

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

PHA Plans

5 Year Plan for Fiscal Years 2006 - 2010
Annual Plan for Fiscal Year 2006

**HOUSING AUTHORITY OF THE CITY OF CAMDEN
CAMDEN, NEW JERSEY**

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

**PHA Plan
Agency Identification**

PHA Name: Housing Authority of the City of Camden

PHA Number: NJ 010

PHA Fiscal Year Beginning: 01/2006

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 PHA
- PHA development management offices
- PHA local offices

Display Locations For PHA Plans and Supporting Documents

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

- Main administrative office of the PHA
- 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 PHA
- PHA development management offices
- Other (list below)

5-YEAR PLAN
PHA FISCAL YEARS 2006 - 2010
[24 CFR Part 903.5]

A. Mission

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

- The mission of the PHA is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.
- The PHA's mission is: (state mission here)

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:
Additional request for vouchers for split families at Roosevelt Manor
Apply for vouchers for Ablett Village if necessary and available.
 - Reduce public housing vacancies:
 - Leverage private or other public funds to create additional housing opportunities: Proceed with financial closings for the two final phases of Westfield Acres and three financial closings for Roosevelt Manor.
Continue to use Revenue Bonds at two developments.
Finish spending Energy Conservation Loan for energy efficient systems at HACC developments.
 - Acquire or build units or developments
 - Other (list below)
- PHA Goal: Improve the quality of assisted housing
Objectives:
- Improve public housing management: (PHAS score) 83 unaudit 2004
 - Improve voucher management: (SEMAP score) 85
 - 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:
(see attached Asset Management Table)
Mickle and Kennedy Towers: new elevators
Westfield Acres: 64 Senior units and 73 Family units
- Demolish or dispose of obsolete public housing:
(see attached Asset Management Table)
Demolition of 268 units at Roosevelt Manor by December 2006
Targeted demolition for new construction of approximately 30 units at
Branch Village.
Potential disposition of Ablett Village to the City for Cramer Hill project.
- Provide replacement public housing:
(see attached Asset Management Table)
Roosevelt Manor and Chelton Terrace, Branch Village, and Ablett Village
- Provide replacement vouchers: (see attached Asset Management Table)
Roosevelt Manor and Ablett Village
- Other: (see Attached Asset Management Table)
McGuire Gardens - New Passive Park and Tot Lot
Westfield Acres – New Community Center

- 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:
Roosevelt Manor and Ablett Village
 - Implement public housing site-based waiting lists: Baldwin's Run,
Chelton Terrace and McGuire Gardens.
 - 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:
Mixing Homeownership into our HOPE VI development projects,
Westfield Acres and Roosevelt Manor.

- Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments:
Mixed finance/ HOPE VI sites using income tiering.
- Implement public housing security improvements:
New lighting and security cameras to be installed at a number of sites.
- Designate developments or buildings for particular resident groups (elderly, persons with disabilities)
Kennedy, Mickle, and Westfield Towers elderly only.
- 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:
Roosevelt Manor by 10%
 - Provide or attract supportive services to improve assistance recipients' employability:
(2) Job developers on staff.
 - Provide or attract supportive services to increase independence for the elderly or families with disabilities.
Implementing an "Assisted Living" program at Kennedy Towers.
 - Other:

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:

- 1. Provide leadership in strengthening, expanding, and developing new governmental relationships.**
- 2. Provide leadership in coordinating an annual Legislative Awareness Event.**
- 3. Forecast Operating subsidy.**
- 4. Evaluate information for cost cutting decisions.**
- 5. Develop case management teams to serve Westfield Acres and Roosevelt Manor residents.**
- 6. Increase the level of employment at Roosevelt Manor by 10%.**
- 7. Close out Westfield Acres Social Services client files here possible.**
- 8. Provide services that are beneficial to the changing demographics of the population that the HACC serves; emphasis on aging residents.**
- 9. Improve the Hearing process for residents for Public Housing and Section 8 programs.**
- 10. Create an MIS Administrative Plan.**
- 11. Implement the developed MIS Administrative Plan.**
- 12. Complete a plan for constructing, acquiring or leasing new facilities for HACC's Administrative Office.**
- 13. Do the necessary physical upgrades and rehabilitation, using the recently secured bond funds, for Kennedy Towers in order to make it more accommodating for the Assisted Living Program being provided at the tower.**
- 14. Develop and implement a standardize system to monitor and track tools and equipment Authority wide.**
- 15. Recruit and retain quality staff.**
- 16. Develop detailed individual site evaluations using the (4) PHAS Indicators to determine needs, strengths, and weaknesses.**
- 17. Maintain 85% PIC compliance.**

- 18. Reduce vacancy rate by 5%.**
- 19. Increase resident satisfaction.**
- 20. Establish a 501 (c) (3) corporation.**
- 21. Provide wrap around services.**
- 22. Implement Housing Choice Section 8 Voucher Homeownership program**
- 23. Five families participating in the Housing Choice Section 8 Voucher Homeownership program to be homeowners by August 2006.**
- 24. Improve quality of life issues; enforce all laws equally.**
- 25. Implement an “Assisted Living” program at Kennedy Tower for those elderly residents who want to “age in place.”**

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.

The Housing Authority of the City of Camden (HACC) has proposed this Agency Plan in compliance with Section 511 of the Quality Housing and Work Responsibility Act of 1998 and ensuing department of Housing and Urban Development (HUD) requirements.

At the present time the HACC administers 1,586 conventional public housing units, 1,067 Section 8 vouchers, and 188 HOPE VI relocation vouchers. There are 306 elderly and disabled units and 1,280 family units in ten (10) public housing developments.

The HACC will complete the final construction phases of the 517 unit Westfield Acres HOPE VI Revitalization Plan. In addition, HACC's three developers will continue to implement the construction of the 672 unit Roosevelt Manor HOPE VI Revitalization Plan.

HACC has closed on an approximately \$6.9 million Revenue Bond that will be used for rehabilitation or redevelopment activities at Branch Village and Kennedy Towers.

Future Replacement Housing Factors funds provided by HUD will be used to leverage tax credits through the mixed finance program to redevelop HACC's remaining development sites.

HACC is also including in the 2006 Annual Plan a revision to the 2005 Annual Plan. The budget revisions and Budget Line Item uses are included in the attached 2005 Capital Fund Program Performance and Evaluation Report.

The HACC intends to continue to operate its programs effectively and efficiently. The HACC will pursue additional affordable housing for the City when appropriate opportunities are available, and will strive to make opportunities available to participants in its programs to enhance their quality of life.

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

	<u>Page #</u>
Annual Plan	
i. Executive Summary	1
ii. Table of Contents	2
1. Housing Needs	7
2. Financial Resources	13
3. Policies on Eligibility, Selection and Admissions	15
4. Rent Determination Policies	23
5. Operations and Management Policies	28
6. Grievance Procedures	29
7. Capital Improvement Needs	30
8. Demolition and Disposition	32
9. Designation of Housing	33
10. Conversions of Public Housing	34
11. Homeownership	36
12. Community Service Programs	38
13. Crime and Safety	41
14. Pets	43
15. Civil Rights Certifications (included with PHA Plan Certifications)	43
16. Audit	43
17. Asset Management	43
18. Other Information	44

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 ACOP**)
- Attachment nj010a01**
 - FY 2006 Capital Fund Program Annual Statement
 - FY 2006 Capital Fund Program Performance and Evaluation Report – Replacement Housing Factor
 - The Capital Fund Program 5-Year Action Plan

- Attachment nj010b01**
 - FY 2005 Capital Fund Program Performance and Evaluation Report – NJ39PO10501-05
 - FY 2005 Capital Fund Program Performance and Evaluation Report – Replacement Housing Factor – NJ39RO10501-05
 - FY 2004 Capital Fund Program Performance and Evaluation Report – NJ39PO10501-04
 - FY 2004 Capital Fund Program Performance and Evaluation Report – Replacement Housing Factor - NJ39RO10501-04
 - FY 2004 Revenue Bond Capital Fund Program Performance and Evaluation Report – NJ010D001B
 - FY 2003 Capital Fund Program Performance and Evaluation Report – NJ39PO10501-03
 - FY 2003 Capital Fund Program Performance and Evaluation Report – NJ39PO10502-03
 - FY 2003 Capital Fund Program Performance and Evaluation Report – Replacement Housing Factor – NJ39RO10501-03
 - FY 2002 Capital Fund Program Performance and Evaluation Report – NJ39PO10501-02
 - FY 2002 Capital Fund Program Performance and Evaluation Report – Replacement Housing Factor – NJ39RO10501-02
 - FY 2001 Capital Fund Program Performance and Evaluation Report – NJ39PO10501-01
 - FY 2001 Capital Fund Program Performance and Evaluation Report – Replacement Housing Factor – NJ39RO10501-01
 - FY 2000 Capital Fund Program Performance and Evaluation Report – Replacement Housing Factor – NJ39RO10501-00
- Most recent board-approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY)
- Assessment of Site-Based Waiting List Development Demographic Changes
- Attachment nj010c01** -Brief Statement of Progress in Meeting the 5-Year Mission and Goals
- Attachment nj010d01**– Section 8 Homeownership Capacity Statement
- Attachment nj010e01** – Pet Policy Statement
- Attachment nj010f01** – Resident Membership of the PHA Governing Board
- Attachment nj010g01** – Membership of the Resident Advisory Board
- Attachment nj010h01** – Community Service Summary
- Attachment nj010i01** – Statement of Section 8 Project-Based Vouchers

Optional Attachments:

- Attachment nj010j01**-PHA Management Organizational Chart
- Public Housing Drug Elimination Program (PHDEP) Plan
- Attachment nj010k01**– Comments of Resident Advisory Board or Boards (must be attached if not included in PHA Plan text)

- Other (List below, providing each attachment name)
Attachment nj010l01-Public Housing Asset Management Table
Attachment nj010m01- Section 8 Administrative Policy
Attachment nj010n01 Admissions and Continued Occupancy Policy

Supporting Documents Available for Review

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

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

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
X	methodology for setting public housing flat rents <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Determination
X	Schedule of flat rents offered at each public housing development <input type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
X	Section 8 rent determination (payment standard) policies <input type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Rent Determination
X	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation)	Annual Plan: Operations and Maintenance
X	Public housing grievance procedures <input type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Grievance Procedures
X	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs
N/A	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant	Annual Plan: Capital Needs
X	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs
X	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other approved proposal for development of public housing	Annual Plan: Capital Needs
N/A	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
X	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
X	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
X	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
X	Policies governing any Section 8 Homeownership program <input checked="" type="checkbox"/> check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
	Any cooperative agreement between the PHA and the TANF	Annual Plan: Community

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
X	agency	Service & Self-Sufficiency
X	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
X	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
N/A	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
N/A	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
N/A	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	Afford- ability	Supply	Quality	Access- ibility	Size	Loca- tion

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Afford-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Income <= 30% of AMI	6,465	5	5	5	N/A	N/A	5
Income >30% but <=50% of AMI	2,588	4	4	5	N/A	N/A	5
Income >50% but <80% of AMI	2,325	2	2	5	N/A	N/A	5
Elderly	1,674	2	2	5	N/A	N/A	5
Families with Disabilities	3,330	5	5	5	N/A	N/A	5
Race/Ethnicity Afr-Amer.	6,855	5	5	5	N/A	N/A	5
Race/Ethnicity Hispanic	4,825	5	5	5	N/A	N/A	5
Race/Ethnicity Asian	339	5	5	5	N/A	N/A	5
Race/Ethnicity Caucasian	752	5	5	5	N/A	N/A	5

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: 2005-2009
- 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)

- **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
--

Housing Needs of Families on the Waiting List			
Waiting list type: (select one)			
<input type="checkbox"/> Section 8 tenant-based assistance			
<input checked="" type="checkbox"/> Public Housing			
<input type="checkbox"/> Combined Section 8 and Public Housing			
<input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional)			
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	2637		237
Extremely low income <=30% AMI	2599	98.55	
Very low income (>30% but <=50% AMI)	35	1.32	
Low income (>50% but <80% AMI)	3	.11	
Families with children	2243	85.05	
Elderly families	262	9.93	
Families with Disabilities	48	1.82	
Race/ethnicity (Hispanic)	844	32%	
Race/ethnicity (Non Hispanic)	1793	68%	
Race/ethnicity			
Race/ethnicity			
Characteristics by Bedroom Size (Public Housing Only)			
1BR	390	14.78	35
2 BR	1125	42.66	101
3 BR	1095	41.52	99
4 BR	27	1.02	2
5 BR			
5+ BR			

Housing Needs of Families on the Waiting List	
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)? 13 month, June 2004	
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 type="checkbox"/> No <input checked="" type="checkbox"/> Yes The senior only waiting list is open	

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	2270		
Extremely low income <=30% AMI	2254	99.30	
Very low income (>30% but <=50% AMI)	16	.70	
Low income (>50% but <80% AMI)	0	0	
Families with children	1708	75.24	
Elderly families	355	15.64	
Families with Disabilities	207	9.18	
Race/ethnicity (Hispanic)	807	35.55	
Race/ethnicity (Non-Hispanic)	1463	64.45	
Race/ethnicity			
Race/ethnicity			
Characteristics by			

Housing Needs of Families on the Waiting List			
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)? 24 Months August 2003 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:

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: Increase housing stock – Working with City to acquire additional properties. Securing appropriate financing to renovate.

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: Introduction of assisted living development at Kennedy Towers.

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)
outreach to outside agencies

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	\$78,751,044	Day to Day operations of Public Housing program.
b) Public Housing Capital Fund/ 2005 Capital Fund Program/ RHF	\$3,539,524	Rehab of sites, Operations supplement, Salaries
c) HOPE VI Revitalization	\$20,000,000	Rebuild of Roosevelt Manor
d) HOPE VI Demolition	0	N/A
e) Annual Contributions for Section 8 Tenant-Based Assistance	\$9,464,597	Subsidize 1,067 Housing Choice Vouchers
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)	0	N/A

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
g) Resident Opportunity and Self-Sufficiency Grants	0	N/A
h) Community Development Block Grant	0	N/A
i) HOME	0	N/A
Other Federal Grants (list below)		
Youthbuild II	\$700,000	Trades training program for residents
Youthbuild III	\$700,000	Trades training program for residents
2. Prior Year Federal Grants (unobligated funds only) (list below)	0	N/A
Capital Fund 04	\$1,066,263	Modernization/ Construction
Replacement Housing Factor 04	\$678,333	“”
Capital Fund 03	\$493,747	“”
Capital Fund 03A	\$694,800	“”
Bond Financing	\$6,935,000	Rehab work at Branch and Kennedy
3. Public Housing Dwelling Rental Income	\$2,762,861	Day to day operations of Public Housing program
4. Other income (list below)		
Tenant Charges	\$250,000	Day to day operations of Public Housing program
4. Non-federal sources (list below)		
ABS	\$ 145,175	Education program for residents
SSBG	\$147,806	Assistance to seniors of Public Housing
Energy Conservation Loan	\$2,600,000	Energy Savings Audit
Total resources	\$128,929,150	

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.

(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: At time of application.
- b. Which non-income (screening) factors does the PHA use to establish eligibility for admission to public housing (select all that apply)?
- Criminal or Drug-related activity
 - Rental history
 - Housekeeping
 - Other: Credit Report Status
- 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)

(2) Waiting List Organization

- a. Which methods does the PHA plan to use to organize its public housing waiting list (select all that apply)
- Community-wide list
 - Sub-jurisdictional lists
 - Site-based waiting lists; Baldwin's Run, McGuire Gardens, and Chelton Terrace.
 - Other (describe)
- b. Where may interested persons apply for admission to public housing?
- PHA main administrative office
 - PHA development site management office
 - Other: For site-based lists only, at the development with the site-based waiting list.

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? 3

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)? Yes
If yes, how many lists? 3

3. Yes No: May families be on more than one list simultaneously
If yes, how many lists? They may be on all three site-based waiting lists and the community-wide list simultaneously.

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)

c. Preferences

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

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

Former Federal preferences:

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

Other preferences: (select below)

- Working families and those unable to work because of age or disability
- Veterans and veterans' families
- Residents who live and/or work in the jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs

- Households that contribute to meeting income goals (broad range of incomes) To be used for income tiering and deconcentration at certain sites.
- 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.

2 Date and Time

Former Federal preferences:

- 1 Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- 1 Victims of domestic violence
- 1 Substandard housing
- 1 Homelessness
- 2 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 : Documents disseminated at the time of manager's orientation of new residents.

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

(Per PIH 2001-4 and other HUD guidance, the following questions replace the former ones in the Agency Plan template. Rather than adding this as an additional attachment, the Housing Authority of the City of Camden has deleted the former questions and inserted the current questions from the HUD website)

Component 3, (6) Deconcentration and Income Mixing

- a. Yes No: Does the PHA have any general occupancy (family) public housing developments covered by the deconcentration rule? If no, this section is complete. If yes, continue to the next question.
- b. Yes No: Do any of these covered developments have average incomes above or below 85% to 115% of the average incomes of all such developments? If no, this section is complete.

If yes, list these developments as follows:

Deconcentration Policy for Covered Developments			
Development Name:	Number of Units	Explanation (if any) [see step 4 at §903.2(c)(1)(iv)]	Deconcentration policy (if no explanation) [see step 5 at §903.2(c)(1)(v)]

B. Section 8

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

(1) Eligibility

- a. What is the extent of screening conducted by the PHA? (select all that apply)
- Criminal or drug-related activity only to the extent required by law or regulation
 - Criminal and drug-related activity, more extensively than required by law or regulation
 - More general screening than criminal and drug-related activity (list factors below)
Credit Report Status and Rental History Check
 - Other :
- 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)
No information is shared

(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: One 60-day extension is given for a maximum of 120-days on an as-needed basis.

(4) Admissions Preferences

a. Income targeting

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

b. Preferences

1. Yes No: Has the PHA established preferences for admission to section 8 tenant-based assistance? (other than date and time of application) (if no, skip to subcomponent **(5) Special purpose section 8 assistance programs**)

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

Former Federal preferences

- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
Residents of Ablett Village, Branch Village, and Roosevelt Manor
- 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.

2 Date and Time

Former Federal preferences

- 1 Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- 1 Victims of domestic violence
- 1 Substandard housing
- 1 Homelessness
- 2 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 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)

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)

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

- Through published notices
 Other (list below)
mailed to outside agencies.

4. PHA Rent Determination Policies

[24 CFR Part 903.7 9 (d)]

A. Public Housing

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

(1) Income Based Rent Policies

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

a. Use of discretionary policies: (select one)

- The PHA will not employ any discretionary rent-setting policies for income based rent in public housing. Income-based rents are set at the higher of 30% of adjusted monthly income, 10% of unadjusted monthly income, the welfare rent, or

minimum rent (less HUD mandatory deductions and exclusions). (If selected, skip to sub-component (2))

---or---

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

b. Minimum Rent

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

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

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

2. If yes to question 2, list these policies below: The minimum rent hardship exemption policy is contained in the Admissions and Continued Occupancy Policy.

