decree, the City will be bound by the court's determination of which family members continue to receive assistance in the program.

Complaints, Informal Reviews and Informal Hearings

Complaints

The City will investigate and respond to complaints by participant families, owners, and the general public. The City may require that complaints other than HQS violations be put in writing. Anonymous complaints are investigated whenever possible.

Informal Reviews

The City will give an applicant for participation in the Section 8 Existing Program prompt notice of a decision denying assistance to the applicant. The notice will contain a brief statement of the reasons for the City decision. The notice will state that the applicant may request an informal review within 10 business days of the denial and will describe how to obtain the informal review.

The City will not provide the applicant an opportunity for an informal review for a determination of the family unit size under the City subsidy standards; City determination not to approve an extension or suspension of a housing choice voucher term; a City determination not to grant approval to lease a unit under the program or to approve a proposed lease; a City determination that a unit selected by the applicant is not in compliance with HQS; a City determination that the unit is not in accordance with HQS because of family size or composition; general policy issues or class grievances and/or for discretionary administrative determinations by the City.

The City will give an applicant an opportunity for an informal review of the City decision denying assistance to the applicant. The review will be conducted by any person or persons designated by the City other than the person who made or approved the decision under review or a subordinate of this person. The applicant will be given an opportunity to present written or oral objections to the City decision. The City will notify the applicant of the City decision after the informal review within 14 calendar days. The notification will include a brief statement of the reasons for the final decision.

In deciding whether to deny assistance to an applicant because of action or inaction by members of the family, the City may consider all of the circumstances in each case, including the seriousness of the case, the extent of participation or culpability of individual family members, and the effects of denial of assistance on other family members who were not involved in the action or failure.

The City may impose, as a condition of assistance for other family members, a requirement that family members who participated in or were culpable for the action or failure will not reside in the unit. The City may permit the other members of a participant family to receive assistance.

If the City seeks to deny assistance because of illegal use, or possession for personal use, of a controlled substance, or pattern of abuse of alcohol, such use or possession or pattern of abuse must have occurred within one year before the date that the City provides notice to the family of the City's determination to deny assistance. In determining whether to deny assistance for these reasons the City will consider evidence of whether the household member has successfully completed a supervised drug or alcohol rehabilitation program (as applicable) and is no longer engaging in the illegal use of a

controlled substance or abuse of alcohol; has otherwise been rehabilitated successfully and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol; or is participating in a supervised drug or alcohol rehabilitation program and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol.

The applicant family may request that the City provide for an informal review after the family has notification of the INS decision on appeal, or in lieu of request of appeal to the INS. The applicant family must make this request within 30 calendar days of receipt of the *Notice of Denial or Termination of Assistance*, or within 30 calendar days of receipt of the INS appeal decision.

For applicant families, the Informal Review Process above will be utilized with the exception that the applicant family will have up to 30 calendar days of receipt of the *Notice of Denial or Termination of Assistance*, or of the INS appeal decision to request the review.

Informal Hearings

The City will not provide a participant family an opportunity for an informal hearing for discretionary administrative determinations by the City; general policy issues or class grievances; establishment of the City schedule of utility allowances for families in the program; a City determination not to approve an extension or suspension of a housing choice voucher term; a City determination not to approve a unit or lease; a City determination that an assisted unit is not in compliance with HQS. (However, the City will provide the opportunity for an informal hearing for a decision to terminate assistance for a breach of the HQS caused by the family); a City determination that the unit is not in accordance with HQS because of the family size; a determination by the City to exercise or not exercise any right or remedy against the owner under a HAP contract.

The City will notify the family that the family may ask for an explanation of the basis of the City's determination, and that if the family does not agree with the determination, the family may request an informal hearing on the decision. The City will give the family prompt written notice that the family may request a hearing within 10 business days of the notification.

The notice will contain a brief statement of the reasons for the decision; and state if the family does not agree with the decision, the family may request an informal hearing on the decision within 10 business days of the notification.

The family will be given the opportunity to examine before the hearing any City documents that are directly relevant to the hearing. The family will be allowed to copy any such document at the family's expense. If the City does not make the document(s) available for examination on request of the family, the City may not rely on the document at the hearing.

The City will be given the opportunity to examine, at the City's offices before the hearing, any family documents that are directly relevant to the hearing. The City will be allowed to copy any such document at the City's expense. If the family does not make the document(s) available for examination on request of the City, the family may not rely on the document(s) at the hearing. "Document" includes records and regulations.

At its own expense, a lawyer or other representative may represent the family. The hearing will be conducted by any person or persons designated by the City, other than a person who made or approved the decision under review or a subordinate of this person. The person who conducts the hearing will regulate the conduct of the hearing in accordance with the City hearing procedures.

The City and the family must have the opportunity to present evidence and may question any witnesses. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings. The person who conducts the hearing must issue a written decision within 14 calendar days from the date of the hearing, stating briefly the reasons for the decision. Factual determinations relating to the individual circumstances of the family shall be based on a preponderance of the evidence presented at the hearing.

The City is not bound by a hearing decision concerning a matter for which the City is not required to provide an opportunity for an informal hearing under this Section, or that otherwise exceeds the authority of the person conducting the hearing under the City hearing procedures; contrary to HUD regulations or requirements, or otherwise contrary to Federal, State, or local law and/or if the City determines that it is not bound by a hearing decision, the City will notify the family within 14 calendar days of the determination, and of the reasons for the determination.

In deciding whether to terminate assistance because of action or inaction by members of the family, the Housing Authority may consider all of the circumstances in each case, including the seriousness of the case, the extent of participation or culpability of individual family members, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure.

The City may impose, as a condition of continued assistance for other family members, a requirement that family members who participated in or were culpable for the action or failure will not reside in the unit. The City may permit the other members of a participant family to continue receiving assistance.

If the City seeks to terminate assistance because of illegal use, or possession for personal use, of a controlled substance, or pattern of abuse of alcohol, such use or possession or pattern of abuse must have occurred within one year before the date that the City provides notice to the family of the City determination to deny or terminate assistance. In determining whether to terminate assistance for these reasons the City will consider evidence of whether the household member has successfully completed a supervised drug or alcohol rehabilitation program (as applicable) and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol; has otherwise been rehabilitated successfully and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol; or is participating in a supervised drug or alcohol rehabilitation program and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol.

The participant family may request that the City provide for an informal hearing after the family has notification of the INS decision on appeal, or in lieu of request of appeal to the INS. This

request must be made by the participant family within 30 calendar days of receipt of the *Notice of Denial or Termination of Assistance*, or within 30 calendar days of receipt of the INS appeal decision.