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) The HACC used FMR

B. Section 8 Tenant-Based Assistance

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

(1) Payment Standards

Describe the voucher payment standards and policies.

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

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

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

- FMRs are adequate to ensure success among assisted families in the PHA's segment of the FMR area

- The PHA has chosen to serve additional families by lowering the payment standard
- Reflects market or submarket
- Other (list below)

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

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

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

- Annually
- Other (list below)

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

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

(2) Minimum Rent

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

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

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

Clients may appeal their rent determination based on the hardship exemption. The hardship exemption policy is contained in the Section 8 Administrative Plan.

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:

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	976	212
Section 8 Vouchers	1092	109
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)		
HOPE VI McGuire Gardens	253	15
HOPE VI Baldwin's Run	108	10

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: Admissions and Continued Occupancy Policy, Property Management and Occupancy Policies and Procedures, Maintenance Manual.

(2) Section 8 Management: Section 8 Administrative Plan

6. PHA Grievance Procedures

[24 CFR Part 903.7 9 (f)]

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

A. Public Housing

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

If yes, list additions to federal requirements below:

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

- 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.

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) nj010a01

-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) nj010c01

-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: Franklin D. Roosevelt Manor
2. Development (project) number: NJ10-3
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

1. Development name: McGuire Gardens
2. Development (project) number: NJ10-4
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 (**completed and grant closeout in 2003**)

1. Development name: Baldwin's Run
2. Development (project) number: NJ10-15
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 (70% complete)

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:

Antioch Senior Apartments (66 Units ACC subsidy only)

Westfield Acres (74 Senior units and 73 family units)

Ablett Village (162 units ACC only)

Maybe 2 to 3 additional ACC only mixed finance deals for new opportunities.

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:

HACC has closed on a \$6.9 million bond in 2004. HACC will be using these funds to redevelop a portion of Branch Village and will use some funds for the revitalization of Kennedy Tower in 2004 and 2005.

Building a Community Center at Westfield Acres.

8. Demolition and Disposition

[24 CFR Part 903.7 9 (h)]

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

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

2. Activity Description

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

Demolition/Disposition Activity Description	
1a. Development name	
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:	
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.

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: Kennedy Tower	
1b. Development (project) number: NJ010-7	
2. Designation type:	
Occupancy by only the elderly	<input checked="" type="checkbox"/>
Occupancy by families with disabilities	<input type="checkbox"/>
Occupancy by only elderly families and families with disabilities	<input type="checkbox"/>
3. Application status (select one)	
Approved; included in the PHA's Designation Plan	<input type="checkbox"/>
Submitted, pending approval	<input type="checkbox"/>
Planned application	<input checked="" type="checkbox"/>
4. Date this designation approved, submitted, or planned for submission:	<u>(7/22/2005)</u>
5. If approved, will this designation constitute a (select one)	
<input checked="" type="checkbox"/> New Designation Plan	
<input type="checkbox"/> Revision of a previously-approved Designation Plan?	
6. Number of units affected:	99
7. Coverage of action (select one)	
<input type="checkbox"/> Part of the development	
<input checked="" type="checkbox"/> Total development	

10. Conversion of Public Housing to Tenant-Based Assistance

[24 CFR Part 903.7 9 (j)]

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

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

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

2. Activity Description

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

Conversion of Public Housing Activity Description	
1a. Development name:	
1b. Development (project) number:	
2. What is the status of the required assessment?	<input type="checkbox"/> Assessment underway <input type="checkbox"/> Assessment results submitted to HUD <input type="checkbox"/> Assessment results approved by HUD (if marked, proceed to next question) <input type="checkbox"/> Other (explain below)
3. <input type="checkbox"/> Yes <input type="checkbox"/> 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)	<input type="checkbox"/> Conversion Plan in development <input type="checkbox"/> Conversion Plan submitted to HUD on: (DD/MM/YYYY) <input type="checkbox"/> Conversion Plan approved by HUD on: (DD/MM/YYYY) <input type="checkbox"/> 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)	<input type="checkbox"/> Units addressed in a pending or approved demolition application (date submitted or approved: <input type="checkbox"/> Units addressed in a pending or approved HOPE VI demolition application (date submitted or approved:) <input type="checkbox"/> Units addressed in a pending or approved HOPE VI Revitalization Plan (date submitted or approved: <input type="checkbox"/> Requirements no longer applicable: vacancy rates are less than 10 percent <input type="checkbox"/> Requirements no longer applicable: site now has less than 300 units <input type="checkbox"/> Other: (describe below)

B. Reserved for Conversions pursuant to Section 22 of the U.S. Housing Act of 1937
Component 10 (B) Voluntary Conversion Initial Assessments

(Per PIH Notice 2001-26 and other HUD regulations, the following questions must be addressed starting in fiscal year 2002. The Housing Authority of the City of Camden has inserted these questions from HUD's website into this Agency Plan template.)

- How many of the PHA's developments are subject to the Required Initial Assessments?
Six (6) (Two were exempt at the time of the initial assessment.)

- How many of the PHA's developments are not subject to the Required Initial Assessments based on exemptions (e.g., elderly and/or disabled developments not general occupancy projects)?

Three (3)

- How many Assessments were conducted for the PHA's covered developments?

Four (4)

- Identify PHA developments that may be appropriate for conversion based on the Required Initial Assessments:

Development Name	Number of Units
None	

e. If the PHA has not completed the Required Initial Assessments, describe the status of these assessments: **Question Not Applicable to HACC**

The Required Initial Assessment is a Supporting Document to this Annual Plan.

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

11. Homeownership Programs Administered by the PHA

[24 CFR Part 903.7 9 (k)]

A. Public Housing

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

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

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

2. Activity Description

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

Public Housing Homeownership Activity Description (Complete one for each development affected)
1a. Development name: 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:
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 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: Section 8 Homeownership Program

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?

12. PHA Community Service and Self-sufficiency Programs

[24 CFR Part 903.7 9 (1)]

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

A. PHA Coordination with the Welfare (TANF) Agency

1. Cooperative agreements:

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

If yes, what was the date that agreement was signed? 10/21/99

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)
Homemaking-Health Aid	300	Based on need	PHA Main Office	Public Housing
Transportation	1500	Based on need	PHA Main Office	Public Housing
Homeownership Grant	200	Random Select	PHA Main Office	Public Housing
Youth Initiative	200	Specific Criteria	PHA Main Office	Public Housing
Counseling Services (ESL/GED)	450	Based on need	PHA Main Office	Public Housing

HTVN	400	Based on need	PHA Main Office	Public Housing
Parenting Classes	32	Based on need	PHA Main Office	Public Housing
Woman's Support Group	100	Based on need	PHA Main Office	Public Housing
Neighborhood Computer Program	55	Based on need	PHA Main Office	Public Housing
Youthbuild	20	Based on need	PHA Main Office	Both

(2) Family Self Sufficiency program/s

a. Participation Description

Family Self Sufficiency (FSS) Participation		
Program	Required Number of Participants (start of FY 2000 Estimate)	Actual Number of Participants (As of: DD/MM/YY)
Public Housing	0	0
Section 8	50	53 As of 8/23/2004

- 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.

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) Loitering continues to be an obstacle at every development site.

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: PHAS Resident Satisfaction Survey

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

All developments are affected on unacceptable levels but especially Roosevelt Manor, Branch Village, and Ablett Village

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)
Installation of security cameras at the three Towers: Mickle, Kennedy, and Westfield.

1. Which developments are most affected? (list below)
All family development sites

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)
All HACC developments are affected. However, the Roosevelt Manor, Branch Village, and Ablett Village developments are affected to the greatest extent.

D. Additional information as required by PHDEP/PHDEP Plan

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

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

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.

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
Branch Village
 - Comprehensive stock assessment
 - Other: Mixed Financing; Augment operating subsidy/capital fund with the mixed finance approach.

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.) The Secretary's Designee acts in lieu of the Board of Commissioners for the Housing Authority.
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: City of Camden

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. Camden City Consolidated Plan FYS 2001-2005
- Other: (list below)

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

- Statutory Goals as listed in the City of Camden Consolidated Plan.
- Primary financial resources to be used by the City inclusive of Section 8 voucher and Certificate Housing Assistance Program by the Housing Authority.

- Activities to be undertaken by the City, objectives listed under: Affordable Housing Rental – Occupied, Affordable Housing Owner – Occupied, Non-Community Development Activities.
- Other actions of the City of Camden as listed in the 2000-2004 Consolidation Plan – Public Housing Plan and Resident Initiatives.

D. Other Information Required by HUD

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

A. Substantial Deviation from the 5-year Plan:

A substantial deviation from the 5-year Plan occurs when the Board of Commissioners decides that it wants to change the mission statement, goals or objectives of the 5-year plan.

B. Significant Amendment or Modification to the Annual Plan:

Significant amendments or modifications to the Annual Plan are defined as discretionary changes in the plans or policies of the housing authority that fundamentally change the plans of the agency and which require formal approval of the Board of Commissioners.

Attachments

Use this section to provide any additional attachments referenced in the Plan

CAPITAL FUND PROGRAM

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary					
PHA Name: Housing Authority of the City of Camden		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No:			Federal FY of Grant: (01/2006)
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	\$384,439			
3	1408 Management Improvements	\$407,500			
4	1410 Administration	\$282,995			
5	1411 Audit	-			
6	1415 Liquidated Damages	-			
7	1430 Fees and Costs	\$138,000			
8	1440 Site Acquisition	-			
9	1450 Site Improvement	\$235,000			
10	1460 Dwelling Structures	\$384,800			
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Nondwelling Structures	\$418,748			
13	1475 Nondwelling Equipment	\$40,000			
14	1485 Demolition	-			
15	1490 Replacement Reserve	-			
16	1492 Moving to Work Demonstration	-			
17	1495.1 Relocation Costs	\$5,000			
18	1499 Development Activities	-			
19	1501 Collateralization or Debt Service	\$528,471			
20	1502 Contingency	\$5,000			

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

PHA Name: Housing Authority of the City of Camden	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No:	Federal FY of Grant: (01/2006)
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Original Annual Statement Reserve for Disasters/ Emergencies Revised Annual Statement (revision no:)
 Performance and Evaluation Report for Period Ending: Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
21	Amount of Annual Grant: (sum of lines 2 – 20)	\$2,829,953			
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

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

PHA Name: Housing Authority of the City of Camden		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No:				Federal FY of Grant: 2006		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
Operations	Operations Transfer	1406		\$384,439				
	Subtotal			\$384,439				
Administration & Planning Administration	Salaries & Fringe Benefits Rent Materials / Supplies	1410 1410 1410		\$270,995 \$10,000 \$2,000				
	Subtotal			\$282,995				
Management Improvements	Management Improvements Financial Management Computer Upgrade – Software Fresh Start Board of Commissioners’ Training Staff Training/Travel	1408 1408 1408 1408 1408 1408		\$15,000 \$100,000 \$12,500 \$120,000 \$20,000 \$60,000				
	Subtotal			\$327,500				
Physical Improvements								
NJ10-1 Branch Village	Community Center Furniture, Fixtures and Equipment	1470 1470		\$418,748 \$20,000				

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

PHA Name: Housing Authority of the City of Camden		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No:			Federal FY of Grant: 2006			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
	Subtotal			\$438,748				
NJ10-2 Ablett Village	Site Improvement – Sidewalks, Landscaping	1450		\$25,000				
	Unit Redevelopment	1460		\$25,000				
	Subtotal			\$50,000				
NJ10-8 Westfield Tower	Professional and Other Fees	1430		\$18,000				
	Site Improvement – Sidewalks, Landscaping	1450		\$130,000				
	Replacement of Smoke Detector	1460		\$5,000				
	Repair / Upgrade of Public and Common Areas	1460		\$133,000				
	Install Additional Emergency Call Buttons	1460		\$16,000				
	Install Additional Phone Jacks	1460		\$10,400				
	Subtotal			\$312,400				

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

PHA Name: Housing Authority of the City of Camden		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No:			Federal FY of Grant: 2006			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
NJ10-10 Mickle Tower	Site Improvement – Sidewalks, Landscaping	1450		\$80,000				
	Replacement of Smoke Detector	1460		\$5,000				
	Repair / Upgrade of Public and Common Areas	1460		\$60,000				
	Install Additional Emergency Call Buttons	1460		\$20,000				
	Install Additional Phone Jacks	1460		\$10,400				
	Subtotal				\$175,400			
NJ10-13 Authority-Wide	Collateralization or Debt Service	1501		\$528,471				
	Indefinite A/E Services	1430		\$100,000				
	Professional and Other Fees	1430		\$20,000				
	Unit Redevelopment	1460		\$100,000				
	Computer / Equipment Upgrade - Hardware	1475		\$20,000				
	Relocation	1495		\$5,000				
	Contingency	1502		\$5,000				
Subtotal				\$778,471				

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

PHA Name: Housing Authority of the City of Camden		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No:			Federal FY of Grant: 2006			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
Resident Initiatives	Grant Writer	1408		\$50,000				
	Resident Training	1408		\$20,000				
	Housekeeping Homemaker Trades Entrepreneurial Conferences							
	Youth Program	1408		\$10,000				
	Subtotal			\$80,000				
	Total			\$2,829,953				

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part III: Implementation Schedule							
PHA Name: Housing Authority of the City of Camden		Grant Type and Number Capital Fund Program No: Replacement Housing Factor No:				Federal FY of Grant: 2006	
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
Administration & Planning							
Administration Management	Sept-08			Sept-10			
Improvement	Sept-08			Sept-10			
Physical Improvements							
NJ10-1 Branch Village	Sept-08			Sept-10			
NJ10-2 Ablett Village	Sept-08			Sept-10			
NJ10-8 Westfield Tower	Sept-08			Sept-10			
NJ10-10 Mickle Tower	Sept-08			Sept-10			
Authority-Wide							
Resident Initiatives	Sept-08			Sept-10			

REPLACEMENT HOUSING FACTOR CAPITAL FUND PROGRAM

Annual Statement/Performance and Evaluation Report					
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary					
PHA Name: Housing Authority of the City of Camden		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No:			Federal FY of Grant: (01/2006)
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements				
4	1410 Administration				
5	1411 Audit	-			
6	1415 Liquidated Damages	-			
7	1430 Fees and Costs				
8	1440 Site Acquisition	-			
9	1450 Site Improvement				
10	1460 Dwelling Structures	\$1,800,000			
11	1465.1 Dwelling Equipment—Nonexpendable	-			
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition	-			
15	1490 Replacement Reserve	-			
16	1492 Moving to Work Demonstration	-			
17	1495.1 Relocation Costs				
18	1499 Development Activities	-			

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

PHA Name: Housing Authority of the City of Camden	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No:	Federal FY of Grant: (01/2006)
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Original Annual Statement Reserve for Disasters/ Emergencies Revised Annual Statement (revision no:)
 Performance and Evaluation Report for Period Ending: Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
19	1501 Collateralization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	\$1,800,000			
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

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

PHA Name: Housing Authority of the City of Camden		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No:				Federal FY of Grant: 2006		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
Physical Improvements								
NJ10-1 Branch Village	Unit Construction	1460		\$1,800,000				
	Total			\$1,800,000				

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

PHA Name: Housing Authority of the City of Camden		Grant Type and Number Capital Fund Program No: Replacement Housing Factor No:					Federal FY of Grant: 2006
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
Physical Improvements							
NJ10-1 Branch Village	Sept-08			Sept-10			

Capital Fund Program Five-Year Action Plan

Part I: Summary

PHA Name Housing Authority of the City of Camden		<input checked="" type="checkbox"/> Original 5-Year Plan <input type="checkbox"/> Revision No:			
Development Number/Name/HA-Wide	Year 1 2006	Work Statement for Year 2 FFY Grant: 2007 PHA FY: 2007	Work Statement for Year 3 FFY Grant: 2008 PHA FY: 2008	Work Statement for Year 4 FFY Grant: 2009 PHA FY: 2009	Work Statement for Year 5 FFY Grant: 2010 PHA FY: 2010
	Annual Statement				
NJ10-1 Branch Village		\$157,872	\$400,805	\$379,766	\$719,579
NJ10-2 Ablett Village		\$157,871	\$400,805	\$379,766	
NJ10-7 Kennedy Tower			\$30,000	\$30,000	\$30,000
NJ10-8 Westfield Tower			\$30,000	\$30,000	\$30,000
NJ10-10 Mickle Tower		\$620,000	\$30,000	\$30,000	\$30,000
NJ10-13 Authority-Wide		\$1,837,610	\$1,826,277	\$1,813,997	\$1,800,680
CFP Funds Listed for 5-year planning		\$2,773,353	\$2,717,887	\$2,663,529	\$2,610,259
Replacement Housing Factor Funds NJ10-1 Branch Village		\$1,800,000	\$1,800,000	\$1,800,000	\$1,800,000

**Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities**

Activities for Year 1	Activities for Year : <u>2</u> ____ FFY Grant: 2007 PHA FY: 2007			Activities for Year: <u>3</u> ____ FFY Grant: 2008 PHA FY: 2008		
	Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
	NJ10-1 Branch Village	Community Center	\$157,872	NJ10-1 Branch Village	Unit Redevelopment	\$400,805
		Subtotal	\$157,872		Subtotal	\$400,805
	NJ10-2 Ablett Village	Unit Redevelopment	\$157,871	NJ10-2 Ablett Village	Unit Redevelopment	\$400,805
		Subtotal	\$157,871		Subtotal	\$400,805
See						
Annual	NJ10-10 Mickle Tower	Site Improvement – Parking Lot	\$120,000	NJ10-7 Kennedy Tower	Unit Rehab	\$30,000
		Installation of Sprinkler System	\$500,000		Subtotal	\$30,000
		Subtotal	\$620,000			
				NJ10-8 Westfield Tower	Unit Rehab	\$30,000
					Subtotal	\$30,000
Statement						
				NJ10-10 Mickle Tower	Unit Rehab	\$30,000
					Subtotal	\$30,000
	NJ10-13 Authority Wide	Operation Transfer	\$376,003	NJ10-13 Authority Wide	Operation Transfer	\$367,683
		Administration	\$265,335		Administration	\$259,789
		Management Improvements	\$15,000		Management Improvements	\$15,000
		Financial Management	\$100,000		Financial Management	\$100,000
		Computer Upgrades- Software	\$12,500		Computer Upgrades- Software	\$12,500

	Grant Writer	\$50,000		Grant Writer	\$50,000
	Fresh Start	\$120,000		Fresh Start	\$120,000
	Resident Training	\$20,000		Resident Training	\$20,000
	Board of Commissioner's Training	\$20,000		Board of Commissioner's Training	\$20,000
	Youth Program	\$10,000		Youth Program	\$10,000
	Staff Training/ Travel	\$60,000		Staff Training/ Travel	\$60,000
	Rent	\$10,000		Rent	\$10,000
	Materials / Supplies	\$2,000		Materials / Supplies	\$2,000
	Indefinite A/E Services	\$100,000		Indefinite A/E Services	\$100,000
	Professional and Other Fees	\$20,000		Professional and Other Fees	\$20,000
	Unit Redevelopment	\$70,000		Unit Redevelopment	\$70,000
	Computer / Equipment Upgrades - Hardware	\$20,000		Computer / Equipment Upgrades - Hardware	\$20,000
	Relocation	\$5,000		Relocation	\$5,000
	Collaterization or Debt Service	\$526,772		Collaterization or Debt Service	\$529,305
	Contingency Fund	\$35,000		Contingency Fund	\$35,000
	Subtotal:	\$1,837,610		Subtotal:	\$1,826,277
	Total CFP Estimated Cost	\$ 2,773,353			\$ 2,717,887

Capital Fund Program Five-Year Action Plan

Part II: Supporting Pages—Work Activities

Activities for Year : __4__ FFY Grant: 2009 PHA FY: 2009			Activities for Year: __5__ FFY Grant: 2010 PHA FY: 2010		
Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
NJ10-1 Branch Village	Unit Redevelopment	\$379,766	NJ10-1 Branch Village	Unit Redevelopment	\$719,579
	Subtotal	\$379,766		Subtotal	\$719,579
NJ10-2 Ablett Village	Unit Redevelopment	\$379,766			
	Subtotal	\$379,766			
NJ10-7 Kennedy Tower	Unit Rehab	\$30,000	NJ10-7 Kennedy Tower	Unit Rehab	\$30,000
	Subtotal	\$30,000		Subtotal	\$30,000
NJ10-8 Westfield Tower	Unit Rehab	\$30,000	NJ10-8 Westfield Tower	Unit Rehab	\$30,000
	Subtotal	\$30,000		Subtotal	\$30,000
NJ10-10 Mickle Tower	Unit Rehab	\$30,000	NJ10-10 Mickle Tower	Unit Rehab	\$30,000
	Subtotal	\$30,000		Subtotal	\$30,000
NJ10-13 Authority Wide	Operation Transfer	\$359,529	NJ10-13 Authority Wide	Operation Transfer	\$351,106
	Administration	\$254,353		Administration	\$249,026
	Management Improvements	\$15,000		Management Improvements	\$15,000
	Financial Management	\$100,000		Financial Management	\$100,000
	Computer Upgrades-Software	\$12,500		Computer Upgrades-Software	\$12,500
	Grant Writer	\$50,000		Grant Writer	\$50,000
	Fresh Start	\$120,000		Fresh Start	\$120,000

	Resident Training	\$20,000		Resident Training	\$20,000
	Board of Commissioner's Training	\$20,000		Board of Commissioner's Training	\$20,000
	Youth Program	\$10,000		Youth Program	\$10,000
	Staff Training/ Travel	\$60,000		Staff Training/ Travel	\$60,000
	Rent	\$10,000		Rent	\$10,000
	Materials / Supplies	\$2,000		Materials / Supplies	\$2,000
	Indefinite A/E Services	\$100,000		Indefinite A/E Services	\$100,000
	Professional and Other Fees	\$20,000		Professional and Other Fees	\$20,000
	Unit Redevelopment	\$70,000		Unit Redevelopment	\$70,000
	Computer /Equipment Upgrades - Hardware	\$20,000		Computer /Equipment Upgrades - Hardware	\$20,000
	Relocation	\$5,000		Relocation	\$5,000
	Collaterization or Debt Service	\$530,615		Collaterization or Debt Service	\$530,615
	Contingency Fund	\$35,000		Contingency Fund	\$35,000
	Subtotal:	\$1,813,997		Subtotal:	\$1,800,680
	Total CFP Estimated Cost	\$2,663,529			\$2,610,259

CAPITAL FUND PROGRAM P & E REPORT

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN	Grant Type and Number Capital Fund Program Grant No: NJ39P01050105 Replacement Housing Factor Grant No:
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Original Annual Statement
 Reserve for Disaster/Emergencies
 Revised Annual Statement (revision no:)

Performance and Evaluation Report for Period Ending:
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
1	Total Non-CGP Funds			
2	1406 Operations	540,182	-	-
3	1408 Management Improvements	407,500	-	-
4	1410 Administration	270,090	-	-
5	1411 Audit			
6	1415 Liquidated Damages			
7	1430 Fees and Costs	120,000	-	-
8	1440 Site Acquisition			
9	1450 Site Improvement	170,000	-	-
10	1460 Dwelling Structures	100,000	-	-
11	1465 Dwelling Equipment - Non-Expendable	100,000	-	-
12	1470 Non-Dwelling Structures	434,178	-	-
13	1475 Non-Dwelling Equipment	20,000	-	-
14	1485 Demolition			
15	1490 Replacement Reserve			
16	1492 Moving to Work Demonstration			
17	1495.1 Relocation Costs	4,280	-	-
18	1499 Development Activities			
19	1501 Collateralization or Debt Service	529,680	-	-

CAPITAL FUND PROGRAM P & E REPORT

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN	Grant Type and Number Capital Fund Program Grant No: NJ39P01050105 Replacement Housing Factor Grant No:
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Original Annual Statement
 Reserve for Disaster/Emergencies
 Revised Annual Statement (revision no:)

Performance and Evaluation Report for Period Ending:
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
20	1502 Contingency	5,000	-	-
21	Amount of Annual Grant (Sum of Lines 2-20)	2,700,910	-	-
22	Amount of Line 21 Related to LBP Activities			
23	Amount of Line 21 Related to Section 504 Compliance			
24	Amount of Line 21 Related to Security - Soft Costs			
25	Amount of Line 21 Related to Security - Hard Costs			
26	Amount of Line 21 Related to Energy Conservation Measures			

Federal FY of Grant:
2005
Actual Cost
Expended
-
-
-
-
-
-
-
-
-
-
-

Federal FY of Grant:
2005
Actual Cost
Expended
-
-

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

PHA Name:		Grant Type and Number			Federal FY of Grant: 2005			
HOUSING AUTHORITY OF THE CITY OF CAMDEN		Capital Fund Program Grant No: NJ39P01050105						
		Replacement Housing Factor Grant No:						
Development Number Name/HA-Wide Activities	General Description of Major Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		St
				Original	Revised	Funds Obligated	Funds Expended	
NJ10-01 Branch Village								
	Community Center	1470		434,178				
	Subtotal Branch Village			434,178	0	0	0	
NJ10-08 Westfield Tower								
	Site Improvement- Parking Lot	1450		120,000				
	Installation of Security Equipment	1465		50,000				
	Installation of Sprinkler System	1460		30,000				
	Subtotal Westfield Tower			200,000	0	0	0	
NJ10-10 Mickle Tower								
	Site Improvement - Sidewalks, Landscaping	1450		50,000				
	Installation of Security Equipment	1465		50,000				
	Subtotal Mickle Tower			100,000	0	0	0	
NJ10-13 Authority-Wide Projects								
	General Operations	1406		540,182				
	Management Improvements	1408		15,000				
	Financial Management	1408		100,000				
	Computer Upgrades - Software	1408		12,500				
	Grant Writer	1408		50,000				
	Fresh Start	1408		120,000				
	Resident Training	1408		20,000				
	Board of Commissioner's Training	1408		20,000				
	Youth Program	1408		10,000				
	Staff Training/Travel	1408		60,000				
	Administration (Staff and Related Items)	1410		258,090				
	Rent	1410		10,000				
	Materials/Supplies	1410		2,000				
	Indefinite A&E Services	1430		100,000				
	Professional and Other Fees	1430		20,000				
	Unit Redevelopment	1460		70,000				
	Computer/Equipment Upgrades - Hardware	1475		20,000				

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN		Grant Type and Number Capital Fund Program Grant No: NJ39P01050105 Replacement Housing Factor Grant No:			Federal FY of Grant: 2005			
Development Number Name/HA-Wide Activities	General Description of Major Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		St
				Original	Revised	Funds Obligated	Funds Expended	
	Relocation	1495		4,280				
	Collateralization or Debt Service	1501		529,680				
	Contingency	1502		5,000				
	Subtotal Authority Wide-Projects			1,966,732	0	0	0	
	GRAND TOTAL			2,700,910	0	0	0	

tatus of Work

**REPLACEMENT HOUSING FACTOR
CAPITAL FUND PROGRAM P & E REPORT**

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: NJ39R01050105		
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disaster/Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 06/30/05 <input type="checkbox"/> Final Performance and Evaluation Report				
Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
1	Total Non-CGP Funds			
2	1406 Operations	-	-	-
3	1408 Management Improvements	-	-	-
4	1410 Administration	-	-	-
5	1411 Audit			
6	1415 Liquidated Damages			
7	1430 Fees and Costs	-	-	-
8	1440 Site Acquisition			
9	1450 Site Improvement	-	-	-
10	1460 Dwelling Structures	838,614	-	-
11	1465 Dwelling Equipment - Non-Expendable			
12	1470 Non-Dwelling Structures	-	-	-
13	1475 Non-Dwelling Equipment	-	-	-
14	1485 Demolition	-	-	-
15	1490 Replacement Reserve			
16	1492 Moving to Work Demonstration			
17	1495.1 Relocation Costs	-	-	-
18	1499 Development Activities	-	-	-
19	1501 Collaterization or Debt Service			

REPLACEMENT HOUSING FACTOR CAPITAL FUND PROGRAM P & E REPORT

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: NJ39R01050105
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Original Annual Statement
 Reserve for Disaster/Emergencies
 Revised Annual Statement (revision no:)

Performance and Evaluation Report for Period Ending: 06/30/05
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
20	1502 Contingency	-	-	-
21	Amount of Annual Grant (Sum of Lines 2-20)	838,614	-	-
22	Amount of Line 21 Related to LBP Activities			
23	Amount of Line 21 Related to Section 504 Compliance			
24	Amount of Line 21 Related to Security - Soft Costs			
25	Amount of Line 21 Related to Security - Hard Costs			
26	Amount of Line 21 Related to Energy Conservation Measures			

Federal FY of Grant:
2005
Actual Cost
Expended
-
-
-
-
-
-
-
-
-
-
-

Federal FY of Grant:
2005
Actual Cost
Expended
-
-

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

PHA Name:		Grant Type and Number				Federal FY of Grant: 2005		
HOUSING AUTHORITY OF THE CITY OF CAMDEN		Capital Fund Program Grant No: Replacement Housing Factor Grant No: NJ39R01050105						
Development Number Name/HA-Wide Activities	General Description of Major Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		St
				Original	Revised	Funds Obligated	Funds Expended	
NJ10-01 Branch Village								
	Construct New Units	1460		838,614				
	Subtotal Branch Village			838,614	0	0	0	
NJ10-03 Roosevelt Manor								
	Construct New Units	1460		0		0		
	Subtotal Roosevelt Manor			0	0	0	0	
NJ10-13 Authority-Wide Projects								
	Subtotal Authority Wide-Projects			0	0	0	0	
	GRAND TOTAL			838,614	0	0	0	

CAPITAL FUND PROGRAM P & E REPORT

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN		Grant Type and Number Capital Fund Program Grant No: NJ39P010501-04 Replacement Housing Factor Grant No:		
[] Original Annual Statement [] Reserve for Disaster/Emergencies [] Revised Annual Statement (revision no:)				
[X] Performance and Evaluation Report for Period Ending: 06/30/05 [] Final Performance and Evaluation Report				
Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
1	Total Non-CGP Funds			
2	1406 Operations	375,734	-	375,734
3	1408 Management Improvements	501,469	-	388,519
4	1410 Administration	250,734	-	241,373
5	1411 Audit			
6	1415 Liquidated Damages			
7	1430 Fees and Costs	183,899	-	100,000
8	1440 Site Acquisition			
9	1450 Site Improvement	267,667	-	-
10	1460 Dwelling Structures	502,334	-	-
11	1465 Dwelling Equipment - Non-Expendable	-	-	-
12	1470 Non-Dwelling Structures	52,600	-	-
13	1475 Non-Dwelling Equipment	12,500	-	48
14	1485 Demolition			
15	1490 Replacement Reserve			
16	1492 Moving to Work Demonstration			
17	1495.1 Relocation Costs	-	-	-
18	1499 Development Activities			
19	1501 Collateralization or Debt Service	335,407	-	335,407

CAPITAL FUND PROGRAM P & E REPORT

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN	Grant Type and Number Capital Fund Program Grant No: NJ39P010501-04 Replacement Housing Factor Grant No:
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Original Annual Statement
 Reserve for Disaster/Emergencies
 Revised Annual Statement (revision no:)

Performance and Evaluation Report for Period Ending: 06/30/05
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
20	1502 Contingency	25,000	-	-
21	Amount of Annual Grant (Sum of Lines 2-20)	2,507,344	-	1,441,081
22	Amount of Line 21 Related to LBP Activities			
23	Amount of Line 21 Related to Section 504 Compliance			
24	Amount of Line 21 Related to Security - Soft Costs			
25	Amount of Line 21 Related to Security - Hard Costs			
26	Amount of Line 21 Related to Energy Conservation Measures			

Federal FY of Grant:
2004
Actual Cost
Expended
375,734
262,121
127,345
-
-
-
-
-
48
-
106,603

Federal FY of Grant:
2004
Actual Cost
Expended
-
871,851

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

PHA Name:		Grant Type and Number			Federal FY of Grant: 2004			
HOUSING AUTHORITY OF THE CITY OF CAMDEN		Capital Fund Program Grant No: NJ39P010501-04 Replacement Housing Factor Grant No:						
Development Number Name/HA-Wide Activities	General Description of Major Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status
				Original	Revised	Funds Obligated	Funds Expended	
NJ10-01 Branch Village								
	Upgrade Sidewalks, Drainage and Landscape	1450		267,667				
	A/E Services	1430		40,000				
	Subtotal Branch Village			307,667	0	0	0	
NJ10-02 Ablett Village								
	Unit Redevelopment	1460		198,500				
	Subtotal Ablett Village			198,500	0	0	0	
NJ10-04 McGuire Gardens								
	Community Building	1470		52,600		-		
	Other Fees	1430		43,899		-		
	Subtotal McGuire Gardens			96,499	0	0	0	
NJ10-13 Authority-Wide Projects								
	General Operations	1406		375,734		375,734	375,734	Completed.
	Management Improvements	1408		93,969				
	Financial Management	1408		120,000		120,000	66,103	In Progress.
	Computer Upgrades - Software	1408		12,500		16,352	16,352	Completed.
	Grant Writer	1408		30,000		18,000	18,000	In Progress.
	Resident/Board of Commissioner's Training	1408		70,000		70,000	12,364	In Progress.
	Youth Program	1408		0		1,000	1,000	Completed.
	Fresh Start	1408		105,000		93,167	93,167	In Progress.
	Staff Training/Travel	1408		70,000		70,000	55,135	In Progress.
	Administration (Staff and Related Items)	1410		230,734		230,734	125,309	In Progress.
	Rent	1410		10,000		10,000	1,397	In Progress.
	Materials/Supplies	1410		10,000		639	639	In Progress.
	Indefinite A&E Services	1430		100,000		100,000		In Progress.
	Unit Redevelopment	1460		303,834				Ongoing Unit
	Computer Upgrades - Hardware	1475		12,500		48	48	In Progress.
	Relocation	1495						
	Collateralization or Debt Service	1501		335,407		335,407	106,603	
	Contingency	1502		25,000				

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN		Grant Type and Number Capital Fund Program Grant No: NJ39P010501-04 Replacement Housing Factor Grant No:			Federal FY of Grant: 2004			
Development Number Name/HA-Wide Activities	General Description of Major Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		St
				Original	Revised	Funds Obligated	Funds Expended	
	Subtotal Authority Wide-Projects			1,904,678	0	1,441,081	871,851	
	GRAND TOTAL			2,507,344	0	1,441,081	871,851	

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**REPLACEMENT HOUSING FACTOR
CAPITAL FUND PROGRAM P & E REPORT**

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: NJ39RO10501-04		
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disaster/Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 06/30/05 <input type="checkbox"/> Final Performance and Evaluation Report				
Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
1	Total Non-CGP Funds			
2	1406 Operations	-	-	-
3	1408 Management Improvements	-	-	-
4	1410 Administration	-	-	-
5	1411 Audit			
6	1415 Liquidated Damages			
7	1430 Fees and Costs	-	-	-
8	1440 Site Acquisition			
9	1450 Site Improvement	-	-	-
10	1460 Dwelling Structures	2,038,847	-	1,360,514
11	1465 Dwelling Equipment - Non-Expendable			
12	1470 Non-Dwelling Structures	-	-	-
13	1475 Non-Dwelling Equipment	-	-	-
14	1485 Demolition	-	-	-
15	1490 Replacement Reserve			
16	1492 Moving to Work Demonstration			
17	1495.1 Relocation Costs	-	-	-
18	1499 Development Activities	-	-	-
19	1501 Collaterization or Debt Service			

REPLACEMENT HOUSING FACTOR CAPITAL FUND PROGRAM P & E REPORT

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: NJ39RO10501-04
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Original Annual Statement
 Reserve for Disaster/Emergencies
 Revised Annual Statement (revision no:)

Performance and Evaluation Report for Period Ending: 06/30/05
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
20	1502 Contingency	-	-	-
21	Amount of Annual Grant (Sum of Lines 2-20)	2,038,847	-	1,360,514
22	Amount of Line 21 Related to LBP Activities			
23	Amount of Line 21 Related to Section 504 Compliance			
24	Amount of Line 21 Related to Security - Soft Costs			
25	Amount of Line 21 Related to Security - Hard Costs			
26	Amount of Line 21 Related to Energy Conservation Measures			

Federal FY of Grant:
2004
Actual Cost
Expended
-
-
-
-
-
-
-
-
-
-
-

Federal FY of Grant:
2004
Actual Cost
Expended
-
-

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

PHA Name:		Grant Type and Number			Federal FY of Grant: 2004			
HOUSING AUTHORITY OF THE CITY OF CAMDEN		Capital Fund Program Grant No: Replacement Housing Factor Grant No: NJ39RO10501-04						
Development Number Name/HA-Wide Activities	General Description of Major Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status
				Original	Revised	Funds Obligated	Funds Expended	
NJ10-01 Branch Village								
	Construct New Units	1460		0				
	Subtotal Branch Village			0	0	0	0	
NJ10-03 Roosevelt Manor								
	Construct New Units	1460		2,038,847		1,360,514		In Progress.
	Subtotal Roosevelt Manor			2,038,847	0	1,360,514	0	
NJ10-13 Authority-Wide Projects								
	Subtotal Authority Wide-Projects			0	0	0	0	
	GRAND TOTAL			2,038,847	0	1,360,514	0	

REVENUE BOND CAPITAL FUND PROGRAM P & E REPORT

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN	Grant Type and Number Capital Fund Program Grant No: NJ010D001B Replacement Housing Factor Grant No:
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Original Annual Statement
 Reserve for Disaster/Emergencies
 Revised Annual Statement (revision no:)
 Performance and Evaluation Report for Period Ending: 06/30/05
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
1	Total Non-CGP Funds			
2	1406 Operations			
3	1408 Management Improvements			
4	1410 Administration			
5	1411 Audit			
6	1415 Liquidated Damages			
7	1430 Fees and Costs	245,849	-	-
8	1440 Site Acquisition			
9	1450 Site Improvement	1,025,000	-	-
10	1460 Dwelling Structures	5,361,164	-	600,000
11	1465 Dwelling Equipment - Non-Expendable			
12	1470 Non-Dwelling Structures	100,000	-	-
13	1475 Non-Dwelling Equipment			
14	1485 Demolition			
15	1490 Replacement Reserve			
16	1492 Moving to Work Demonstration			
17	1495.1 Relocation Costs	15,000	-	-
18	1499 Development Activities			
19	1501 Collaterization or Debt Service			