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

Termination of the Lease and Contract

The term of the lease and the term of the HAP contract are the same. They begin on the same date and they end on the same date. The lease may be terminated by the owner, by the participant, or by the mutual agreement of both. The owner may only terminate the contract by terminating the lease. The City may terminate the HAP. Under some circumstances, the contract automatically terminates. The family may terminate the lease without cause upon proper notice to the owner and to the City after the initial lease term. The length of the notice that is required is stated in the lease (generally 30 calendar days).

The owner may terminate tenancy and evict by judicial action a family for criminal activity by a covered person in accordance with this section if the owner determines that the covered person has engaged in a criminal activity, regardless of whether the covered person has been arrested or convicted for such activity and without satisfying the standard of proof used for a criminal conviction. If the law and regulations permit the owner to take an action but do not require action to be taken, the owner may take or not take the action in accordance with the owner's standards for eviction.

The owner may consider all of the circumstances relevant to a particular eviction case, such the seriousness of the offending action; the effect on the community of denial or termination or the failure of the owner to take such action; the extent of participation by the leaseholder in the offending action; the effect of denial of admission or termination of tenancy on household members not involved in the offending activity; the demand for assisted housing by families who will adhere to lease responsibilities; the extent to which the leaseholder has shown personal responsibility and taken all reasonable steps to prevent or mitigate the offending action; and/or the effect of the owner's action on the integrity of the program.

The owner may require a family to exclude a household member in order to continue to reside in the assisted unit, where that household member has participated in or been culpable for action or failure to act that warrants termination. In determining whether to terminate tenancy for illegal use of drugs or alcohol abuse by a household member who is no longer engaged in such behavior, the owner may consider whether such household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program, or has otherwise been rehabilitated successfully. For this purpose, the owner may require the participant to submit evidence of the household member's current participation in, or successful completion of, a supervised drug or alcohol rehabilitation program or evidence of otherwise having been rehabilitated successfully.

The owner's termination of assistance actions must be consistent with the fair housing and equal opportunity provision of 24 CFR 5.105. The owner may terminate the lease during its term for serious or repeated violations of the terms or conditions of the lease; violation of Federal, State, or

local law that imposes obligations on the participant in connection with the occupancy or use of the unit and its premises; criminal activity by the household, a guest, or another person under the control of the household that threatens the health, safety, or right to peaceful enjoyment of the premises by other persons (including property management staff) residing on the premises or in the immediate vicinity of the premises; and/or any drug-related or violent criminal activity engaged in on or near the premises by any resident, household member, or guest, or such activity engaged in on the premises by any other person under the tenant's control, is grounds for the owner to terminate tenancy. If the owner determines that a household member is illegally using a drug or when the owner determines that a pattern of illegal use of a drug interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents the lease may be terminated. Also, the owner may terminate the lease if a participant is fleeing to avoid prosecution, or custody or confinement after conviction, for a crime, or attempt to commit a crime, that is a felony under the laws of the place from which the individual flees, or that, in the case of the State of New Jersey, is a high misdemeanor; or violating a condition of probation or parole imposed under Federal or State law; if the tenant is violating a condition of probation or parole imposed under Federal or State law; and/or for other good cause.

Other good cause may include, but is not limited to failure by the family to accept the offer of a new lease; family history of disturbances of neighbors or destruction of property, or living or housekeeping habits resulting in damage to the property or unit; the owner's desire to utilize the unit for personal or family use or for a purpose other than use as a residential rental unit; a business or economic reason such as sale of the property, renovation of the unit, desire to rent at a higher rental amount.

The owner may terminate tenancy and evict by judicial action a family for criminal activity by a covered person in accordance with this section if the owner determines that the covered person has engaged in the criminal activity, regardless of whether the covered person has been arrested or convicted for such activity and without satisfying the standard of proof used for a criminal conviction.

During the first year the owner may not terminate tenancy for other good cause unless the reason is because of something the household did or failed to do. The owner may only evict the participant by instituting court action after or simultaneously providing written notice to the participant specifying the grounds for termination.

The owner must give the City a copy of any owner eviction notice to the participant at the same time that the owner gives the notice to the participant. The owner may terminate the contract at the end of the initial lease term or any extension of the lease term without cause by providing notice to the family that the lease term will not be renewed.

The family and the owner may at any time mutually agree to terminate the lease. If the City terminates assistance to the family, the contract terminates automatically. If the family moves out of the unit, the contract terminates automatically. The contract terminates 180 calendar days after the last housing assistance payment to the owner. The owner may only terminate tenancy in accordance with the lease and State and local law.

The City may terminate the HAP contract because it has terminated assistance to the family; the unit does not meet HQS space standards because of an increase in family size or change in family composition; when the family breaks up and the City determines that the family members who move from the unit will continue to receive the assistance; and/or the City determines that there is insufficient funding in their contract with HUD to support continued assistance for families in the program.

The City may terminate the HAP contract with the owner if the owner has violated any obligation under the HAP contract for the dwelling unit, including the owner's obligation to maintain the unit in accordance with the HQS; has violated any obligation under any other housing assistance payments contract under Section 8 of the 1937 Act; has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program; has engaged in drug-related criminal activity or any violent criminal activity; and/or if a welfare-to-work family fails to fulfill its obligations under the welfare-to-work voucher program.

The City may terminate the HAP contract with the owner if the owner has failed to comply with the regulations for the applicable mortgage insurance or loan program, with the mortgage or mortgage note, or with the regulatory agreement for projects with mortgages insured by HUD or loans made by HUD.

The HAP payment stops when the lease terminates. The owner may keep the payment for the month in which the family moves out. If the owner has begun eviction proceedings and the family continues to occupy the unit, the Housing Authority will continue to make payments until the owner obtains a judgment or the family moves out.

FSS Policy

The City will strive to enhance and promote economic and social self sufficiency. The City will strive to meet mandatory targeting goals established by HUD and enter into mandatory cooperation agreements with service agencies to achieve HUD goals and objectives.

Targeting

Not less than 75% of the dwelling units owned by the City shall be occupied by families whose incomes at the time of commencement of occupancy do not exceed 30% of the area median income.

Self Sufficiency Cooperation Agreements

The City may enter into agreements with state, local and other agencies providing assistance to families under welfare or public assistance programs. The agreements shall facilitate the administration of this policy and the sharing of information regarding rents, income, assistance, or other information that may assist the City or welfare or public assistance agency in carrying out its functions.