REVENUE BOND CAPITAL FUND PROGRAM P & E REPORT

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN	Grant Type and Number Capital Fund Program Grant No: NJ010D001B Replacement Housing Factor Grant No:
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Original Annual Statement
 Reserve for Disaster/Emergencies
 Revised Annual Statement (revision no:)
 Performance and Evaluation Report for Period Ending: 06/30/05
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
20	1502 Contingency			
21	Amount of Annual Grant (Sum of Lines 2-20)	6,747,013	-	600,000
22	Amount of Line 21 Related to LBP Activities			
23	Amount of Line 21 Related to Section 504 Compliance			
24	Amount of Line 21 Related to Security - Soft Costs			
25	Amount of Line 21 Related to Security - Hard Costs			
26	Amount of Line 21 Related to Energy Conservation Measures			

Federal FY of Grant:
2004
Actual Cost
Expended
-
-
-
-
-

Federal FY of Grant:
2004
Actual Cost
Expended
-

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

PHA Name:		Grant Type and Number			Federal FY of Grant: 2004			
HOUSING AUTHORITY OF THE CITY OF CAMDEN		Capital Fund Program Grant No: NJ010D001B Replacement Housing Factor Grant No:						
Development Number Name/HA-Wide Activities	General Description of Major Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		St
				Original	Revised	Funds Obligated	Funds Expended	
NJ10-01 Branch Village								
	A/E Services	1430		123,849				
	Professional and Other Fees	1430		60,000				
	Site Improvement - Sidewalks, Landscaping	1450		970,000				
	Replace kitchen and appliances, minor interior work	1460		4,183,529				
	Relocation	1495		15,000				
	Subtotal Branch Village			5,352,378	0	0	0	
NJ10-07 Kennedy Tower								
	A/E Services	1430		32,000				
	Professional and Other Fees	1430		30,000				
	Site Improvement - Sidewalks, Landscaping	1450		55,000				
	Elevator replacement	1460		600,000		600,000		
	Installation of sprinkler system	1460		477,935				
	Replacement of smoke detector	1460		9,000				
	Upgrade staff station and offices	1460		15,000				
	Install additional emergency call buttons	1460		7,500				
	Convert existing facilities into handicap roll-in shower and bathroom	1460		22,600				
	Convert existing facilities into medication room.	1460		18,000				
	Upgrade storage area, janitor's closet and laundry room	1460		22,600				
	Install additional phone jacks	1460		5,000				
	Upgrade community center	1470		100,000				
	Subtotal Kennedy Tower			1,394,635	0	600,000	0	
	GRAND TOTAL			6,747,013	0	600,000	0	

CAPITAL FUND PROGRAM P & E REPORT

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN		Grant Type and Number Capital Fund Program Grant No: NJ39PO10501-03 Replacement Housing Factor Grant No:		
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disaster/Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 06/30/05 <input type="checkbox"/> Final Performance and Evaluation Report				
Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
1	Total Non-CGP Funds			
2	1406 Operations	336,690	336,690	336,690
3	1408 Management Improvements	292,000	309,720	309,720
4	1410 Administration	242,690	242,690	242,690
5	1411 Audit			
6	1415 Liquidated Damages			
7	1430 Fees and Costs	288,450	307,825	270,050
8	1440 Site Acquisition			
9	1450 Site Improvement	60,000	89,597	89,597
10	1460 Dwelling Structures	822,452	1,076,617	620,645
11	1465 Dwelling Equipment - Non-Expendable			
12	1470 Non-Dwelling Structures	-	-	-
13	1475 Non-Dwelling Equipment	128,500	63,761	63,761
14	1485 Demolition	106,840	-	-
15	1490 Replacement Reserve			
16	1492 Moving to Work Demonstration			
17	1495.1 Relocation Costs	20,000	-	-
18	1499 Development Activities			
19	1501 Collateralization or Debt Service			

CAPITAL FUND PROGRAM P & E REPORT

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN	Grant Type and Number Capital Fund Program Grant No: NJ39PO10501-03 Replacement Housing Factor Grant No:
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Original Annual Statement
 Reserve for Disaster/Emergencies
 Revised Annual Statement (revision no:)

Performance and Evaluation Report for Period Ending: 06/30/05
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
20	1502 Contingency	129,278	-	-
21	Amount of Annual Grant (Sum of Lines 2-20)	2,426,900	2,426,900	1,933,153
22	Amount of Line 21 Related to LBP Activities			
23	Amount of Line 21 Related to Section 504 Compliance			
24	Amount of Line 21 Related to Security - Soft Costs			
25	Amount of Line 21 Related to Security - Hard Costs			
26	Amount of Line 21 Related to Energy Conservation Measures			

Federal FY of Grant:
2003
Actual Cost
Expended
336,690
309,720
242,690
60,061
89,597
21,245
-
63,761
-
-

Federal FY of Grant:
2003
Actual Cost
Expended
-
1,123,764

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

PHA Name:		Grant Type and Number			Federal FY of Grant: 2003			
HOUSING AUTHORITY OF THE CITY OF CAMDEN		Capital Fund Program Grant No: NJ39PO10501-03 Replacement Housing Factor Grant No:						
Development Number Name/HA-Wide Activities	General Description of Major Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status
				Original	Revised	Funds Obligated	Funds Expended	
NJ10-01 Branch Village								
	Site, Upgrade and Improvement	1450		50,000	89,597	89,597	89,597	Work Comple
	Subtotal Branch Village			50,000	89,597	89,597	89,597	
NJ10-02 Ablett Village								
	Upgrade Sidewalks	1450		10,000	0	0	0	
	Subtotal Ablett Village			10,000	0	0	0	
NJ10-04 McGuire Gardens								
	Community Building	1470			-	-	-	
	A/E Services	1430			-	-	-	
	Legal Fees	1430			-	-	-	
	Subtotal McGuire Gardens			0	0	0	0	
NJ10-05 Chelton Terrace								
	Demo Phase II	1485		106,840	0	0		
	Subtotal Chelton Village			106,840	0	0	0	
NJ10-08 Westfield Tower								
	Elevator Repair/Upgrade	1460		0	-	-	-	
	A/E Services	1430		0	-	-		
	Subtotal Westfield Tower			0	0	0	0	
NJ10-10 Mickle Tower								
	Elevator Replacement	1460		374,000	599,400	599,400		In Progress.
	A/E Services	1430		0	0			
	Facade Restoration	1460		44,800	192,125			Being Procure
	Repair / Upgrade (Bird Netting)	1460		10,383	10,383	10,383	10,383	Work Comple
	Subtotal Mickle Tower			429,183	801,908	609,783	10,383	
NJ10-13 Authority-Wide Projects								
	General Operations	1406		336,690	336,690	336,690	336,690	Work Comple
	Financial Management	1408		100,000	100,000	100,000	100,000	Work Comple
	Fresh Start	1408		132,000	149,720	149,720	149,720	Work Comple

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

PHA Name:		Grant Type and Number				Federal FY of Grant: 2003		
HOUSING AUTHORITY OF THE CITY OF CAMDEN		Capital Fund Program Grant No: NJ39PO10501-03 Replacement Housing Factor Grant No:						
Development Number Name/HA-Wide Activities	General Description of Major Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status
				Original	Revised	Funds Obligated	Funds Expended	
	Staff Training	1408		60,000	60,000	60,000	60,000	Work Comple
	Administration (Staff and Related Items)	1410		242,690	242,690	242,690	242,690	Work Comple
	A&E Services	1430		222,450	222,450	222,450	19,436	In Progress.
	Professional and Other Fees	1430		66,000	65,375	27,600	20,625	In Progress.
	Legal Fees - Settlement	1430		0	20,000	20,000	20,000	Work Comple
	Comp System Maintenance & PMIS	1430		0	0			
	Vacant Unit Rehab	1460		393,269	274,709	10,862	10,862	In Progress.
	Computer Upgrades - Hardware	1475		68,500	3,761	10,090	10,090	Work Comple
	Vehicle Replacement	1475		60,000	60,000	53,671	53,671	In Progress.
	Relocation	1495		20,000	0			
	Contingency	1502		129,278	0			
	Subtotal Authority Wide-Projects			1,830,877	1,535,395	1,233,773	1,023,784	
	GRAND TOTAL			2,426,900	2,426,900	1,933,153	1,123,764	

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CAPITAL FUND PROGRAM P & E REPORT

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN		Grant Type and Number Capital Fund Program Grant No: NJ39PO10502-03 Replacement Housing Factor Grant No:		
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disaster/Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 06/30/05 <input type="checkbox"/> Final Performance and Evaluation Report				
Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
1	Total Non-CGP Funds			
2	1406 Operations	-		
3	1408 Management Improvements	-		
4	1410 Administration	-		
5	1411 Audit			
6	1415 Liquidated Damages			
7	1430 Fees and Costs	100,000	-	97,000
8	1440 Site Acquisition			
9	1450 Site Improvement	-	-	-
10	1460 Dwelling Structures	570,000	-	-
11	1465 Dwelling Equipment - Non-Expendable			
12	1470 Non-Dwelling Structures	-	-	-
13	1475 Non-Dwelling Equipment	90,000	-	-
14	1485 Demolition	-	-	-
15	1490 Replacement Reserve			
16	1492 Moving to Work Demonstration			
17	1495.1 Relocation Costs	-	-	-
18	1499 Development Activities			
19	1501 Collateralization or Debt Service	-	-	-

CAPITAL FUND PROGRAM P & E REPORT

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN	Grant Type and Number Capital Fund Program Grant No: NJ39PO10502-03 Replacement Housing Factor Grant No:
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Original Annual Statement
 Reserve for Disaster/Emergencies
 Revised Annual Statement (revision no:)

Performance and Evaluation Report for Period Ending: 06/30/05
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
20	1502 Contingency	31,800	-	-
21	Amount of Annual Grant (Sum of Lines 2-20)	791,800	-	97,000
22	Amount of Line 21 Related to LBP Activities			
23	Amount of Line 21 Related to Section 504 Compliance			
24	Amount of Line 21 Related to Security - Soft Costs			
25	Amount of Line 21 Related to Security - Hard Costs			
26	Amount of Line 21 Related to Energy Conservation Measures			

Federal FY of Grant:
2003
Actual Cost
Expended
15,605
-
-
-
-
-
-
-

Federal FY of Grant:
2003
Actual Cost
Expended
-
15,605

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

PHA Name:		Grant Type and Number			Federal FY of Grant: 2003			
HOUSING AUTHORITY OF THE CITY OF CAMDEN		Capital Fund Program Grant No: NJ39PO10502-03 Replacement Housing Factor Grant No:						
Development Number Name/HA-Wide Activities	General Description of Major Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status
				Original	Revised	Funds Obligated	Funds Expended	
NJ10-01 Branch Village								
	Site, Upgrade and Improvement	1450		0				
	Subtotal Branch Village			0	0	0	0	
NJ10-02 Ablett Village								
	Site, Upgrade and Improvement	1450		0				
	Replace Windows	1460		0				
	Subtotal Ablett Village			0	0	0	0	
NJ10-04 McGuire Gardens								
	Community Building	1470		0				
	A/E Services	1430		0				
	Subtotal McGuire Gardens			0	0	0	0	
NJ10-08 Westfield Tower								
	Sprinkler System Repair/Upgrade	1460		470,000				Being Procure
	A/E Services	1430		80,000		80,000		In Progress.
	Subtotal Westfield Tower			550,000	0	80,000	0	
NJ10-10 Mickle Tower								
	Sprinkler System Repair/Upgrade	1460		0				
	A/E Services	1430		0				
	Subtotal Mickle Tower			0	0	0	0	
NJ10-13 Authority-Wide Projects								
	General Operations	1406		0				
	Union Trades - Carpenter	1408		0				
	Financial Management	1408		0				
	Fresh Start	1408		0				
	Staff Training	1408		0				
	Program Mgt of Modernization Dept/A&E Serv	1430		0				
	A&E Services - H6 Application/Planning	1430		0				
	Professional and Other Fees	1430		20,000		17,000	15,605	In Progress.

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN		Grant Type and Number Capital Fund Program Grant No: NJ39PO10502-03 Replacement Housing Factor Grant No:			Federal FY of Grant: 2003			
Development Number Name/HA-Wide Activities	General Description of Major Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status
				Original	Revised	Funds Obligated	Funds Expended	
	Vacant Unit Rehab	1460		100,000				Ongoing Unit
	Computer Upgrades	1475		90,000				Being Procure
	Vehicle Replacement	1475		0				
	Relocation	1495		0				
	Collaterization or Debt Service	1501		0				
	Contingency	1502		31,800				
	Subtotal Authority Wide-Projects			241,800	0	17,000	15,605	
	GRAND TOTAL			791,800	0	97,000	15,605	

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN	Grant Type and Number Capital Fund Program Grant No: NJ39PO10502-03 Replacement Housing Factor Grant No:			Federal FY of Grant: 2003			
Development Number/Name Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
NJ10-08 Westfield Tower	Feb-06			Feb-08			
NJ10-13 Authority-Wide Projects	Feb-06			Feb-08			

**REPLACEMENT HOUSING FACTOR
CAPITAL FUND PROGRAM P & E REPORT**

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: NJ39RO10501-03		
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disaster/Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 06/30/05 <input type="checkbox"/> Final Performance and Evaluation Report				
Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
1	Total Non-CGP Funds			
2	1406 Operations	-	-	-
3	1408 Management Improvements	-	-	-
4	1410 Administration	-	-	-
5	1411 Audit			
6	1415 Liquidated Damages			
7	1430 Fees and Costs	-	-	-
8	1440 Site Acquisition			
9	1450 Site Improvement	-	-	-
10	1460 Dwelling Structures	1,321,989	-	1,321,989
11	1465 Dwelling Equipment - Non-Expendable			
12	1470 Non-Dwelling Structures	-	-	-
13	1475 Non-Dwelling Equipment	-	-	-
14	1485 Demolition	-	-	-
15	1490 Replacement Reserve			
16	1492 Moving to Work Demonstration			
17	1495.1 Relocation Costs	-	-	-
18	1499 Development Activities	-	-	-
19	1501 Collaterization or Debt Service			

REPLACEMENT HOUSING FACTOR CAPITAL FUND PROGRAM P & E REPORT

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: NJ39RO10501-03
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Original Annual Statement
 Reserve for Disaster/Emergencies
 Revised Annual Statement (revision no:)
 Performance and Evaluation Report for Period Ending: 06/30/05
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
20	1502 Contingency	-	-	-
21	Amount of Annual Grant (Sum of Lines 2-20)	1,321,989	-	1,321,989
22	Amount of Line 21 Related to LBP Activities			
23	Amount of Line 21 Related to Section 504 Compliance			
24	Amount of Line 21 Related to Security - Soft Costs			
25	Amount of Line 21 Related to Security - Hard Costs			
26	Amount of Line 21 Related to Energy Conservation Measures			

Federal FY of Grant:
2003
Actual Cost
Expended
-
-
-
-
-
184,672
-
-
-
-
-

Federal FY of Grant:
2003
Actual Cost
Expended
-
184,672

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

PHA Name:		Grant Type and Number			Federal FY of Grant: 2003			
HOUSING AUTHORITY OF THE CITY OF CAMDEN		Capital Fund Program Grant No:						
		Replacement Housing Factor Grant No: NJ39RO10501-03						
Development Number Name/HA-Wide Activities	General Description of Major Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status
				Original	Revised	Funds Obligated	Funds Expended	
NJ10-03 Roosevelt Manor								
	Construct New Units	1460		1,139,486		1,139,486	76,927	In Progress.
	Subtotal Roosevelt Manor			1,139,486	0	1,139,486	76,927	
NJ10-04 McGuire Gardens								
	Subtotal Roosevelt Manor			0	0	0	-	
NJ10-05 Chelton Village								
	Construct New Units - Phase II	1460		182,503		182,503	107,745	In Progress.
	Subtotal Chelton Village			182,503	0	182,503	107,745	
NJ10-06 Westfield Acres								
	Subtotal Westfield Acres			0	0	0	0	
NJ10-07 Kennedy Tower								
	Subtotal Kennedy Tower			0	0	0	0	
NJ10-08 Westfield Tower								
	Subtotal Westfield Tower			0	0	0	0	
NJ10-10 Mickle Tower								
	Subtotal Mickle Tower			0	0	0	0	
NJ10-13 Authority-Wide Projects								
	Subtotal Authority Wide-Projects			0	0	0	0	
	GRAND TOTAL			1,321,989	0	1,321,989	184,672	

CAPITAL FUND PROGRAM P & E REPORT

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN		Grant Type and Number Capital Fund Program Grant No: NJ39PO10501-02 Replacement Housing Factor Grant No:		
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disaster/Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 06/30/05 <input type="checkbox"/> Final Performance and Evaluation Report				
Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
1	Total Non-CGP Funds			
2	1406 Operations	552,763	552,763	552,763
3	1408 Management Improvements	543,763	521,417	521,417
4	1410 Administration	276,381	276,381	276,381
5	1411 Audit			
6	1415 Liquidated Damages			
7	1430 Fees and Costs	81,000	516,421	517,950
8	1440 Site Acquisition			
9	1450 Site Improvement	-	-	-
10	1460 Dwelling Structures	549,907	85,112	85,112
11	1465 Dwelling Equipment - Non-Expendable			
12	1470 Non-Dwelling Structures	700,000	790,000	792,471
13	1475 Non-Dwelling Equipment	-	21,360	17,360
14	1485 Demolition	-	-	-
15	1490 Replacement Reserve			
16	1492 Moving to Work Demonstration			
17	1495.1 Relocation Costs	10,000	360	360
18	1499 Development Activities			

CAPITAL FUND PROGRAM P & E REPORT

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN	Grant Type and Number Capital Fund Program Grant No: NJ39PO10501-02 Replacement Housing Factor Grant No:
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Original Annual Statement
 Reserve for Disaster/Emergencies
 Revised Annual Statement (revision no:)

Performance and Evaluation Report for Period Ending: 06/30/05
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
19	1501 Collaterization or Debt Service			
20	1502 Contingency	50,000	-	-
21	Amount of Annual Grant (Sum of Lines 2-20)	2,763,814	2,763,814	2,763,814
22	Amount of Line 21 Related to LBP Activities			
23	Amount of Line 21 Related to Section 504 Compliance			
24	Amount of Line 21 Related to Security - Soft Costs			
25	Amount of Line 21 Related to Security - Hard Costs			
26	Amount of Line 21 Related to Energy Conservation Measures			

Federal FY of Grant:
2002
Actual Cost
Expended
552,763
521,417
276,381
412,609
-
85,112
772,721
17,360
-
360

Federal FY of Grant:
2002
Actual Cost
Expended
-
2,638,723

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN		Grant Type and Number Capital Fund Program Grant No: NJ39PO10501-02 Replacement Housing Factor Grant No:			Federal FY of Grant: 2002			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		St
				Original	Revised	Funds Obligated	Funds Expended	
NJ10-04 McGuire Gardens								
	Community Building	1470		700,000	790,000	792,471	772,721	In Progress.
	A/E Services	1430		9,000	69,985	57,214	57,260	In Progress.
	Legal Fees	1430		0	30,000	30,000	5,882	In Progress.
	Permits and Fees	1430		0	20,000	66,806	56,765	In Progress.
	Subtotal Roosevelt Manor			709,000	909,985	946,491	892,628	
NJ10-07 Kennedy Tower								
	A/E Fees - Façade Restoration	1430		0	2,000	2,000	2,000	Complete.
	Elevator Upgrade	1460		149,907	0	0	0	
	Subtotal Kennedy Tower			149,907	2,000	2,000	2,000	
NJ10-13 Authority-Wide Projects								
	General Operations	1406		552,763	552,763	552,763	552,763	Complete.
	Capital Equipment/Supplies	1408		7,008	6,022	6,022	6,022	Complete.
	Union Trades - Carpenter	1408		295,992	245,992	245,992	245,992	Complete.
	Financial Management	1408		50,117	50,117	50,117	50,117	Complete.
	Computer Upgrades	1408		10,000	10,000	10,000	10,000	Complete.
	Fresh Start	1408		142,646	142,646	192,646	192,646	Complete.
	Resident Training	1408		10,000	10,000	10,000	10,000	Complete.
	IT Technical Assistance	1408		28,000	6,640	6,640	6,640	Complete.
	Youth Program	1408			50,000	0	0	
	Administration (Staff and Related Items)	1410		247,685	259,685	259,685	259,685	Complete.
	Rent	1410		16,696	16,696	16,696	16,696	Complete.
	Materials/Supplies	1410		12,000	0	0	0	
	Comp System Maintenance & PMIS	1430		0	84,308	84,308	84,308	Complete.
	A&E Services	1430		72,000	255,644	223,138	151,910	In Progress.
	A&E Services - H6 Application/Planning	1430		0	54,484	54,484	54,484	Complete.
	Vacant Unit Rehab	1460		400,000	85,112	85,112	85,112	Complete.
	Computer Upgrades - Hardware	1475			21,360	17,360	17,360	Complete.

Annual Statement /Performance and Evaluation Report								
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)								
Part II: Supporting Pages								
PHA Name:		Grant Type and Number			Federal FY of Grant: 2002			
HOUSING AUTHORITY OF THE CITY OF CAMDEN		Capital Fund Program Grant No: NJ39PO10501-02 Replacement Housing Factor Grant No:						
Development Number Name/HA-Wide Activities	General Description of Major Work Categories Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		St
				Original	Revised	Funds Obligated	Funds Expended	
	Relocation	1495		10,000	360	360	360	Complete.
	Contingency	1502		50,000	0	0		
	Subtotal Authority Wide-Projects			1,904,907	1,851,829	1,815,323	1,744,095	
	GRAND TOTAL			2,763,814	2,763,814	2,763,814	2,638,723	

**REPLACEMENT HOUSING FACTOR
CAPITAL FUND PROGRAM P & E REPORT**

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: NJ39RO10501-02		
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disaster/Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 06/30/05 <input type="checkbox"/> Final Performance and Evaluation Report				
Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
1	Total Non-CGP Funds			
2	1406 Operations			
3	1408 Management Improvements			
4	1410 Administration	100,000	-	-
5	1411 Audit			
6	1415 Liquidated Damages			
7	1430 Fees and Costs	-	590,682	590,682
8	1440 Site Acquisition			
9	1450 Site Improvement	-	1,000,000	1,000,000
10	1460 Dwelling Structures	1,964,874	474,192	474,192
11	1465 Dwelling Equipment - Non-Expendable			
12	1470 Non-Dwelling Structures			
13	1475 Non-Dwelling Equipment			
14	1485 Demolition			
15	1490 Replacement Reserve			
16	1492 Moving to Work Demonstration			
17	1495.1 Relocation Costs			
18	1499 Development Activities			
19	1501 Collaterization or Debt Service			

REPLACEMENT HOUSING FACTOR CAPITAL FUND PROGRAM P & E REPORT

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: NJ39RO10501-02
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Original Annual Statement
 Reserve for Disaster/Emergencies
 Revised Annual Statement (revision no:)

Performance and Evaluation Report for Period Ending: 06/30/05
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
20	1502 Contingency			
21	Amount of Annual Grant (Sum of Lines 2-20)	2,064,874	2,064,874	2,064,874
22	Amount of Line 21 Related to LBP Activities			
23	Amount of Line 21 Related to Section 504 Compliance			
24	Amount of Line 21 Related to Security - Soft Costs			
25	Amount of Line 21 Related to Security - Hard Costs			
26	Amount of Line 21 Related to Energy Conservation Measures			

Federal FY of Grant:
2002
Actual Cost
Expended
1,936,682

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

PHA Name:		Grant Type and Number				Federal FY of Grant: 2002		
HOUSING AUTHORITY OF THE CITY OF CAMDEN		Capital Fund Program Grant No: Replacement Housing Factor Grant No: NJ39RO10501-02						
Development Number Name/HA-Wide Activities	General Description of Major Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status
				Original	Revised	Funds Obligated	Funds Expended	
NJ10-05 Chelton Village								
	Technical Salaries & Fringes	1410		100,000	-	-		
	Construct New Units - Phase II	1460		1,964,874	474,192	474,192	407,185	In Progress.
	Site Work	1450			1,000,000	1,000,000	1,076,724	In Progress.
	A/E Services	1430		-	44,270	44,270	30,150	In Progress.
	Legal Fees	1430		-	166,013	166,013	153,734	In Progress.
	Other Fees	1430		-	380,399	380,399	268,889	In Progress.
	Subtotal Chelton Village			2,064,874	2,064,874	2,064,874	1,936,682	
NJ10-06 Westfield Acres								
	Subtotal Westfield Acres			0	0	0	0	
NJ10-07 Kennedy Tower								
	Subtotal Kennedy Tower			0	0	0	0	
NJ10-08 Westfield Tower								
	Subtotal Westfield Tower			0	0	0	0	
NJ10-10 Mickle Tower								
	Subtotal Mickle Tower			0	0	0	0	
NJ10-13 Authority-Wide Projects								
	Subtotal Authority Wide-Projects			0	0	0	0	
GRAND TOTAL				2,064,874	2,064,874	2,064,874	1,936,682	

CAPITAL FUND PROGRAM P & E REPORT

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN		Grant Type and Number Capital Fund Program Grant No: NJ39PO10501-01 Replacement Housing Factor Grant No:		
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disaster/Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 06/30/05 <input type="checkbox"/> Final Performance and Evaluation Report				
Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
1	Total Non-CGP Funds			
2	1406 Operations	760,000	760,000	760,000
3	1408 Management Improvements	940,994	930,774	930,774
4	1410 Administration	355,500	355,500	355,500
5	1411 Audit			
6	1415 Liquidated Damages			
7	1430 Fees and Costs	392,697	392,447	392,447
8	1440 Site Acquisition			
9	1450 Site Improvement	32,014	32,014	32,014
10	1460 Dwelling Structures	1,456,081	1,462,551	1,462,551
11	1465 Dwelling Equipment - Non-Expendable			
12	1470 Non-Dwelling Structures	-	-	-
13	1475 Non-Dwelling Equipment	2,362	6,362	6,362
14	1485 Demolition	339,502	339,502	339,502
15	1490 Replacement Reserve			
16	1492 Moving to Work Demonstration			
17	1495.1 Relocation Costs	8,480	8,480	8,480
18	1499 Development Activities	485,000	485,000	485,000
19	1501 Collateralization or Debt Service			

CAPITAL FUND PROGRAM P & E REPORT

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN	Grant Type and Number Capital Fund Program Grant No: NJ39PO10501-01 Replacement Housing Factor Grant No:
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Original Annual Statement
 Reserve for Disaster/Emergencies
 Revised Annual Statement (revision no:)

Performance and Evaluation Report for Period Ending: 06/30/05
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
20	1502 Contingency	-	-	-
21	Amount of Annual Grant (Sum of Lines 2-20)	4,772,630	4,772,630	4,772,630
22	Amount of Line 21 Related to LBP Activities			
23	Amount of Line 21 Related to Section 504 Compliance			
24	Amount of Line 21 Related to Security - Soft Costs			
25	Amount of Line 21 Related to Security - Hard Costs			
26	Amount of Line 21 Related to Energy Conservation Measures			

Federal FY of Grant:
2001
Actual Cost
Expended
760,000
930,774
355,500
392,447
32,014
1,462,551
-
6,362
339,502
8,480
485,000

Federal FY of Grant:
2001
Actual Cost
Expended
-
4,772,630

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN		Grant Type and Number Capital Fund Program Grant No: NJ39PO10501-01 Replacement Housing Factor Grant No:			Federal FY of Grant: 2001			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status
				Original	Revised	Funds Obligated	Funds Expended	
NJ10-01 Branch Village								
	Litigation / Settlement	1460		40,644	40,644	40,644	40,644	Complete.
	Site, Upgrade and Improvement	1450		0	11,500	11,500	11,500	Complete.
	Subtotal Branch Village			40,644	52,144	52,144	52,144	
NJ10-02 Ablett Village								
	Site, Upgrade and Improvement	1450		32,014	0	0	0	
	Subtotal Ablett Village			32,014	0	0	0	
NJ10-04 McGuire Gardens								
	A/E Services	1430		13,300	13,300	13,300	13,300	Complete.
	Bock Settlement	1499		310,609	485,000	485,000	485,000	Complete.
	Construction New Dwelling Units	1460		0	95,351	95,351	95,351	Complete.
	Subtotal Roosevelt Manor			323,909	593,651	593,651	593,651	
NJ10-05 Chelton Terrace								
	PILOT Fees	1430		10,000	10,000	10,000	10,000	Complete.
	Asbestos Removal	1460		104,575	104,575	104,575	104,575	Complete.
	Construction New Dwelling Units	1460		928,752	833,401	833,401	833,401	Complete.
	Demolition	1485		339,502	339,502	339,502	339,502	Complete.
	Relocation	1495		7,248	8,480	8,480	8,480	Complete.
	Subtotal Chelton Village			1,390,077	1,295,958	1,295,958	1,295,958	
NJ10-06 Westfield Acres								
	Asbestos Removal	1460		0	0	0	0	
	Subtotal Westfield Acres			0	0	0	0	
NJ10-07 Kennedy Tower								
	Site, Upgrade and Improvement	1450		0	9,814	9,814	9,814	Complete.
	Subtotal Kennedy Tower			0	9,814	9,814	9,814	
NJ10-08 Westfield Tower								

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN		Grant Type and Number Capital Fund Program Grant No: NJ39PO10501-01 Replacement Housing Factor Grant No:			Federal FY of Grant: 2001			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		St
				Original	Revised	Funds Obligated	Funds Expended	
	A/E Services (Fees & Costs)	1430		30,500	30,250	30,250	30,250	Complete.
	Elevator Repair / Upgrade	1460		369,150	375,620	375,620	375,620	Complete.
	Repair / Upgrade (Bird Netting)	1460		12,960	12,960	12,960	12,960	Complete.
	Subtotal Westfield Tower			412,610	418,830	418,830	418,830	
NJ10-10 Mickle Tower								
	Site, Upgrade and Improvement	1450		0	10,700	10,700	10,700	Complete.
	Subtotal Mickle Tower			0	10,700	10,700	10,700	
NJ10-13 Authority-Wide Projects								
	General Operations	1406		760,000	760,000	760,000	760,000	Complete.
	Grant Analyst / Writer	1408		37,565	37,565	37,565	37,565	Complete.
	Rent	1408		13,214	13,214	13,214	13,214	Complete.
	Resident/Board of Commissioner's Training	1408		53,072	53,072	53,072	53,072	Complete.
	Staff Training & Development	1408		136,829	136,829	136,829	136,829	Complete.
	Union Trades - Carpenters	1408		347,129	347,129	347,129	347,129	Complete.
	Youth Program	1408		50,118	6,073	6,073	6,073	Complete.
	Financial Management	1408		94,789	94,789	94,789	94,789	Complete.
	Fresh Start	1408		208,278	242,103	242,103	242,103	Complete.
	Computer Upgrades	1410		25,000	25,000	25,000	25,000	Complete.
	Staff Salaries, Technical	1410		330,500	330,500	330,500	330,500	Complete.
	A&E Services - H6 Application/Planning	1430		236,991	236,991	236,991	236,991	Complete.
	A&E Services	1430		101,906	101,906	101,906	101,906	Complete.
	Bock Settlement / Liquidated Damages	1499		174,391	0	0	0	
	Computerization	1475		2,362	6,362	6,362	6,362	Complete.
	Relocation	1495		1,232	0	0	0	
	Contingency	1502		0	0	0	0	
	Subtotal Authority Wide-Projects			2,573,376	2,391,533	2,391,533	2,391,533	

Annual Statement /Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part II: Supporting Pages								
PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN		Grant Type and Number Capital Fund Program Grant No: NJ39PO10501-01 Replacement Housing Factor Grant No:			Federal FY of Grant: 2001			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		St
				Original	Revised	Funds Obligated	Funds Expended	
				4,772,630	4,772,630	4,772,630	4,772,630	
GRAND TOTAL				4,772,630	4,772,630	4,772,630	4,772,630	

Status of Work

REPLACEMENT HOUSING FACTOR CAPITAL FUND PROGRAM P & E REPORT

Annual Statement /Performance and Evaluation Report				
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary				
PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: NJ39RO10501-01		
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disaster/Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 06/30/05 <input type="checkbox"/> Final Performance and Evaluation Report				
Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
1	Total Non-CGP Funds			
2	1406 Operations			
3	1408 Management Improvements			
4	1410 Administration			
5	1411 Audit			
6	1415 Liquidated Damages			
7	1430 Fees and Costs			
8	1440 Site Acquisition			
9	1450 Site Improvement			
10	1460 Dwelling Structures	375,474	-	375,474
11	1465 Dwelling Equipment - Non-Expendable			
12	1470 Non-Dwelling Structures			
13	1475 Non-Dwelling Equipment			
14	1485 Demolition			
15	1490 Replacement Reserve			
16	1492 Moving to Work Demonstration			
17	1495.1 Relocation Costs			
18	1499 Development Activities			
19	1501 Collaterization or Debt Service			

REPLACEMENT HOUSING FACTOR CAPITAL FUND PROGRAM P & E REPORT

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: NJ39RO10501-01
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Original Annual Statement
 Reserve for Disaster/Emergencies
 Revised Annual Statement (revision no:)

Performance and Evaluation Report for Period Ending: 06/30/05
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
20	1502 Contingency			
21	Amount of Annual Grant (Sum of Lines 2-20)	375,474	-	375,474
22	Amount of Line 21 Related to LBP Activities			
23	Amount of Line 21 Related to Section 504 Compliance			
24	Amount of Line 21 Related to Security - Soft Costs			
25	Amount of Line 21 Related to Security - Hard Costs			
26	Amount of Line 21 Related to Energy Conservation Measures			

Federal FY of Grant:
2001
Actual Cost
Expended
375,474

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

PHA Name:		Grant Type and Number			Federal FY of Grant: 2001			
HOUSING AUTHORITY OF THE CITY OF CAMDEN		Capital Fund Program Grant No:						
		Replacement Housing Factor Grant No: NJ39RO10501-01						
Development Number Name/HA-Wide Activities	General Description of Major Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		St
				Original	Revised	Funds Obligated	Funds Expended	
NJ10-05 Chelton Village								
	Construct New Units - Phase II	1460		375,474		375,474	375,474	Completed.
	Subtotal Chelton Village			375,474	0	375,474	375,474	
NJ10-06 Westfield Acres								
	Subtotal Westfield Acres			0	0	0	0	
NJ10-07 Kennedy Tower								
	Subtotal Kennedy Tower			0	0	0	0	
NJ10-08 Westfield Tower								
	Subtotal Westfield Tower			0	0	0	0	
NJ10-10 Mickle Tower								
	Subtotal Mickle Tower			0	0	0	0	
NJ10-13 Authority-Wide Projects								
	Subtotal Authority Wide-Projects			0	0	0	0	
	GRAND TOTAL			375,474	0	375,474	375,474	

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Reasons for Revised Target Dates

**REPLACEMENT HOUSING FACTOR
CAPITAL FUND PROGRAM P & E REPORT**

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: NJ39RO10501-00		
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disaster/Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 12/31/04 <input type="checkbox"/> Final Performance and Evaluation Report				
Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
1	Total Non-CGP Funds			
2	1406 Operations			
3	1408 Management Improvements			
4	1410 Administration			
5	1411 Audit			
6	1415 Liquidated Damages			
7	1430 Fees and Costs			
8	1440 Site Acquisition			
9	1450 Site Improvement			
10	1460 Dwelling Structures	80,030	-	80,030
11	1465 Dwelling Equipment - Non-Expendable			
12	1470 Non-Dwelling Structures			
13	1475 Non-Dwelling Equipment			
14	1485 Demolition			
15	1490 Replacement Reserve			
16	1492 Moving to Work Demonstration			
17	1495.1 Relocation Costs			
18	1499 Development Activities			
19	1501 Collaterization or Debt Service			

REPLACEMENT HOUSING FACTOR CAPITAL FUND PROGRAM P & E REPORT

Annual Statement /Performance and Evaluation Report

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

PHA Name: HOUSING AUTHORITY OF THE CITY OF CAMDEN	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: NJ39RO10501-00
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Original Annual Statement
 Reserve for Disaster/Emergencies
 Revised Annual Statement (revision no:)

Performance and Evaluation Report for Period Ending: 12/31/04
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Ac
		Original	Revised	Obligated
20	1502 Contingency			
21	Amount of Annual Grant (Sum of Lines 2-20)	80,030	-	80,030
22	Amount of Line 21 Related to LBP Activities			
23	Amount of Line 21 Related to Section 504 Compliance			
24	Amount of Line 21 Related to Security - Soft Costs			
25	Amount of Line 21 Related to Security - Hard Costs			
26	Amount of Line 21 Related to Energy Conservation Measures			

Federal FY of Grant:
2000
Actual Cost
Expended
80,030

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

PHA Name:		Grant Type and Number			Federal FY of Grant: 2000			
HOUSING AUTHORITY OF THE CITY OF CAMDEN		Capital Fund Program Grant No:						
		Replacement Housing Factor Grant No: NJ39RO10501-00						
Development Number Name/HA-Wide Activities	General Description of Major Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		St
				Original	Revised	Funds Obligated	Funds Expended	
NJ10-05 Chelton Village								
	Construct New Units - Phase II	1460		80,030		80,030	80,030	Complete.
	Subtotal Chelton Village			80,030	0	80,030	80,030	
NJ10-06 Westfield Acres								
	Subtotal Westfield Acres			0	0	0	0	
NJ10-07 Kennedy Tower								
	Subtotal Kennedy Tower			0	0	0	0	
NJ10-08 Westfield Tower								
	Subtotal Westfield Tower			0	0	0	0	
NJ10-10 Mickle Tower								
	Subtotal Mickle Tower			0	0	0	0	
NJ10-13 Authority-Wide Projects								
	Subtotal Authority Wide-Projects			0	0	0	0	
	GRAND TOTAL			80,030	0	80,030	80,030	

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Reasons for Revised Target Dates

Required Attachment A Statement of Progress in Meeting the 5-Year Plan Mission and Goals

**Housing Authority of the City of Camden
Fiscal Year 2006 Annual Plan**

The following table reflects the progress we have made in achieving our goals and objectives:

Goal One: Expand the supply of assisted housing	
Objective	Progress
Apply for additional rental vouchers:	188 relocation vouchers were received for Roosevelt Manor residents.
Reduce public housing vacancies.	The HACC exceeded 2003's move-in's by 49 families.
Leverage private or other public funds to create additional housing opportunities:	Received Revenue Bond and Energy Conservation Loan.
Acquire or build units or developments	Roosevelt Manor under HOPE VI. Chelton Terrace Phase II (101 family units). Antioch 64 (senior units).