The City shall also seek to include in cooperation agreements with welfare or public assistance agencies provisions to provide for economic self sufficiency services within the properties owned by the City, provide for services designed to meet the unique employment related needs of residents, and provide for placement of work fare positions on site.

Section 8 Family Self Sufficiency Program

The City shall encourage Section 8 Program participants to enroll in the Section 8 Family Self Sufficiency Program to enhance the family's possibilities of becoming self sufficient and independent of government subsidies.

Inspection Policies, Housing Quality Standards and Damage Claims

The City will inspect all units to ensure that they meet Housing Quality Standards (HQS). No unit will be initially placed on the Section 8 Existing Program unless the HQS is met. Units will be inspected at least annually, and at other times as needed, to determine if the units meet HQS. The City must be allowed to inspect the dwelling unit at reasonable times with reasonable notice. The family and owner will be notified of the inspection appointment by first class mail. If the family cannot be at home for the scheduled inspection appointment, the family must call and reschedule the inspection or make arrangements to enable the City to enter the unit and complete the inspection.

If the family misses the scheduled inspection and/or fails to reschedule the inspection, the City will review the file for termination. If the unit fails inspection, the City will give the Landlord 30 days to do all repairs needed. If the City goes back out to reinspect and the unit still fails inspection, the City will suspend the housing assistance payment. If the Landlord does not contact the City within 15 days of suspension, the unit will go into abatement immediately. The City will consider the family to have violated a Family Obligation and the assistance will be terminated.

Types of Inspections

There are seven types of inspections for which the City is responsible:

Initial Inspection - An inspection that must take place to ensure that the unit passes HQS before assistance can begin.

Annual Inspection - An inspection to determine that the unit continues to meet HQS.

Complaint Inspection - An inspection caused by the Authority receiving a complaint on the unit by anyone.

Special Inspection - An inspection caused by a third party, i.e., HUD, needing to view the unit.

Emergency - An inspection that takes place in the event of a perceived emergency. These will take precedence over all other inspections.

Move Out Inspection (if applicable) - An inspection required for units in service before October 2, 1995, and optional after that date. These inspections document the condition of the unit at the time of the move-out.

Quality Control Inspection - Supervisory inspections based on at least the minimum number required by the Section 8 Management Assessment Program (SEMAP).

Owner and Family Responsibilities for HQS

Owner Responsibility for HQS

The owner must maintain the unit in accordance with HQS. If the owner fails to maintain the dwelling unit in accordance with HQS, the City will take prompt and vigorous action to enforce the owner obligations. The City's remedies for such breach of the HQS include termination, suspension or reduction of housing assistance payments and termination of the HAP contract.

The City will not make any housing assistance payments for a dwelling unit that fails to meet the HQS, unless the owner corrects the defect within the period specified by the City and the City verifies the correction. If a defect is life threatening, the owner must correct the defect within no more than 24 hours. For other defects the owner must correct the defect within no more than 30 calendar days (or any City approved extension). If the required repair is not made in a timely manner, the rent shall be abated beginning with the next rent check. If two (2) consecutive checks are abated, the assistance shall be cancelled.

The owner is not responsible for a breach of the HQS that is not caused by the owner, and for which the family is responsible. Furthermore, the City may terminate assistance to a family because of the HQS breach caused by the family.

Family Responsibility for HQS

The family is responsible for a breach of the HQS that is caused by failing to pay for any utilities that the owner is not required to pay for, but which are to be paid by the resident; the family fails to provide and maintain any appliances that the owner is not required to provide, but which are to be provided by the participant; or any member of the household or a guest damages the dwelling unit or premises (damage beyond ordinary wear and tear).

If an HQS breach caused by the family is life threatening, the family must correct the defect within no more than 24 hours. For other family-caused defects, the family must correct the defect within no more than 30 calendar days (or any City approved extension deadline).

If the family has caused a breach of the HQS, the City will take prompt and vigorous action to enforce the family obligations. The City may terminate assistance for the family in accordance with 24 CFR 982.552.

Housing Quality Standards (HQS) 24 CFR 982.401

This Section states performance and acceptability criteria for these key aspects of the following housing quality standards:

Sanitary Facilities

Performance Requirement

The dwelling unit must include sanitary facilities located in the unit. The sanitary facilities must be in proper operating condition and adequate for personal cleanliness and the disposal of human waste. The sanitary facilities must be usable in privacy.

Acceptability Criteria

The bathroom must be located in a separate private room and have a flush toilet in proper operating condition. The dwelling unit must have a fixed basin in proper operating condition, with a sink trap and hot and cold running water. The dwelling unit must have a shower or a tub in proper operating condition with hot and cold running water. The facilities must utilize an approvable public or private disposal system (including a locally approvable septic system).

Food Preparation and Refuse Disposal

Performance Requirements

The dwelling unit must have suitable space and equipment to store, prepare, and serve foods in a sanitary manner. There must be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage where necessary (e.g., garbage cans).

Acceptability Criteria

The dwelling unit must have an oven, a stove or range, and a refrigerator of appropriate size for the family. All of the equipment must be in proper operating condition. Either the owner or the family may supply the equipment. A microwave oven may be substituted for a tenant-supplied oven and stove or range. A microwave oven may be substituted for an owner-supplied oven and stove or range if the resident agrees and microwave ovens are furnished instead of an oven and stove or range to both subsidized and unsubsidized tenants in the building or premises.

The dwelling unit must have a kitchen sink in proper operating condition, with a sink trap and hot and cold running water. The sink must drain into an approvable public or private system. The dwelling unit must have space for the storage, preparation, and serving of food. There must be facilities and services for the sanitary disposal of food waste and refuse, including temporary storage facilities where necessary (e.g., garbage cans).

Space and Security

Performance Requirement

The dwelling unit must provide adequate space and security for the family.

Acceptability Criteria

At a minimum, the dwelling unit must have a living room, a kitchen area, and a bathroom. The dwelling unit must have at least one bedroom or living/ sleeping room for each two persons. Children of opposite sex, other than very young children, may not be required to occupy the same bedroom or living/sleeping room. Dwelling unit windows that are accessible from the outside, such as basement, first floor, and fire escape windows, must be lockable (such as window units with sash pins or sash locks, and combination windows with latches). Windows that are nailed shut are acceptable only if these windows are not needed for ventilation or as an alternate exit in case of fire. The exterior doors of the dwelling unit must be lockable. Exterior doors are doors by which someone can enter or exit the dwelling unit.

Thermal Environment

Performance Requirement

The dwelling unit must have and be capable of maintaining a thermal environment healthy for the human body.