Goal Two: Improve the quality of assisted housing	
Objective	Progress
Improve public housing management: (PHAS score)	2003 – 79%, 2004 – 83% (unaudited)
Improve voucher management: (SEMAP score)	2003- 95%, 2004 – 85%
Increase customer satisfaction:	Continuing to respond to feed back from the City Wide Board, Resident Advisory Committee, and resident concerns.
Concentrate on efforts to improve specific management functions	Providing ongoing training and team building exercises.
Renovate or modernize public housing units: Apply for HOPE VI for Roosevelt Manor development.	HOPE VI for Roosevelt Manor has been received. Renovations to Branch Village to be made. Chelton Terrace Phase II (101 family units) 70% complete. Antioch (64 senior units) have went to financial closing.
Demolish or dispose of obsolete public housing:	Demolition of 268 units at Roosevelt Manor by December 2006, Targeted for new construction of approximately 30 units at Branch Village. Potential disposition of Ablett Village to the

	City for Cramer Hill project.
Provide replacement public housing:	On going and/or planned at Roosevelt Manor, Chelton Terrace, Branch Village, and Ablett Village.
Provide replacement vouchers:	188 relocation vouchers received for Roosevelt Manor.
Other: Homeownership opportunities; Royal Court Town homes and Baldwin's Run; Apply for additional Section 8 vouchers.	Royal Court 93 town homes are sold. Homeownership opportunities at Baldwin's Run. Section 8 implementing their homeownership program.

Goal Three: Increase assisted housing choices	
Objective	Progress
Provide voucher mobility counseling:	The HACC is working to provide flexibility of the utilization of vouchers. In addition, the HACC is providing tenant briefings and also FSS support.
Conduct outreach efforts to potential voucher landlords	Landlord outreach effort maintained through various investor organization meeting attended quarterly. Landlord orientation training offered bi-annually.
Implement public housing or other homeownership programs:	Homeownership opportunities have been made available at Baldwin's Run. Future opportunities will be available at Roosevelt Manor.
Implement public housing site-based waiting lists: Baldwin's Run, Chelton Terrace and McGuire Gardens.	The HACC has been approved to implement site-based waiting list at these site.

Goal Four: Provide an improved living environment	
Objective	Progress
Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments:	Mixing homeownership into our HOPE VI development projects, Westfield Acres and Roosevelt Manor.
Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments:	Mixed finance/ HOPE VI sites using income tiering.

Implement public housing security improvements:	The HACC continues to partner with State and Local law enforcement agencies. A plan has also been developed to install security cameras and new lighting at a number of sites.
Designate developments or buildings for particular resident groups (elderly, persons with disabilities) Kennedy Tower elderly only Designation will be sought.	“Assistant Living” application submitted to HUD on July 22, 2005 for Kennedy Towers.

Goal Five: Promote self-sufficiency and asset development of assisted households	
Objective	Progress
Increase the number and percentage of employed persons in assisted families:	The Resident Initiatives Department to continues to work with the residents of Public Housing.
Provide or attract supportive services to improve assistance recipients’ employability:	The HACC has employed two Job Developers. We also partnership and work with the Department of Labor. Regular job fairs are also offered.
Provide or attract supportive services to increase independence for the elderly or families with disabilities.	Implementing an “Assisted Living” program at Kennedy Towers.

Goal Six: Ensure equal opportunity and affirmatively further fair housing	
Objective	Progress
Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability:	The HACC continues to qualify applicants based on the eligibility criteria as set forth by HUD’s Public Housing Occupancy Guidebook.
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	The HACC continues to provide decent, safe, sanitary, and in good repair housing to our residents through annual UPCS inspections to monitor and address any repairs needed in units.
Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required:	All new housing units that have been brought on line, the City has mandated the number of disability accessible units. This is in addition to all sites being designated with handicap accessible units in different bedroom sizes.

Goal Seven: Other PHA Goals and Objectives:	
Objective	Progress
Create a productive, proactive working relationship with new Board of Commissioners.	Through training a partnership is being developed. The HACC will continue to promote State mandated courses to allow the Commissioners to work with us with understanding of what is needed and expected of the HACC under HUD's Rules and Regulations.
Create new ways to increase revenue for the HACC.	Section 8 homeownership is being implemented, the HACC will benefit from the incentives being offered by HUD. Privatization of several developments is proving to be profitable for the HACC. An Asset Management plan is being developed.
Build our own facilities to house the HACC Administrative offices.	Presentation given to Board of Commissioners, CEO, and Attorney, currently pending recommendation.
Improve management and maintenance services.	RASS supports improvements in this area. Clear preventive measures have been taken.
Increase the quality of the current housing stock.	HOPE VI and Bond received. With mixed finance majority of sites are receiving improvements and/or total redevelopment.
Create viable recreational facilities at McGuire Gardens.	Community Center completed.

REQUIRED ATTACHEMENT: SECTION 8 HOMEOWNERSHIP CAPACITY STATEMENT

The Housing Authority of the City of Camden (HACC) shall offer to its Section 8 voucher holders the opportunity to utilize their Section 8 housing assistance towards the mortgage amount for ownership of a dwelling. The HACC will offer this program to 10 of its clients beginning in FY 2005, and the HACC reserves the right to increase or decrease this number at any point in time due to budget constraints or cuts in funding from HUD. For a voucher holder to be eligible, they must meet the following criteria:

- A. On the Section 8 program for 1 year
- B. A first time homebuyer
- C. Working full time and earning more than \$10,300 a year
- D. Full time and/or 30 hours per work – (Elderly and disabled clients are exempt from this requirement)
- E. Qualified for a mortgage from an approved lending institution.
- F. Have the unit chosen inspected by HACC and the unit passing that inspection and all subsequent complaint, quality control or annual inspections.
- G. Be a participant in the HACC Section 8 FSS Program and have met or completed at least 50% of their stated goals in the FSS Program.

Mortgage payments will be based on 30% of family income, same as public housing and Section 8 program participants. HACC will pay 70% of total mortgage and the family will pay 30%.

Program participants will be required to have only 3% of the purchase price of the home as a down payment.

Fannie Mae and Freddie Mac mortgages are working in collaboration with HUD and the Housing Authorities and is one of the mortgage lenders under the program.

The term of assistance will be up to 15 years on a 30-year mortgage or 10 years on a 20-year mortgage. There is no maximum term for the elderly or disabled families.

We know that some families have credit issues. The HACC will provide Homeownership Counseling and Education classes to all participants. This includes credit repair, budgeting, money management, home maintenance, working with real estate agent and the forms used at closings and predatory lending.

The HACC reserves the right to terminate assistance on a Section 8 Homeownership unit if the client:

- A. Violates any of the family obligations outline in the Section 8 Administrative Plan.

Required Attachment: nj010d01

- B. Does not maintain the unit in accordance with HQS standards and local municipal codes.
- C. Does not maintain their financial responsibilities associated with the unit.

SUMMARY OF PET POLICY

In accordance with HUD mandate, The Housing Authority of the City of Camden (HACC) has developed a Pet Policy. The Policy was made available for 30-day review and comment period as of September 1, 2000. Review meetings were held with the City-wide Resident Advisory Board and their legal counsel. The first meeting was held on September 13, 2000. The second meeting was held on September 27, 2000. A Public Hearing was conducted on October 13, 2000. The Policy was presented and approved at the Camden Housing Board Meeting on November 3, 2000.

The HACC implemented the Pet Policy as of January 1, 2001. All HUD guidelines regarding the policy have been incorporated into the policy. The following are the areas addressed in the policy:

1. Number of pet allowances
2. Veterinarian requirements for all pets
3. Size requirements for all pets
4. Allowable areas for all pets
5. Prohibited areas for all pets
6. Required maintenance of all pets
7. Prohibited animals
8. Tenant responsibility
9. Fee and deposit schedule
10. Violations

The HACC will monitor the implementation of this policy. The condition of the pets' care will be examined annually and during unit inspections, the general welfare of the animals will be verified. The HACC will enforce the policy as written. It is the intent of the HACC to afford residents the opportunity to own pets while at the same time respect the rights of non-pet owning residents.

The HACC is thoroughly committed to providing safe, decent, and sanitary housing for all of our residents while at the same time maintaining full compliance with all HUD mandates.

Required Attachment: nj010f01

Required Attachment : Resident Member on the PHA Governing Board

1. Yes No: Does the PHA governing board include at least one member who is directly assisted by the PHA this year? (if no, skip to #2)

A. Name of resident member(s) on the governing board: Debra Keyes

B. How was the resident board member selected: (select one)?

Elected

Appointed

C. The term of the appointment is (include the date term expires): June 17, 2004

Expiration date: June 17, 2007

2. A. If the PHA governing board does not have at least one member who is directly assisted by the PHA, why not?

the PHA is located in a State that requires the members of a governing board to be salaried and serve on a full time basis

the PHA has less than 300 public housing units, has provided reasonable notice to the resident advisory board of the opportunity to serve on the governing board, and has not been notified by any resident of their interest to participate in the Board.

other (explain)

B. Date of the term expiration of a governing board member: 6/2007

C. Name and title of appointing official(s) for governing board (indicate appointing official for the next position):

Honorable Gwendolyn Faison

Camden City Council

Department of Community Affairs

Required Attachment: nj010g01

Required Attachment Membership of the Resident Advisory Board or Boards

List members of the Resident Advisory Board or Boards: (If the list would be unreasonably long, list organizations represented or otherwise provide a description sufficient to identify how members are chosen.)

Tracy Powell
Kathryn Blackshear
Toni Bailey
Josephine Sewell
Ora Green
Robert Hohney
Bernedette Sample
Laverne Williams
Martha Villaneava

REQUIRED ATTACHEMENT: COMMUNITY SERVICE SUMMARY

The Quality Housing and Work Responsibility Act of 1998 requires that all non-exempt public housing adult residents (18 or older) contribute eight (8) hours per month of community service (volunteer work) or participate in eight (8) hours of training, counseling, classes or other activities that help an individual toward self sufficiency and economic independence.

In accordance with the HUD mandate, The Housing Authority of the City of Camden (HACC) developed a Community Service Policy. The HACC implemented the Community Service Policy as of January 1, 2001. All HUD guidelines regarding the policy have been incorporated into the policy. The following are the areas addressed in the policy:

1. The indication of the HUD regulation requiring the Community Service Policy
2. Resident Exemptions
3. Community service opportunities in the HACC
4. Economic self-sufficiency programs accepted for community service requirements
5. Compliance verification by the HACC
6. Opportunity to cure

The HACC also employs a Community Service Coordinator to track and enforce the Policy. This employee notifies all residents of their required service, tracks their performance, notifies them of their violations, and provides opportunity for cure.

The HACC is thoroughly committed to providing safe, decent, and sanitary housing for all our residents while at the same time maintaining full compliance with all HUD mandates.

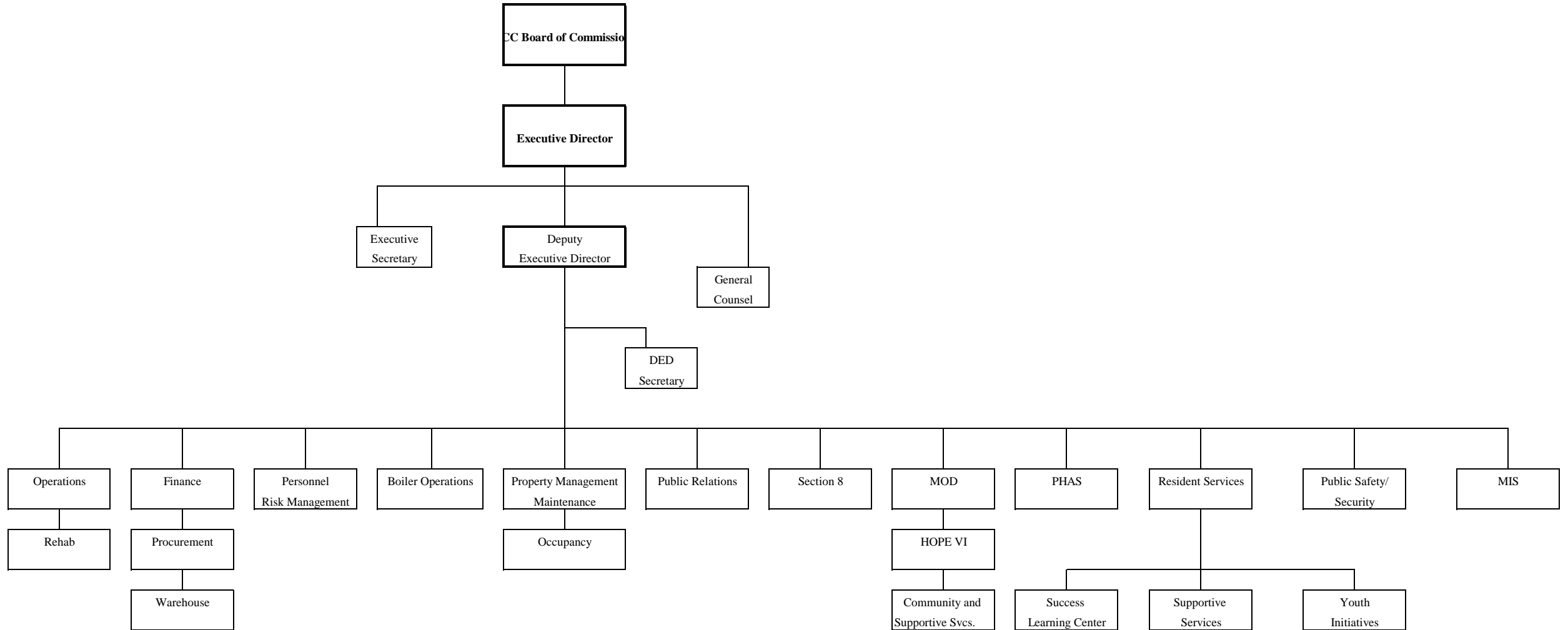
REQUIRED ATTACHMENT – STATEMENT OF PHA PROJECT-BASED VOUCHERS

The Housing Authority of the City of Camden (HACC) has entered into contract with Liberty Park Apartments for 149 units for project-based vouchers. All 149 units are under lease. Liberty Park Apartments are located in South Camden, an area with both public and private housing.

In addition, the HACC has also contracted with 1025 Collings Avenue located on the Collingswood/Camden borderline, for 20 units. This was done to provide voucher holders with mental and/or physical disabilities a compatible living community that would ensure the health, safety, welfare, and the opportunity for adequate housing to these individuals.

Housing Authority of the City of Camden

Organizational Chart



QUESTIONS/COMMENTS AND REVIEWED WITH:

Ms. Naomi Williams of 126 Branch Village, Camden, NJ 08104

Thursday, September 15, 2005 @ 10am

COMMENT: Ms. Williams does not believe that any units available under the HACC's portfolio are obsolete, as she understands the term "obsolete" by definition.

RESPONSE: The term obsolete as used on page 2 of the 5-Year Plan section describing, "Demolish or dispose of obsolete public housing is a general statement given by HUD under the Annual/5-Year Plan as an option for the HACC to choose. Under the Asset Management Table additional information is given to explain the planned demolish of Roosevelt Manor and the potential demolition of 30 units at Branch Village and the possible demolition of Ablett Village.

COMMENT: Ms. Williams feels that with demolition of Public Housing units and the number of units that are rebuilt to replace demolished units is far less than what was originally there, leaving much less housing for the people waiting for housing on the waiting list needing assistance.

RESPONSE: Although the number of on site units is decreased by deconcentration, more housing opportunities are available through the Section 8 program. Roosevelt Manor will actually have more units built to replace those demolished. The HACC also offers homeownership opportunities through both our Section 8 and Public Housing Programs.

COMMENT: Ms. Williams is requesting a copy of the income range used for low income, very low income, and extremely low income residents.

RESPONSE: Attached is the income limits used by the HACC as published by HUD annually?

COMMENT: How many original units were at Chelton Terrace and how many were built back by Phase?

RESPONSE: There were 200 original units at Chelton Terrace. Due to HUD's Policy on deconcentration revitalization has been completed in (2) Phases, Phase I – 66 units with a community center, and Phase II – 101 units.

COMMENT: Branch Village is in need of security cameras throughout the site. They also need better lighting.

RESPONSE: Unfortunately, there are no funding sources available at this time. However, Carl and Duff Electricians have been replacing/repairing lighting through out Branch Village.

COMMENT: Ms. Williams is concerned about what checks and balances are in place to ensure that the HACC is in fact doing the statement found on page #3 of the 5-Year plan section “Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion, national origin, sex, familial status, and disability” when no one has done anything about the top Executive Staff and all other staff holding positions and being predominately Hispanic.

RESPONSE: According to 24 CFR part 100 and the HACC’s Admissions and Continued Occupancy Policy, procedures are identified regarding processing applicants for the waiting list, assigning preferences, and procedures for tenant selection for housing at developments. The HACC following the policies and procedures set forth in the Admissions and Continued Occupancy Policy, and HUD audits ensure compliance.

COMMENT: Under Other Goals and Objectives, Ms. Williams first wants to know why is it a goal to only increase resident employment at Roosevelt Manor and not the other sites, and second, what is the process used to increase employment at Roosevelt Manor?

RESPONSE: Roosevelt Manor development has been targeted over the next 5 years under the HOPE VI CSS plan to improve employment opportunities and increase self-sufficiency. Through Resident Services there are programs available to all Public Housing residents for employment opportunities and self-sufficiency.

COMMENT: Ms. Williams is adamant that the hearing officer that is used to preside over hearings is in no way affiliated with the Housing Authority.

RESPONSE: The HACC has obtained an outside entity to act as the new hearing officer. The new hearing officer is Reverend White and there is no affiliation with the HACC.

COMMENT: Ms. Williams would like to see the grievance procedure enforced as spelled in the current procedure the HACC has in place.

RESPONSE: The current Grievance procedure is the policy followed by the HACC. The policy is attached for your review.

COMMENT: If one of the Housing Authorities goals and objectives is to recruit and retain quality staff then how come we just had a lay off?