Acceptability Criteria

There must be a safe system for heating the dwelling unit (and a safe cooling system, where present). The system must be in proper operating condition. The system must be able to provide adequate heat (and cooling, if applicable), either directly or indirectly, to each room, in order to assure a healthy living environment appropriate to the climate. The dwelling unit must not contain unvented room heaters that burn gas, oil, or kerosene. Electric heaters are acceptable.

Illumination and Electricity

Performance Requirement

Each room must have adequate natural or artificial illumination to permit normal indoor activities and to support the health and safety of occupants. The dwelling unit must have sufficient electrical sources so occupants can use essential electrical appliances. The electrical fixtures and wiring must ensure safety from fire.

Acceptability Criteria

There must be at least one window in the living room and in each sleeping room. The kitchen area and the bathroom must have a permanent ceiling or wall light fixture in proper operating condition. The kitchen area must also have at least one electrical outlet in proper operating condition. The living room and each bedroom must have at least two electrical outlets in proper operating condition. Permanent overhead or wall-mounted light fixtures may count as one of the required electrical outlets.

Structure and Materials

Performance Requirement

The dwelling unit must be structurally sound. The structure must not present any threat to the health and safety of the occupants and must protect the occupants from the environment.

Acceptability Criteria

Ceilings, walls, and floors must not have any serious defects such as severe bulging or leaning, large holes, loose surface materials, severe buckling, missing parts, or other serious damage. The roof must be structurally sound and weather tight. The exterior wall structure and surface must not have any serious defects such as serious leaning, buckling, sagging, large holes, or defects that may result in air infiltration or vermin infestation. The condition and equipment of interior and exterior stairs, halls, porches, walkways, etc., must not present a danger of tripping and falling. For example, broken or missing steps or loose boards are unacceptable. Elevators must be working and safe.

Interior Air Quality

Performance Requirement

The dwelling unit must be free of pollutants in the air at levels that threaten the health of the occupants.

Acceptability Criteria

The dwelling unit must be free from dangerous levels of air pollution from carbon monoxide, sewer gas, fuel gas, dust, and other harmful pollutants. There must be adequate air circulation in the dwelling unit. Bathroom areas must have one window that can be opened or other adequate exhaust ventilation. Any room used for sleeping must have at least one window. If the window is designed to be opened, the window must work.

Water Supply

Performance Requirement

The water supply must be free from contamination.

Acceptability Criteria

The dwelling unit must be served by an approvable public or private water supply that is sanitary and free from contamination.

Lead-based Paint

Performance Requirement

The Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and implementing regulations at part 35, subparts A, B, M, and R of this title apply to units assisted under this part.

Acceptability Criteria

The requirements apply to dwelling units built prior to 1978 that are occupied or can be occupied by families with children less than six years of age, excluding zero bedroom dwellings. During initial and annual inspections of pre-1978 units that are occupied or will be occupied by families with children less than 6 years of age, the inspector must conduct a visual assessment for deteriorated paint surfaces and the owner must stabilize deteriorated surfaces. Applicable areas include painted surfaces within the dwelling unit, exterior painted surfaces associated with the dwelling unit, and common areas of the building through which residents must pass to gain access to the unit and areas frequented by resident children under six years of age, including play areas and child care facilities. For units occupied by environmental intervention blood lead level (lead poisoned) children under six years of age, a risk assessment must be conducted (paid for by the PHA), and the owner must complete hazard reduction activities if lead hazards are identified during the risk assessment.

Access

Performance Requirement

The dwelling unit must be able to be used and maintained without unauthorized use of other private properties. The building must provide an alternate means of exit in case of fire (such as fire stairs or egress through windows).

Site and Neighborhood

Performance Requirement

The site and neighborhood must be reasonably free from disturbing noises and reverberations and other dangers to the health, safety, and general welfare of the occupants.

Acceptability Criteria

The site and neighborhood may not be subject to serious adverse environmental conditions, natural or manmade, such as dangerous walks or steps; instability; flooding, poor drainage, septic tank back-ups or sewage hazards; mudslides; abnormal air pollution, smoke or dust; excessive noise, vibration or vehicular traffic; excessive accumulations of trash; vermin or rodent infestation; or fire hazards.

Sanitary Conditions

Performance Requirement

The dwelling unit and its equipment must be in sanitary condition.

Acceptability Criteria

The dwelling unit and its equipment must be free of vermin and rodent infestation.

Smoke Detectors

Performance Requirements

Except as provided in paragraph b below of this Section, each dwelling unit must have at least one battery-operated or hard-wired smoke detector, in proper operating condition, on each level of the dwelling unit, including basements but excepting crawl spaces and unfinished attics.

Smoke detectors must be installed in accordance with and meet the requirements of the National Fire Protection Association Standard (NFPA) 74 (or its successor standards). If the dwelling unit is occupied by any hearing-impaired person, smoke detectors must have an alarm system, designed for hearing-impaired persons as specified in NFPA 74 (or successor standards).

For units assisted prior to April 24, 1993, owners who installed battery-operated or hard-wired smoke detectors prior to April 24, 1993, in compliance with HUD's smoke detector requirements, including the regulations published on July 30, 1992 (57 FR 33846), will not be required subsequently to comply with any additional requirements mandated by NFPA 74 (i.e., the owner would not be required to install a smoke detector in a basement not used for living purposes, nor would the owner be required to change the location of the smoke detectors that have already been installed on the other floors of the unit).

Lead Based Paint Requirements and Responsibilities

Exempt Units

The following units are exempt from this policy as it relates to lead-based paint requirements:

- Units built after December 31, 1977;
- Zero (0) bedroom and Single Room Occupancy (SRO) units;
- Housing built for the elderly or persons with disabilities, unless a child of under age six (6) resides or is expected to reside in such housing;

- Properties for which a paint inspection was completed in accordance with the new regulations that became effective on September 15, 2000, and are certified to have no lead-based paint;
- Properties in which all lead-based paint was identified, was removed, and that received clearance in accordance with the new regulations that became effective on September 15, 2000.

Non-Exempt or Covered Units

For dwellings built before January 1, 1978, and occupied or to be occupied by assisted families with one or more children under age six (6), lead-based paint requirements apply to the unit interior and exterior paint surfaces associated with the assisted unit and the common areas servicing the unit, including those areas through which residents must pass to gain access to the unit, and other areas frequented by resident children less than six (6) such as play areas, and child care facilities. Common areas also include garages and fences on the assisted property.

Responsibilities of the City

The City is responsible for the visual assessment for deteriorated paint (i.e., peeling, chipping, flaking) surfaces at initial and annual inspections; assuring that clearance examinations are conducted when required; carrying out special requirements for children under age six who have environmental intervention blood lead levels as verified by a medical health care provider; collecting data from the local health department on program participants under age six who have identified environmental intervention blood lead levels; and record keeping.

Responsibilities of the Owner

The owner shall disclose known lead-based paint hazards to all potential residents prior to execution of a lease; provide all prospective families with a copy of Protect Your Family From Lead in Your Home or other EPA approved document; as necessary, perform paint stabilization to correct deteriorated paint; each time paint stabilization is performed, notify the resident about the conduct of lead hazard reduction activities and clearance (if required); conduct lead hazard reduction activities when required by the City; perform all work in accordance with HUD prescribed safe work practices and conduct clearance activities when required; and perform ongoing maintenance. As part of ongoing maintenance, the owner must provide written notice to each assisted family asking the occupants to report deteriorated paint. The notice must include the name, address, and phone number of the person responsible for accepting the occupant's complaint.

Before the execution of the lease the owner is required to disclose any knowledge of lead-based paint or lead-based paint hazards in housing built prior to 1978 to all prospective residents. The City will keep a copy of the disclosure notice executed by the owner and resident in the participant's file. The owner will keep the original disclosure notice and forward a copy of the notice to the City

Qualified Inspectors

An HQS inspector may conduct the inspection or other party designated by the City. All inspectors must have been trained in visual assessment in accordance with procedures established by HUD.

Visual Assessment for Deteriorated Paint

The City during the conduct of initial, annual and any special inspections of pre-1978 units that are occupied or will be occupied by families with children under 6 years of age. The City will conduct a visual inspection for deteriorated paint surfaces at all unit interior and exterior painted surfaces associated with the assisted unit; and common areas such as common hallways, access and egress areas, playgrounds, child-care facilities, or other areas including fences and garages frequented by children under age six.

Stabilization of Deteriorated Paint Surfaces

When the HQS Inspector or other designated party identifies deteriorated paint surfaces (defined as interior or exterior paint or other coating that is peeling, chipping, flaking, cracking, is otherwise damaged or has separated from the substrate of the surface or fixture), the City will notify and require the owner to perform stabilization of the surfaces within thirty (30) calendar days of the notification by the City's inspection for occupied units and before commencement of any assisted tenancy.

Owner requirements for compliance with the City's paint stabilization differ, depending upon the amount of deteriorated paint surface to be corrected. The use of lead-safe work practices during paint stabilization activities are differentiated characterized as above or below de minimis levels. De minimis deteriorated paint surfaces are exceeded when 20 square feet on exterior surfaces; two square feet on an interior surface in a single room or interior space; or 10 percent of individual small components (e.g. windowsills) on the interior or exterior.

Owners must perform paint stabilization on all deteriorated paint surfaces. Paint stabilization is defined as repair of any physical defect in the substrate of the painted surface or building component. Examples of defective substrate conditions include dry-rot, rust, moisture-related defects, crumbling plaster, missing siding, or other components not securely fastened; removal of all loose paint and other loose material from the surface being treated; and application of a new protective coat of paint to the stabilized surface.

In no instance may an owner employ any paint stabilization methods that are strictly prohibited by federal, state, or local law. This includes open flame burning and torching; machine-sanding or grinding without a high-efficiency particulate air (HEPA) local exhaust control; heat guns operating above 1,100 degrees Fahrenheit; abrasive blasting or sandblasting with HEPA exhaust control; dry sanding and scraping except limited conditions stated above for limited areas; and paint stripping in poorly ventilated space using a volatile

stripper or a hazardous chemical as defined by Occupational Safety and Health Administration (OSHA).

Failure to comply with paint stabilization requirements, regardless of the amount of deteriorated surface, will result in the disapproval of the tenancy, abatement of payment to the owner, and/or termination of the HAP contract.

In addition, in order to be in compliance with HUD lead-based paint requirements if the deteriorated paint surface exceeds the de minimis level, the owner must:

- Conduct all stabilization activities with trained staff;
- Employ acceptable methods for preparing the surface to be treated, including wet scraping, wet sanding, and power sanding performed in conjunction with a HEPA filtered local exhaust attachment operated according to manufacturer's instruction;
- Not dry sand or dry scrape within one (1) square foot of electrical outlets;
- Protect the occupants and their belongings from contamination;
- Notify the occupants within fifteen (15) calendar days of stabilization activity and provide the results of the clearance examination.

Clearance Activities of Deteriorated Paint Services

The City will be responsible for clearance activities. All clearance activities will be performed by persons who have EPA or state-approved training and are licensed or certified to perform clearance examinations.

The City will pay for the costs of the first clearance examination. If further clearance examinations are required, the owner is responsible to cover the costs of subsequent tests.

The owner must provide the City with an executed copy of the Lead-Based Paint Owner's Certification for the HQS violation for paint stabilization to be considered closed.

Below de minimis Deteriorated Paint Surfaces

If the amount of deteriorated paint is below the de minimis level, owners will not be required to perform lead-safe work practices and clearance, but owners must perform paint stabilization as follows:

- Repair of any physical defect in the substrate of the painted surface or building component. Examples of defective substrate conditions include dry-rot, rust, moisture-related defects, crumbling plaster, missing siding, or other components not securely fastened;
- Removal of all loose paint and other loose material from the surface being treated; and
- Application of a new protective coat of paint to the stabilized surface.

In no instance may an owner employ any paint stabilization methods that are strictly prohibited by federal, state, or local law such as:

- Open flame burning and torching;
Machine-sanding or grinding without a high-efficiency particulate air (HEPA) local exhaust control;
- Heat guns operating above 1,100 degrees Fahrenheit;
- Abrasive blasting or sandblasting with HEPA exhaust control;
- Dry sanding and scraping except limited conditions stated above for limited areas; and
- Paint stripping in poorly ventilated space using a volatile stripper or a hazardous chemical as defined by Occupational Safety and Health Administration (OSHA).

Failure to comply with paint stabilization requirements, regardless of the amount of deteriorated surface, results in disapproval of the tenancy, abatement of payment to the owner, and/or termination of the HAP contract.

Requirements for Children with Environmental Intervention Blood Lead Levels

Should the City receive information regarding an environmental intervention blood lead level child under age six from the family, owner, or other sources not associated with the medical health community, the City will immediately verify the information with a public health department or other medical health care provider.

If either the public health department or private medical health agency provides verification that the child has an environmental intervention blood lead level, the City will proceed to complete a risk assessment of the unit, common areas and exterior surfaces as outlined in the Administrative Plan. This requirement does not apply if the public health department has already conducted an evaluation between the date the child's blood was last sampled and the receipt of notification of the child's condition.