RESPONSE: As is the present practice and as future positions and funding are available, and in meeting the requirements of HUD under Asset Management, the HACC will ensure qualified staff are assigned to any available positions.

COMMENT: Exactly how many people were laid off and what is the racial breakdown?

RESPONSE: Due to confidentially reasons please make an official Freedom of information Act request foia to the HACC's Executive Office for this information.

COMMENT: What exactly is meant by Future Replacement Housing Factors Funds provided by HUD will be used to leverage tax credits through the mixed finance program to redevelop HACC's remaining development sites.

RESPONSE: Replacement Housing Factor Funds are subsidies given to PHA's by HUD for demolished units until new units are brought on line for a time limit of no more than 5-years.

COMMENT: What is the definition of Replacement Housing Factor Funds?

RESPONSE: Replacement Housing Factor Funds are replacement subsidies for demolished units.

COMMENT: Why are some residents allowed a flat rent amount when all other residents have no choice but to pay 30% of their adjusted income? They should be made to either pay 30% of their adjusted income or should not be living in public housing at all due to the fact that they make enough money to be self-sufficient.

RESPONSE: Pursuant to 24 CFR 960.253 (b), flat rents for Public Housing units are based on market rent charge for comparable units in the private unassisted rental market.

COMMENT: Explain minimum rent hardship exemption.

RESPONSE: Pursuant to 24 CFR 5.63 (b) (1), the responsible entity must grant an exception from payment of minimum rent if the family is unable to pay the minimum rent due to a financial hardship as described in the responsible entities written policy. The HACC's policy on hardship exemptions is available in the ACOP section 13.3.

COMMENT: What is FMR?

RESPONSE: Fair Market Rent

COMMENT: Ms. Williams is requesting the full text of the Grievance Procedure.

RESPONSE: The HACC's Grievance Procedure is attached.

COMMENT: There is a discrepancy between the \$8 million bond amount stated on page 32 of the Annual Plan and what is stated in the Executive Summary and the Asset Management Table which states 6.9 million.

RESPONSE: Thank you for bringing this typographical error to our attention. The correct answer is \$6.9 million.

COMMENT: Is there a Homeownership Program for Public Housing residents? If so, is it available to all residents of Public Housing?

RESPONSE: Yes, there is a Homeownership Program for Public Housing and it is available to all Public Housing residents.

COMMENT: What is the difference between Youth Initiative and Youth build?

RESPONSE: The Youth Initiative is all recreation programs and the Youth build is a competitive grant that the HA competes for funding every year. The program is a total construction program.

COMMENT: What is TANF?

RESPONSE: Temporary Assistance for Needy Families.

COMMENT: What is the Civil Rights Certification? Requesting copy.

RESPONSE: Civil rights certifications are included in the PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations. A blank copy is enclosed.

COMMENT: Under what Asset Management activities that the Housing Authority will undertake, Ms. Williams would like to know what is meant by "Development-based accounting at Branch Village, Comprehensive stock assessment and Augment Operating subsidy/Capital Fund with the mixed finance approach.

RESPONSE: HACC will be doing site based budgeting and accounting at Branch Village instead of central accounting, an assessment of the site and the needs of the site will be reviewed and likely addressed with redeveloping the site by leveraging HACC's limited funding.

COMMENT: What is meant by seeking replacement of public housing units lost to the inventory through mixed finance development?

RESPONSE: In order to replace units that have been demolished HACC doesn't have enough of their own funds so uses the limited HUD funds to leverage other third party sources of funds.

COMMENT: What is meant by seek replacement of public housing units lost to the inventory through Section 8 replacement housing resources?

RESPONSE: For every unit that is lost through redevelopment (deconcentration) the PHA may look to replace those units with Section 8 vouchers.

COMMENT: On page 11 of the Annual Plan under “ Adopt rent policies to support and encourage work”, such as what?

RESPONSE: The most beneficial policy to the resident would be the earned income disallowance.

COMMENT: What is meant by “affirmatively market to races/ethnicities shown to have disproportionate housing needs”?

RESPONSE: Offering services and opportunities to low income individuals that may fit within this description.

COMMENT: Why is there no money allotted under “Resident Opportunity and Self-Sufficiency Grants”?

RESPONSE: Currently no funds available.

COMMENT: What does HOME stand for?

RESPONSE: Home Investment Partnerships Program. The HOME Investment Partnerships Program is, by definition, about creating partnerships for affordable housing.

COMMENT: What are the Tenant Charges?

RESPONSE: Tenant charges would include: legal fees, late fees, and maintenance fees, and other miscellaneous charges.

COMMENT: What is the process to get on the 3-site based waiting list?

RESPONSE: If the waiting list is open, applicants may apply at the central office for sites managed under the HA, and at the rental management offices for the privately managed sites.

COMMENT: Ms. Williams believes that the policy giving 2 choices of units that is used for applicants on the waiting list should also be used when residents are transferring to a different unit.

RESPONSE: Transferring residents are able to choose from (2) units when a transfer is necessary. More information is available on page 56 of the ACOP.

COMMENT: What are HUD mandatory deductions and exclusions?

RESPONSE: \$400 elderly head of household deduction, /disabled family, \$480 minor deduction/student besides head of household, disability assistance deduction, childcare deduction, senior citizen medical expense over 3% of annual income deduction.

COMMENT: What are the approved or submitted assessments of reasonable revitalization of PH and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act? Explain Conversion.

RESPONSE: HUD requires HA's to do an assessment of developments with 300 or more units and more than a 10% vacancy ratio to see if they can reduce the vacancy through additional marketing or redevelopment or see if it is less expensive to provide Section 8 vouchers to the residents and close the site.

Written Public Comment

South Jersey Legal Service, Inc.

David M. Podell, Esq. Received September 14, 2005

On behalf of the leadership of the Branch Village Resident Association, South Jersey Legal Services submits these comments on proposed 2006 5-Year and Annual Plan.

The Plan proposes using approximately \$5 million from a \$6.9 million bond to demolish about 60 units in Branch Village and build 30 new units. Residents met with Chuck Valentine, Director of Modernization, on July 26, 2005, and September 1, 2005, to discuss the proposal. Branch Village is the second oldest public housing site in the City of Camden. The residents regret the proposed net loss of 30 units but agree with the Housing Authority that new construction is a better use of limited resources than rehabilitation. In addition, demolition and new construction in phases is preferable to demolition of the entire site and relocation. The residents support this proposal on the following conditions: (1) The Housing Authority develops plans beforehand for one-for-one replacement of all 279 units in phases;(2) The Housing Authority enters into a memorandum of understanding with the resident association; (3) The new units will remain public housing units and will not be privately managed; (4) Existing residents have priority to move to the new units, and (5) Existing residents will not have to apply or go through any screening to move to the new units.

In the event that HUD does not approve the proposal to build 30 new units, the resident association asks the Housing Authority to fulfill its promise of many years ago to build a new community center in Branch Village similar to the one build at McGuire.

Response:

The HACC has been working very diligently with Branch Village residents. We have had three meetings on site. The residents have been happy to host us and they have been happy to get the residents to show up. We are installing ADD toilets at the high-rises and some of the Branch Village needs the higher toilets and we are going to accommodate them when we do a survey through the Westco contract. So I don't think that is going to be an issue because some want high some want low. On the Community Center it would be the staffs recommendation to the Board to amend the plan to allow the HACC staff to work with the residents to do a site wide redevelopment plan and to incorporate that into the Annual and 5yr Plan. We will incorporate that into the 5yr Plan if you so wish. We would like to see that happen because if we don't plan it, it is hard to focus o financing it. Although we have to have the other sites done first like Roosevelt Manor. I did share the best is often saved for last and that's what they're hoping for so that is a little clarification.

Privately mänge, that's a bit difficult issue when you get tax credits the equity investor requires private management so that's a different issue. But on the recommendation for the Community Center and the pre-development plan for the entire site, we recommend the Board amend the plan to allow for that.

Paulette Murray

58 Branch Village, Received September 7, 2005

My concern is to keep the plan that is already in progress for Branch Village housing. I would like to have the large toilets installed in each new unit that was discussed at the meeting.

Response:

The HACC has been working very diligently with Branch Village residents. We have had three meetings on site. The HACC is installing ADD toilets at the high-rises and some of the Branch Village needs the higher toilets and we are going to accommodate them when we do a survey through the Westco contract.

LillieMae Golden, Received September 7, 2005

I go for the thirty houses. Later on if the rest of the projects are going to be done, I want to know. That is my complaint. I want to know where is the money for the community center? Do we still have the money for the center?

Response:

The Modernization staff has made the recommendation to the Board of Commissioners to add the Community Center and Pre-Development plans for Branch Village to the plan and they have agreed to do so.

Naomi Williams, Vice President

Branch Village Resident Association, Received September 14, 2005

5 Year Plan Page 1, Mission Statement: Residents have not seen or heard the Camden Housing Authority's [PHA] mission statement. The PHA says that their mission

statement is currently the same as that of the Department of Housing and Urban Development; to promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination. They anticipate having their own new mission statement prior the end of the 45-day review period. To date we have not seen it.

Response:

The HACC is continuing to use the mission statement of the Department of Housing and Urban Development.

Comments:

How can their mission be to promote affordable housing when they have cut public housing stock in this city by half and will drastically cut even more affordable housing units in this Plan? Many residents are opposed to demolishing 60 units and only rebuilding 30. Also, they are not promoting an environment free from discrimination. Even though this is a city that is predominantly African-American, and public housing that is also predominantly African-American, the top eight positions in this PHA are held by Hispanics. That's discrimination. The potential for further discrimination as far as who gets hired and fired and who gets their housing needs met is great on its face. Further, is discrimination going to play a role in who gets selected to get the newly constructed units in Roosevelt Manor and Branch Village?

Response:

According to 24 CFR part 100 and the HACC's Admissions and Continued Occupancy Policy, procedures are identified regarding processing applicants for the waiting list, assigned preferences, and procedures for tenant selection for housing at developments. The HACC following the policies and procedures set forth in the Admissions and Continued Occupancy Policy, and HUD audits ensure compliance.

Comments:

Also, if those 30 new units are built in Branch Village, you could have a scenario where some living in the new units will be paying \$50 a month rent and some living in the old units will be paying \$200, \$300 or \$400 or more monthly rent. We are against this. Why can't we put our own plan forward where the whole development is renovated, not doing it piecemeal as it is in this Plan?

Response:

According to 24 CFR part 100 and the HACC's Admissions and Continued Occupancy Policy, would determine residents rent according to their income and family composition.

Comments:

Annual Plan Page1: It states that the Housing Authority of the City of the City of Camden [HACC] closed on approximately \$6.9 million Revenue Bond that will be used for rehabilitation or redevelopment activities at Branch Village and Kennedy Towers.

Then on page 32 of the Plan the amount for the same activities at the same developments, is \$8 million. That's a \$1.1 million discrepancy! Why?

Response:

This is a typographical error that has been corrected, the correct answer is \$6.9 million.

Comments:

The administration of the HACC wastes and mismanages large sums of money. Just five years ago, they spent millions of dollars on new boiler rooms and roofs for Roosevelt Manor and Branch Village. Now, just a few short years later, they want to tear it down and build new houses on these sites. Why would HUD keep giving these people money, when they have clearly demonstrated that they waste money?

Response:

HUD approves all capital activity executed by the HACC.

Comments:

If HUD approves this plan anyway, the residents of Branch Village will only support it on the following conditions: [1] The HACC develops plans beforehand for one-for-one replacement of all 279 units in phases; [2] The HACC enters into a memorandum of understanding with the resident association; [3] The units will remain public housing units and will not be privately managed [there are 2637 families on the waiting list for public housing units]; [4] Existing residents have priority to move into the new units and [5] Existing residents will not have to apply or go through any screening to move into the new units.

Public Meeting 9/14/05

Public Comments

I. Introductions

Tracie Herrick made opening remarks and introduced the senior staff for purposes of addressing all comments.

II. Purpose of Public Hearing

The purpose of this hearing is to receive public comments in reference to the HACC Annual/5yr. Plan 2006-2010 final Plan.

III. Questions and Comments from the Public

Laverne Williams Comments

Branch Village President, Resident Association

78 Branch Village:

I have a comment, To whom it may concern; my concern to keep the plans already I progress for Branch Village Housing. I would like to have the largest toilet to be installed into each unit that was discussed at the meeting. This is from Pauline Murray, 58 Branch Village.

We did meet with Mr. Chuck Valentine we went over the 5yr plan and we have some concerns;

[1] We are going to except the plan under certain conditions; the conditions are the Housing Authority (HA) develops a plan for one-for-one replacement of all 279 units. [2] The HA enters into a MOU with the Resident Association. [3] The new units will remain public housing units and will not be privatized managed. [4] Existing residents have priority to move into the new units. [5] Existing residents will not have to re-apply and go through screening to move into the new units.

In the event HUD does not approve this proposal to building 30 units, the Resident Association ask the HA to fulfill its promise of many years to build a new Community Center in Branch Village which has been on the books since 1988 under Mr. Joe Heard, Mr. Quatelbaum and this administration. The money was taken from us. So we do need a Community Center and we want it like this center or bigger.

I have other concerns and I'm going to make some comments. I noticed today I was looking through your 5yr plan and I see that all the sites have a Community Center built McGuire, Westfield Acres and I think Westfield Tower and Roosevelt Manor is going to have a Community Center (CC) and so does Chelton Terrace so we want to have a CC like everyone else does. Even though we don't use it or not we still need a CC for our own privacy and we don't have to be borrowing no none else's CC or rent it we don't need that problem in the City of Camden.

My next concern is about I notice you don't have 480 units for McGuire. I mean Roosevelt Manor you have 570 units you say is going to be built. You are building an additional 280 units in Roosevelt Manor. Roosevelt Manor is not losing units they are getting additional units. We want the same things your giving Roosevelt Manor and Chelton Terrace and I think McGuire lost some units and we don't want to be in that situation. We want 279 units. Mr. Chuck Valentine said we would meet and plan with the things we decide what we want built in Branch and we want our housing to be better since we are the last ones here. We want are units to be different and better than the units being built in Chelton Terrace. I look at some of the construction there and I'm not happy with what I see. I told Mr. Chuck Valentine maybe they can build our units with brick but he said it cost too much money but this board needs to work together to get enough money for Branch. We're we can surrounded by the housing and a new library and their planning on building a new school sometime the money comes from the state. See I know what's going on in the City of Camden because I attend a lot of the meetings. So we are the last ones to get money and I hope the board works together to get more money for Branch. Any money that comes in I want it to go to Branch Village. The bond you got for \$6.9 million to demolish 30 units at Branch Village and your taking our bond money to create an assisted living at Kennedy Tower to me all that money should stay to Branch Village because Branch had a lot of money to do things with and now we don't have nothing. So this administration needs to come together. I don't know how your going to do it but get your private investors out there like you did Roosevelt Manor. I'm sure you don't have enough money to complete Roosevelt Manor because you only got \$20 million. Since you are all sitting here and you all joined this board you say your worried about tenants in public housing lets see you put your mouth were you're coming from. Because we need money to fix up Branch because the tenants out here do not like the way they're living. We need larger units a bigger apartment an we don't want any

configuration anymore and we don't want more painting and tile we need a whole new 270 units to be fixed back like everyone else. I'm tired of living in a matchbox. My unit is too small to do anything with. We need to take whatever money come through to be used for Branch Village so we can live like everyone else in the City of Camden and that's all I have to say at this present time.

Chuck Valentine Response:

The HACC has been working very diligently with Branch Village residents. We have had three meetings on site. The residents have been happy to host us and they have been happy to get the residents to show up. We are installing ADD toilets at the high-rises and some of the Branch Village needs the higher toilets and we are going to accommodate them when we do a survey through the Westco contract. So I don't think that is going to be an issue because some want high some want low. On the Community Center it would be the staffs recommendation to the Board to amend the plan to allow the HACC staff to work with the residents to do a site wide redevelopment plan and to incorporate that into the Annual and 5yr Plan. We will incorporate that into the 5yr Plan if you so wish. We would like to see that happen because if we don't plan it, it is hard to focus o financing it. Although we have to have the other sites done first like Roosevelt Manor. I did share the best is often saved for last and that's what they're hoping for so that is a little clarification.

Privately mänge, that's a bit difficult issue when you get tax credits the equity investor requires private management so that's a different issue. But on the recommendation for the Community Center and the pre-development plan for the entire site, we recommend the Board amend the plan to allow for that.

Question by Commissioner Dana L. Redd

That proposal amendment, if the Board were to move forward with that, would that be with respect to this plan? And what would be the process? Would it be at our Board meeting on Wednesday?

Chuck Valentine Response:

It will be incorporated now as of this meeting and then it will be presented to you for approval at the Board meeting.

Naomi Williams Comments

Vice President, Branch Village Resident Association

127 Branch Village:

I'm confused on this fax we got from our lawyer David Podell. I'll read this: The following is a draft comments for the Public Hearing on Wednesday September 14, 2005. I received a message today that the public hearing will be at McGuire instead of Mickle. As I discussed with Laverne this afternoon, HUD has not signed off on the proposal to build 30 new units. Maria has approved building a new Community Center as a consolation prize. But since it is not in the 5yr Plan, you have to ask or it but I'm

confused about that. What does he mean that this has not been signed off to build the 30 new units? Has anything changed or what?

Chuck Valentine Response:

I shared with the resident there are 2 parts of HUD, one part of HUD is the HOPE VI and the HOPE VI staff from Washington DC. Rosemary Hocking out of Philadelphia when they came to visit after we got our award they would like to see the Housing Authority address Branch Village. In their mind they would like to see it redeveloped because it's the only piece in Centerville untouched. It's obsolete its old so we have to address it because that's what HUD wants us to do. The other part of HUD that makes the bond available would like to see rehabilitation but using it to rehab older units are complicated and that's what I shared with the residents at our last meeting. So we have to wait to see what HUD decides. We are waiting for that decision now whether to do new construction or rehab. In the absence of HUD's decision we would like to see if they say no, it's a very complicated, as you reduce the number of units, your Capital Funds reduce and the bond is paid off by the Capital Fund and if your Capital Fund go down because you demolish units then you cant pay for the bond. So it gets really complicated. We are waiting to figure that out with HUD but we don't want to lose the opportunity to do an overall redevelopment plan with Branch because it has to be done sooner or later anyway and then incorporate the Community Center.

Dr. Maria Marquez Response:

The Community Center will be phase I of what is to happen at Branch Village so that you the residents as well as the stakeholder can see the potential that can occur at Branch Village.

Naomi Williams Comments:

We will have to take this back to the residents because Laverne and I are on a disagreement on this issue with the Community Center. The residents need to be brought in on whether they want a Community Center or get the units fixed up or can have both or not. I mean all 279 units fixed up and where would a Community Center be? Where would you put it?

Dr. Maria Marquez Response:

The Community Center will be put where the management office is where that whole lot is will be big enough to be able to accommodate the right size.

Required Attachment: nj010101

Optional Public Housing Asset Management Table

See Technical Guidance for instructions on the use of this table, including information to be provided.