If the City receives a report of an environmental intervention blood lead level child from any source other than the public health department, the City will notify the public health department with five (5) working days.

HUD has defined environmental intervention blood lead level as a confirmed concentration of lead in whole blood equal or greater than 20 ug/dL (micrograms of lead per deciliter) for a single test or 15-19 ug/dL in two tests taken at least three (3) months apart in children under age six.

Risk Assessment

Within fifteen (15) calendar days of the notification to the City by a public health department or medical health care provider, the City will complete a risk assessment of the dwelling unit, including common areas servicing the dwelling unit, if the child lived in the unit at the time the child's blood was sampled. If the public health department has already conducted an

evaluation between the date the child's blood was last sample and the receipt of notification of the child's condition, the risk assessment by the City is not required. The City will only utilize persons trained and certified by an EPA or state-approved agency to perform risk assessments. The risk assessment will identify the appropriate method of correction if correction is required.

The risk assessment will involve an on-site investigation to determine the existence, nature, severity, and location of lead-based paint hazards. The investigation will include dust and soil sampling, visual evaluation, and may include paint inspections (tests for lead in paint). The assessor will issue a report to the City explaining the results of the investigation, as well as option and requirements for reducing lead-based paint hazards. Upon receipt of the risk assessment, the City shall immediately notify the owner of its results.

The owner must notify the building residents of the results of the risk assessment within fifteen (15) calendar days of receipt of the risk assessment results from the City.

Hazard Reduction

The owner must complete reduction of identified lead-based paint hazards as identified in the risk assessment as outlined in Subsection H of this Section within thirty (30) calendar days (or date specified by the City if an extension is granted for exterior surfaces). Hazard reduction activities may include paint stabilization, abatement, interim controls, or dust and soil contamination control. The appropriate method of correction will be identified in the risk assessment.

Hazard reduction will be considered complete by the City when a clearance examination has been completed and the report indicates that all identified hazards have been treated and clearance has been achieved, or when the public health department certifies that the hazard reduction is complete. The owner must notify all building residents of any hazard reduction activities within fifteen (15) calendar days of completion of activities. Like paint stabilization compliance, when the City receives the owner's certification, this will signal compliance with lead hazard reduction activities.

Failure by the owner to complete hazard reduction activities (including clearance) within thirty (30) calendar days (or later if the City grants an extension for exterior surfaces) of notification constitutes a violation of HQS, and appropriate action against the owner will be taken if a program family occupies the unit. If the unit is vacant when the City notifies the owner, the unit may not be reoccupied by another assisted family, regardless of the ages of children in the family, until compliance with the lead-based paint requirement is completed.

City Data Collection and Record Keeping

Quarterly, the City will attempt to obtain from the public health department having jurisdiction in the same area as the City, the names and addresses of children under age six with an identified environmental intervention blood lead level.

The City will match information received from the health department with information about program families. If a match occurs, the City will follow all procedures for notifying owners and conducting risk assessments as stated above.

Quarterly, the City will report a list of addresses of units occupied by children under age six, receiving assistance to the public health department, unless the health department indicates in writing that such a report is not necessary. The City will inform owners of lead-based paint regulations especially those related to prohibited and safe work practices, resident protection during lead-based paint activities, and notification requirements. This will be accomplished through written material provided by the City.

The City is responsible for issuing and maintaining in the file the notification to the owner of any needed corrections and appropriate methods to correct lead hazards, and of the deadline for completing the corrections.

Time Frames and Corrections of HQS Fail Items

Correcting Initial HQS Fail Items

The City will schedule a timely inspection of the unit on the date the owner indicates that the unit will be ready for inspection, or as soon as possible thereafter (within 5 working days) upon receipt of a Request for Tenancy Approval. The owner and participant will be notified in writing of the results of the inspection. If the unit fails HQS, the owner and the participant will be advised to notify the City to reschedule a re-inspection when the repairs have been properly completed.

On an initial inspection, the owner will be given up to 30 calendar days to correct the items noted as failed, depending on the extent of the repairs that are required to be made. No unit will be placed in the program until the unit meets the HQS requirements.

HQS Fail Items for Units under Contract

The owner or participant will be given time to correct the failed items cited on the inspection report for a unit already under contract. If the failed items endanger the family's health or safety (using the emergency item in Section 12.7), the owner or participant will be given 24 hours to correct the violations. For less serious failures, the owner or participant will be given up to 30 calendar days to correct the failed item(s).

If the owner fails to correct the HQS failed items after proper notification has been given, the City will abate payment and terminate the contract in accordance with this Administrative Plan.

If the participant fails to correct the HQS failed items that are family-caused after proper notification has been given, the City will terminate assistance for the family in accordance with this Administrative Plan.

Time Frames for Corrections

Emergency repair items must be abated within 24 hours. Repair of refrigerators, range and oven, or a major plumbing fixture supplied by the owner must be abated within 72 hours. Non-emergency items must be completed within 10 calendar days of the initial inspection. For major repairs, the owner will have up to 30 calendar days to complete.

Extensions

At the sole discretion of the City, extensions of up to 30 calendar days may be granted to permit an owner to complete repairs if the owner has made a good faith effort to initiate repairs. If repairs are not completed within 60 calendar days after the initial inspection date, the City will abate the rent and cancel the HAP contract for owner noncompliance. Appropriate extensions will be granted if a severe weather condition exists for such items as exterior painting and outside concrete work for porches, steps, and sidewalks.

Emergency Fail Items

The following items are emergency items that need to be abated within 24 hours:

- No hot or cold water
- No electricity
- Inability to maintain adequate heat
- Major plumbing leak
- Natural gas, propane, or LP gas leak
- Broken lock(s) on first floor doors or windows
- Broken windows that unduly allow weather elements into the unit
- Electrical outlet smoking or sparking
- Exposed electrical wires which could result in shock or fire
- Unusable toilet when only one toilet is present in the unit
- Security risks such as broken doors or windows that would allow intrusion
- Other conditions which pose an immediate threat to health or safety

Abatement

When a unit fails to meet HQS and the owner has been given an opportunity to correct the deficiencies, but has failed to do so within the required timeframe, the rent for the dwelling unit will be abated as of the first day of the next month. If the corrections of deficiencies are not made the abatement will continue until the HAP contract is terminated. When the deficiencies are corrected, the City will end the abatement the day the unit passes inspection. Rent will resume the day the unit passes inspection and be paid the first day of the next month.

form HUD 50075 (03/2003)

For participant caused HQS deficiencies, the owner will not be held accountable and the rent will not be abated. The participant is held to the same standard and timeframes for correction of deficiencies as owners. If repairs are not completed by the deadline, the City will send a notice of termination to both the participant and the owner. The participant will be given the opportunity to request an informal hearing. HAP contracts will be terminated after giving the owner thirty (30) calendar day's notice from the first day of a month. It will be sent with the Notice of Abatement. Termination will end any abatement action.

6. PHA Grievance Procedures

[24 CFR Part 903.7 9 (f)]

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

NOT APPLICABLE

A. Public Housing

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

If yes, list additions to federal requirements below:

2. Which PHA office should residents or applicants to public housing contact to initiate the PHA grievance process? (select all that apply)
- PHA main administrative office
 - PHA development management offices
 - Other (list below)

B. Section 8 Tenant-Based Assistance

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

If yes, list additions to federal requirements below:

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

7. Capital Improvement Needs

[24 CFR Part 903.7 9 (g)]

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

Exempt

A. Capital Fund Activities

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

(1) Capital Fund Program Annual Statement

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

Select one:

The Capital Fund Program Annual Statement is provided as an attachment to the PHA Plan at Attachment (state name)

-or-

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

(2) Optional 5-Year Action Plan

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

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

b. If yes to question a, select one:

The Capital Fund Program 5-Year Action Plan is provided as an attachment to the PHA Plan at Attachment (state name)

-or-

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

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

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

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

b) Status of HOPE VI revitalization grant (complete one set of questions for each grant)

1. Development name:
2. Development (project) number:
3. Status of grant: (select the statement that best describes the current status)
 - Revitalization Plan under development
 - Revitalization Plan submitted, pending approval
 - Revitalization Plan approved
 - Activities pursuant to an approved Revitalization Plan underway

Yes No: c) Does the PHA plan to apply for a HOPE VI Revitalization grant in the Plan year?
If yes, list development name/s below:

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

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

8. Demolition and Disposition

[24 CFR Part 903.7 9 (h)]

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

Not Applicable

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

2. Activity Description

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

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

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

[24 CFR Part 903.7 9 (i)]

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

NOT APPLICABLE

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

2. Activity Description

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

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

10. Conversion of Public Housing to Tenant-Based Assistance

[24 CFR Part 903.7 9 (j)]

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

Not Applicable

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

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

2. Activity Description

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

Conversion of Public Housing Activity Description	
1a. Development name:	
1b. Development (project) number:	

form HUD 50075 (03/2003)

2. What is the status of the required assessment?

Assessment underway

Assessment results submitted to HUD

Assessment results approved by HUD (if marked, proceed to next question)

Other (explain below)

3. Yes No: Is a Conversion Plan required? (If yes, go to block 4; if no, go to block 5.)

4. Status of Conversion Plan (select the statement that best describes the current status)

Conversion Plan in development

Conversion Plan submitted to HUD on: (DD/MM/YYYY)

Conversion Plan approved by HUD on: (DD/MM/YYYY)

Activities pursuant to HUD-approved Conversion Plan underway

5. Description of how requirements of Section 202 are being satisfied by means other than conversion (select one)

Units addressed in a pending or approved demolition application (date submitted or approved: _____)

Units addressed in a pending or approved HOPE VI demolition application (date submitted or approved: _____)

Units addressed in a pending or approved HOPE VI Revitalization Plan (date submitted or approved: _____)

Requirements no longer applicable: vacancy rates are less than 10 percent

Requirements no longer applicable: site now has less than 300 units

Other: (describe below)

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

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

11. Homeownership Programs Administered by the PHA

[24 CFR Part 903.7 9 (k)]

A. Public Housing

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

Not Applicable

1. Yes No: Does the PHA administer any homeownership programs administered by the PHA under an approved section 5(h) homeownership program (42 U.S.C. 1437c(h)), or an approved

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

2. Activity Description

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

Public Housing Homeownership Activity Description (Complete one for each development affected)
1a. Development name: 1b. Development (project) number:
2. Federal Program authority: <input type="checkbox"/> HOPE I <input type="checkbox"/> 5(h) <input type="checkbox"/> Turnkey III <input type="checkbox"/> Section 32 of the USHA of 1937 (effective 10/1/99)
3. Application status: (select one) <input type="checkbox"/> Approved; included in the PHA’s Homeownership Plan/Program <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date Homeownership Plan/Program approved, submitted, or planned for submission: (DD/MM/YYYY)
5. Number of units affected: 6. Coverage of action: (select one) <input type="checkbox"/> Part of the development <input type="checkbox"/> Total development

B. Section 8 Tenant Based Assistance

1. Yes No: Does the PHA plan to administer a Section 8 Homeownership program pursuant to Section 8(y) of the U.S.H.A. of 1937, as implemented by 24 CFR part 982 ? (If “No”, skip to component 12; if “yes”, describe each program using the table below (copy

form HUD 50075 (03/2003)

and complete questions for each program identified), unless the PHA is eligible to complete a streamlined submission due to high performer status. **High performing PHAs** may skip to component 12.)

2. Program Description:

a. Size of Program

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

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

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

b. PHA-established eligibility criteria

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

If yes, list criteria below:

Section 8 Homeownership Capacity Statement:

FSS Family participants are generally eligible for the HO Program although exceptions for participation in this program may be approved by the Section 8 Programs Director and/or the Program Coordinator. Participants must be assisted by the Section 8 Program, be first time homebuyers, HOH, in good standing with the City, be an active FSS program participant, participate in a mortgage ready counseling program, be employed full time and income must equal or exceed two times the payment standard for the family unit size, locate a home to purchase within a reasonable timeframe and must secure their own financing. This program is successful. One of the collaborative housing agencies is located on site and we work in partnership with potential homebuyers and lenders.

12. PHA Community Service and Self-sufficiency Programs

[24 CFR Part 903.7 9 (l)]

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

Not Applicable

A. PHA Coordination with the Welfare (TANF) Agency

1. Cooperative agreements:

Yes No: Has the PHA has entered into a cooperative agreement with the TANF Agency, to share information and/or target supportive

services (as contemplated by section 12(d)(7) of the Housing Act of 1937)?

If yes, what was the date that agreement was signed? DD/MM/YY

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

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

B. Services and programs offered to residents and participants

(1) General

a. Self-Sufficiency Policies

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

- Public housing rent determination policies
- Public housing admissions policies
- Section 8 admissions policies
- Preference in admission to section 8 for certain public housing families
- Preferences for families working or engaging in training or education programs for non-housing programs operated or coordinated by the PHA
- Preference/eligibility for public housing homeownership option participation
- Preference/eligibility for section 8 homeownership option participation
- Other policies (list below)

b. Economic and Social self-sufficiency programs

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

Services and Programs				
Program Name & Description (including location, if appropriate)	Estimated Size	Allocation Method (waiting list/random selection/specific criteria/other)	Access (development office / PHA main office / other provider name)	Eligibility (public housing or section 8 participants or both)

(2) Family Self Sufficiency program/s

a. Participation Description

Family Self Sufficiency (FSS) Participation		
Program	Required Number of Participants (start of FY 2005 Estimate)	Actual Number of Participants (As of: DD/MM/YY)
Public Housing		
Section 8		

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

C. Welfare Benefit Reductions

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

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

13. PHA Safety and Crime Prevention Measures

[24 CFR Part 903.7 9 (m)]

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

NOT APPLICABLE

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

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

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

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

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

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

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

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

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

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

C. Coordination between PHA and the police

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

- Police involvement in development, implementation, and/or ongoing evaluation of drug-elimination plan
- Police provide crime data to housing authority staff for analysis and action
- Police have established a physical presence on housing authority property (e.g., community policing office, officer in residence)
- Police regularly testify in and otherwise support eviction cases
- Police regularly meet with the PHA management and residents
- Agreement between PHA and local law enforcement agency for provision of above-baseline law enforcement services
- Other activities (list below)

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

D. Additional information as required by PHDEP/PHDEP Plan

PHAs eligible for FY 2005 PHDEP funds must provide a PHDEP Plan meeting specified requirements prior to receipt of PHDEP funds.

- Yes No: Is the PHA eligible to participate in the PHDEP in the fiscal year covered by this PHA Plan?
- Yes No: Has the PHA included the PHDEP Plan for FY 2005 in this PHA Plan?
- Yes No: This PHDEP Plan is an Attachment. (Attachment Filename: ____)

14. RESERVED FOR PET POLICY

[24 CFR Part 903.7 9 (n)]

15. Civil Rights Certifications

[24 CFR Part 903.7 9 (o)]

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

16. Fiscal Audit

[24 CFR Part 903.7 9 (p)]

1. Yes No: Is the PHA required to have an audit conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h))?
(If no, skip to component 17.)
2. Yes No: Was the most recent fiscal audit submitted to HUD?
3. Yes No: Were there any findings as the result of that audit?
4. Yes No: If there were any findings, do any remain unresolved?
If yes, how many unresolved findings remain? _____
5. Yes No: Have responses to any unresolved findings been submitted to HUD?
If not, when are they due (state below)?

17. PHA Asset Management

[24 CFR Part 903.7 9 (q)]

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

Not Applicable

1. Yes No: Is the PHA engaging in any activities that will contribute to the long-term asset management of its public housing stock, including how the Agency will plan for long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs that have **not** been addressed elsewhere in this PHA Plan?
2. What types of asset management activities will the PHA undertake? (select all that apply)
 - Not applicable
 - Private management
 - Development-based accounting
 - Comprehensive stock assessment
 - Other: (list below)
3. Yes No: Has the PHA included descriptions of asset management activities in the **optional** Public Housing Asset Management Table?

18. Other Information

[24 CFR Part 903.7 9 (r)]

A. Resident Advisory Board Recommendations

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

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

Attached at Attachment (File name)

Provided below:

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

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

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

Other: (list below)

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

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

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

3. Description of Resident Election Process

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

Candidates were nominated by resident and assisted family organizations

Candidates could be nominated by any adult recipient of PHA assistance

Self-nomination: Candidates registered with the PHA and requested a place on ballot

Other: (describe)

b. Eligible candidates: (select one)

Any recipient of PHA assistance

Any head of household receiving PHA assistance

Any adult recipient of PHA assistance

Any adult member of a resident or assisted family organization

Other (list)

c. Eligible voters: (select all that apply)

All adult recipients of PHA assistance (public housing and section 8 tenant-based assistance)

Representatives of all PHA resident and assisted family organizations

Other (list)

C. Statement of Consistency with the Consolidated Plan

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

1. Consolidated Plan jurisdiction: (Cobb County)

2. The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the jurisdiction: (select all that apply)
 - The PHA has based its statement of needs of families in the jurisdiction on the needs expressed in the Consolidated Plan/s.
 - The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
 - The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
 - Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)
 - Other: (list below)

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

Goals

The 1995-97 Cobb County goals are; (1) Standard Housing - Eliminate substandard housing for low-and moderate-income persons and families; (2) Affordable Housing - Increase access to affordable housing for very low-, other low-and moderate income persons and families; (3) Special Needs Housing - Assist in providing housing opportunities for non- homeless persons with special needs; (4) Housing for the Homeless - Address the housing and supportive service needs of homeless families and individuals; (5) Homeless Prevention - Take positive actions to prevent homelessness for the very low- and other low-income residents.

Action Plan

The Consolidated Plan also includes an action plan constituting an application for funds under three different HUD formula programs for a total of \$ 3.4 million: Community Development Block program (CDBG), the Emergency Shelter Grants program (ESG), and the HOME investments Partnership Program. These funds will support the activities to be funded for the 1995 program year.

Citizen Participation

On October 18, 1994 Public Hearings of the Consolidated Plan were held in the main branch of the Cobb County Public Library. Many public service agencies attended the hearings and were able to raise questions and have their questions addressed in a public forum.

The following is an estimation of needs for housing and supportive services for the ensuing three-year period.

Housing

The number of housing units in Cobb County has increased from 113,271 units in 1980 to 189,872 year-round housing units in 1990, of which 171,288 are occupied. There are from 8,000 to 10,000 housing units that could benefit from improvements to correct current or incipient housing code violations; another 6,000 to 8,000 units need major energy renovations to make them compatible with current state energy codes. Seventy two percent of the existing substandard housing is suitable for repair or rehabilitation; however, low-income or elderly owners frequently cannot afford to make the needed repairs. Eighty three percent of low-income renters experience housing problems that could include living in substandard conditions, and/or a cost burden.

Homeless Needs

Approximately one percent of the Cobb County population is homeless on any given day. An estimated 4,913 homeless persons are living in Cobb County. The demand for shelter facilities (both emergency and transitional housing) and related services continues to increase, as the resources remain limited. The need is particularly acute for families with children who are homeless, living in overcrowded conditions, or at risk of becoming homeless. From October 1993 through September 1994, emergency and transitional shelters in Cobb County turned away 1080 requests for shelter due to insufficient shelter space.