Public Housing Asset Management								
Development Identification		Activity Description						
Name, Number, and Location	Number and Type of units	Capital Fund Program Parts II and III <i>Component 7a</i>	Development Activities <i>Component 7b</i>	Demolition / Disposition <i>Component 8</i>	Designated housing <i>Component 9</i>	Conversion <i>Component 10</i>	Home-ownership <i>Component 11a</i>	Other (describe) <i>Component 17</i>
Branch Village – NJ10-1	279 – Family Units	See Revenue Bond and Energy Conservation Budgets in Attachments	<p>Received a bond to do site improvements. May construct approximately 30 units to complement the Roosevelt Manor HOPE VI Grant, which is across the street from Branch Village. May also be doing site wide improvements.</p> <p>May construct new community center /Management Office.</p> <p>Will be providing energy efficient products in all of the units and around the site.</p>	<p>Partial demolition may take place in 2006.</p> <p>May demolish existing community center and maintenance/ management office.</p>				
Ablett Village – NJ10-2	306 Family Units	See Capital Program and HOPE VI Budgets in Attachments	<p>Ablett Village may be demolished for the building of a major housing and commercial development called Cramer Hill.</p> <p>Or</p> <p>Site improvements and unit redevelopment may occur.</p>	<p>Potential for demolition of Ablett Village in 2006 or 2007. May do a disposition of land for redevelopment</p>				

Required Attachment: nj010101

Roosevelt Manor – NJ10-3	268 Family Units	See HOPE VI and Replacement Housing Factor Budgets in Attachments	Roosevelt Manor received a HOPE VI Grant in 2004. There will be 11 construction phases, consisting of 570 rental units and 102 homeownership units including a community center, and one administrative phase.	Demolition of the 268 units will occur during 2005 and 2006. We will be doing disposition of the land to a private developer for the redevelopment of the site with rental and homeownership units.	Three phases of the development are for elderly housing – one is for 64 units, one is for 66 units, and one is 20 units. These three phases will be designated elderly only.		There will be three phases of homeownerships/two 43 unit phases and one 16-unit phase for a total of 102 units.	The first phase may start construction in 2007
McGuire Gardens – NJ10-4	253 Family Units	See Energy Conservation Budget in Attachments	Passive Park and tot lot to be construction in 2005 with placed in service in 2006. Will also be providing new energy efficient products in all of the units and around the site.					
Chelton Terrace – NJ10-21	Phase I - 66 Family	See Energy Conservation Budget in Attachments	Will be providing new energy efficient products in all of the units and around the site.					
Chelton Terrace – NJ10-22	Phase II – 101 family	See HOPE VI Budget in Attachments	Construction completion 2005 and complete lease-up of 101 units in 2006.					
Westfield Acres – NJ10-6	Originally 514 family units now demolished	See HOPE VI Budget in Attachments	The start of construction for the 74 unit elderly building will commence in 2006. The construction of the community center will commence in 2005 and be completed and dedicated in 2006.		Construction start of 74 units of housing for the elderly will begin in 2006. This will be designated elderly only.			
Baldwin's Run NJ010 -15	78 Family		Privately owned and managed site.					

Required Attachment: nj010101

Carpenter's Hill/32 nd St. NJ10 - 17	30 Family		Privately owned and managed site. All units occupied					
Kennedy Towers – NJ10-7	99 - Elderly	See Revenue Bond, Capital Funds, and Energy Conversation Budgets in Attachments	<p>Construction on a new elevator will be completed in 2006. A number of improvements will occur as outlined in the attached budget to accommodate the “Assisted Living” Program This will include a sprinkler system.</p> <p>Will also be providing new energy efficient products in all of the units and around the site.</p>		Seeking designation for elderly only. In addition bonds will finance the rehabilitation of this facility to accommodate an “Assisted Living” Program.			
Westfield Towers – NJ10-8	103 Elderly	See Energy Conservation and Capital Program Budgets in Attachments	<p>Expansion of parking lot to commence in 2006.</p> <p>Will also be providing new energy efficient products in all of the units and around the site.</p>		May provide “Assisted Living” Program at the site.			
Mickle Towers – NJ10-10	104 Elderly	See Energy Conservation and Capital Program Budgets in Attachments	<p>Construction of a new elevator will be completed in 2006.</p> <p>Will also be providing new energy efficient products in all of the units and around the site.</p>		May provide “Assisted Living” Program at the site.			

Required Attachment: nj010101

New Office Building for Housing Authority								Construction or lease of up to 40,000 sq. ft. office building in business district of Camden, NJ. Goal is to reduce overall operating costs for HACC for office facilities.
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**HOUSING AUTHORITY OF THE CITY OF CAMDEN
ADMINISTRATIVE PLAN (HCV PROGRAM)**

Chapter 1

STATEMENT OF POLICIES AND OBJECTIVES

INTRODUCTION

The Section 8 Program was enacted as part of the Housing and Community Development Act of 1974, which re-codified the U.S. Housing Act of 1937. The Act has been amended from time to time, and its requirements, as they apply to the Section 8 Tenant-Based Assistance Program, is described in and implemented throughout this Administrative Plan. The Section 8 tenant-based assistance programs are federally funded and administered for the **Housing Authority of the City of Camden** through its Section 8 housing office.

Administration of the Section 8 Program and the functions and responsibilities of the Housing Authority (HACC) staff shall be in compliance with the HACC's Personnel Policy and the Department of Housing and Urban Development's (HUD) Section 8 Regulations as well as all Federal, State and local Fair Housing Laws and Regulations.

Jurisdiction

The jurisdiction of the HACC is the City of Camden/the county of Camden.

***A. HOUSING AUTHORITY MISSION STATEMENT [OR HISTORICAL INFORMATION ON THE AGENCY]**

"To serve our community's housing needs using all resources available."

To provide affordable housing for all residents through creative partnerships with public and private collaborators."

"Our Mission is to provide quality housing opportunities to improve the lives of the citizens who are in need."

"To provide safe, decent, affordable housing for eligible residents of the City of Camden."

Attachment nj010m01

"To provide affordable housing that is in good repair, to be stewards of public funds and trust, and to serve all customers with respect."

"To do good by doing good business in offering a variety of housing opportunities for the community's citizens."

B. LOCAL GOALS [24 CFR 982.1]

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Part I

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

HACC 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)

HACC 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)

HACC 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)

Other HACC Goals and objectives: (List below)

HACC 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)

Other HACC Goals and objectives: (List below)

HACC 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)

Attachment nj010m01

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

HACC 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 HACC Goals and Objectives: (list below)**

Part II

The HACC has the following goals for the program:

- *To assist the local economy by increasing the occupancy rate and the amount of money flowing into the community.**
- *To encourage self sufficiency of participant families and assist in the expansion of family opportunities which address educational, socio-economic, recreational and other human services needs.**
- *To create positive public awareness and expand the level of family, owner, and community support in accomplishing the HACC's mission.**
- *To attain and maintain a high level of standards and professionalism in our day-to-day management of all program components.**
- *To administer an efficient, high-performing agency through continuous improvement of the HACC's support systems and commitment to our employees and their development.**
- *To provide decent, safe, and sanitary housing for very low income families while maintaining their rent payments at an affordable level.**
- *To ensure that all units meet Housing Quality Standards and families pay fair and reasonable rents.**
- *To promote fair housing and the opportunity for very low-income families of all ethnic backgrounds to experience freedom of housing choice.**
- *To promote a housing program which maintains quality service and integrity while providing an incentive to private property owners to rent to very low income families.**
- * To promote a market-driven housing program that will help qualified low-income families be successful in obtaining affordable housing and increase the supply of housing choices for such families.**

C. PURPOSE OF THE PLAN [24 CFR 982.54]

The purpose of the Administrative Plan is to establish policies for carrying out the programs in a manner consistent with HUD requirements and local goals and objectives contained in the Agency Plan. The Housing Choice Voucher Program was implemented on 10/1/99, and pre-merger Housing Voucher tenancies and Over Fair Market Rent tenancies converted automatically to Housing Choice Voucher tenancies on that date. All other existing contracts remained in effect until the family's second reexamination after the merger date or when a new lease was executed.

The PHA is responsible for complying with all changes in HUD regulations pertaining to these programs. If such changes conflict with this Plan, HUD regulations will have precedence. The PHA will revise this Administrative Plan as needed to comply with changes in HUD regulations. The original Plan and any changes must be approved by the Board of Commissioners of the agency, the pertinent sections included in the Agency Plan, and a copy provided to HUD.

This Administrative Plan is a supporting document to the HACC Agency Plan, and is available for public review as required by CFR 24 Part 903.

Applicable regulations include:

24 CFR Part 5: General Program Requirements

24 CFR Part 8: Nondiscrimination

24 CFR Part 982: Section 8 Tenant-Based Assistance: Housing Choice Voucher Program

*** Local rules that are made part of this Plan are intended to promote local housing objectives consistent with the intent of the federal housing legislation.**

D. ADMINISTRATIVE FEE RESERVE [24 CFR 982.54(d)(21)]

Expenditures from the Administrative Reserve (Operating Reserve) for other housing purposes shall not exceed [**\$dollar amount**] per occurrence nor more than [**\$dollar amount**] in the aggregate for each fiscal year without the prior approval of the [**name**] Board of Commissioners [**or other authorized officials**].

E. RULES AND REGULATIONS [24 CFR 982.52]

This Administrative Plan is set forth to define the HACC's local policies for operation of the housing programs in the context of Federal laws and Regulations. All issues related to Section 8 not addressed in this document are governed by such Federal regulations, HUD Memos, Notices and guidelines, or other applicable law. The policies in this Administrative Plan have been designed to ensure compliance with the consolidated ACC and all HUD-approved applications for program funding.

F. TERMINOLOGY

The Housing Authority of _HACC_ is referred to as "PHA" or "Housing Authority" throughout this document.

"Family" is used interchangeably with "Applicant" or "Participant" and can refer to a single person family.

"Tenant" is used to refer to participants in terms of their relation to landlords.

"Landlord" and "owner" are used interchangeably.

"Disability" is used where "handicap" was formerly used.

"Non-citizens Rule" refers to the regulation effective June 19, 1995 restricting assistance to U.S. citizens and eligible immigrants.

The Section 8 program is also known as the Housing Choice Voucher Program.

"HQS" means the Housing Quality Standards required by regulations as enhanced by the HACC.

"Failure to Provide" refers to all requirements in the first Family Obligation. See "Denial or Termination of Assistance" chapter.

"Merger date" refers to October 1, 1999, which is the effective date of the merging of the Section 8 Certificate and Voucher programs into the Housing Choice Voucher Program.

See Glossary for other terminology.

G. FAIR HOUSING POLICY [24 CFR 982.54(d)(6)]

It is the policy of the Housing Authority to comply fully with all Federal, State, and local nondiscrimination laws and with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment.

The HACC shall not deny any family or individual the equal opportunity to apply for or receive assistance under the Section 8 Programs on the basis of race, color, sex, religion, creed, national or ethnic origin, age, familial [**or marital**] status, handicap or disability [**or sexual orientation**].

To further its commitment to full compliance with applicable Civil Rights laws, the HACC will provide Federal/State/local information to Voucher holders regarding unlawful discrimination and any recourse available to families who believe they are victims of a discriminatory act. Such information will be made available during the family briefing session, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made a part of the Voucher holder's briefing packet and available upon request at the front desk.

All Housing Authority staff will be required to attend fair housing training and informed of the importance of affirmatively furthering fair housing and providing equal opportunity to all families, including providing reasonable accommodations to persons with disabilities, as a part of the overall commitment to quality customer service. Fair Housing posters are posted throughout the Housing Authority office/s, including in the lobby and interview rooms and the equal opportunity logo will be used on all outreach materials. Staff will attend local fair housing update training sponsored by HUD and other local organization to keep current with new developments.

Except as otherwise provided in 24 CFR 8.21(c)(1), 8.24(a), 8.25, and 8.31, no individual with disabilities shall be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination because the HACC's facilities are inaccessible to or unusable by persons with disabilities. Posters and housing information are displayed in locations throughout the HACC's office in such a manner as to be easily readable from a wheelchair.

The **HACC's** office(s) **is** accessible to persons with disabilities. Accessibility for the hearing impaired is provided by the [**TTD/TDY telephone service provider**].

H. REASONABLE ACCOMMODATIONS POLICY [24 CFR 100.202]

It is the policy of this HACC to be service-directed in the administration of our housing programs, and to exercise and demonstrate a high level of professionalism while providing housing services to families.

A participant with a disability must first ask for a specific change to a policy or practice as an accommodation of their disability before the HACC will treat a person differently than anyone else. The HACC's policies and practices will be designed to provide assurances that persons with disabilities will be given reasonable accommodations, upon request, so that they may fully access and utilize the housing program and related services. The availability of requesting an accommodation will be made known by including notices on HACC forms and letters. This policy is intended to afford persons with disabilities an equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as those who do not have disabilities and is applicable to all situations described in this Administrative Plan including when a family initiates contact with the HACC, when the HACC initiates contact with a family including when a family applies, and when the HACC schedules or reschedules appointments of any kind.

*** To be eligible to request a reasonable accommodation, the requester must first certify (if apparent) or verify (if not apparent) that they are a person with a disability under the following ADA definition:**

- A physical or mental impairment that substantially limits one or more of the major life activities of an individual;
- A record of such impairment; or
- Being regarded as having such an impairment

Note: This is not the same as the HUD definition used for purposes of determining allowances.

Rehabilitated former drug users and alcoholics are covered under the ADA. However, a current drug user is not covered. In accordance with 5.403, individuals are not considered disabled for eligibility purposes solely on the basis of any drug or alcohol dependence. Individuals whose drug or alcohol addiction is a material factor to their disability are excluded from the definition. Individuals are considered disabled if disabling mental and physical limitations would persist if drug or alcohol abuse discontinued.

Once the person's status as a qualified person with a disability is confirmed, the HACC will require that a professional third party competent to make the assessment, provides written verification that the person needs the specific accommodation due to their disability and the change is required for them to have equal access to the housing program.

Attachment nj010m01

If the HACC finds that the requested accommodation creates an undue administrative or financial burden, the PHA will deny the request and/or present an alternate accommodation that will still meet the need of the person.

An undue administrative burden is one that requires a fundamental alteration of the essential functions of the HACC (i.e., waiving a family obligation).

An undue financial burden is one that when considering the available resources of the agency as a whole, the requested accommodation would pose a severe financial hardship on the HACC.

The HACC will provide a written decision to the person requesting the accommodation within [**20 number of days/ a reasonable time**]. If a person is denied the accommodation or feels that the alternative suggestions are inadequate, they may request an informal hearing to review the HACC's decision.

Reasonable accommodation will be made for persons with a disability that requires an advocate or accessible offices. A designee will be allowed to provide some information, but only with the permission of the person with the disability.

All PHA mailings will be made available in an accessible format upon request, as a reasonable accommodation.

Verification of Disability

The HACC will verify disabilities under definitions in the Fair Housing Amendments Act of 1988, Section 504 of the 1973 Rehabilitation Act, and Americans with Disabilities Act.

*** Outreach**

Outreach efforts will include notification of the HACC's 504 Advisory Board as well as all other media and agencies listed in the HACC's Administrative Plan regarding public notices (see section on opening and closing the waiting list in "Applying for admission" chapter.)

Applying for Admission

All persons who wish to apply for any of the HACC's programs must submit a pre-application [via telephone or written format], as indicated in our public notice. Applications will be made available in an accessible format upon request from a person with a disability.

To provide specific accommodation to persons with disabilities, upon request, the information may be mailed to the applicant and, if requested, it will be mailed in an accessible format.

The full application is completed at the eligibility appointment in the applicant's own handwriting, unless assistance is needed, or a request for accommodation is requested by a person with a disability. Applicants will then be interviewed by HACC staff to review the information on the full application form. Verification of disability as it relates to 504, Fair Housing, or ADA reasonable accommodation will be requested at this time. The full application will also include questions asking all applications whether reasonable accommodations are necessary.

I. TRANSLATION OF DOCUMENTS

*** The Housing Authority has bilingual staff to assist non-English speaking families in the following languages [Spanish] and translates documents into the following languages [spanish]**

In determining whether it is feasible to provide translation of documents written in English into other languages, the HACC will consider the following factors:

- * Number of applicants and participants in the jurisdiction who do not speak English and speak the other language.**
- * Estimated cost to HACC per client of translation of English written documents into the other language.**
- * The availability of local organizations to provide translation services to non English speaking families.**
- * Availability of bi-lingual staff to provide translation for non-English speaking families.**

J. MANAGEMENT ASSESSMENT OBJECTIVES

The HACC operates its housing assistance program with efficiency and can demonstrate to HUD auditors that the HACC is using its resources in a manner that reflects its commitment to quality and service. The HACC policies and practices are consistent with the areas of measurement for the following HUD SEMAP indicators.

Selection from the Waiting List

Reasonable Rent

Determination of Adjusted Income

Utility Allowance Schedule

HQS Quality Control Inspections

HQS Enforcement

Expanding Housing Opportunities

Payment Standards

Annual Re-examinations

Correct Tenant Rent Calculations

Pre-Contract HQS Inspections

Annual HQS Inspections

Lease-up

Family Self-Sufficiency Enrollment and Escrow Account Balances

Bonus Indicator Deconcentration

Attachment nj010m01

Supervisory quality control reviews will be performed by a HACC Supervisor or other qualified person other than the person who performed the work, as required by HUD, on the following SEMAP factors:

- Selection from the waiting list
- Rent reasonableness
- Determination of adjusted income
- HQS Enforcement
- HQS Quality Control

The annual sample of files and records will be drawn in an unbiased manner, leaving a clear audit trail.

The minimum sample size to be reviewed will relate directly to each factor.

K. RECORDS FOR MONITORING PHA PERFORMANCE

In order to demonstrate compliance with HUD and other pertinent regulations, the HACC will maintain records, reports and other documentation for a time that is in accordance with HUD requirements and in a manner that will allow an auditor, housing professional or other interested party to follow, monitor and or assess the HACC's operational procedures objectively and with accuracy and in accordance with SEMAP requirements with internal supervisory audits.

[In addition to the required SEMAP documentation, supervisory staff audit the following functions:

Not less than **[30%]** of reexaminations

Not less than **[30%]** of new applications

Not less than **[30%]** of claims processed

L. PRIVACY RIGHTS [24 CFR 982.551 and 24 CFR 5.212]

Applicants and participants, including all adults in their households, are required to sign the HUD 9886 Authorization for Release of Information. This document incorporates the Federal Privacy Act Statement and describes the conditions under which HUD/HACC will release family information.

The HACC's policy regarding release of information is in accordance with State and local laws which may restrict the release of family information.

Any and all information which would lead one to determine the nature and/or severity of a person's disability must be kept in a separate folder and marked "confidential" or returned to the family member after its use. The personal information in this folder must not be released except on an "as needed" basis in cases where an accommodation is under consideration. All requests for access and granting of accommodations based on this information must be approved by [Department Director].

*** The HACC's practices and procedures are designed to safeguard the privacy of applicants and program participants. All applicant and participant files will be stored in a secure location which is only accessible by authorized staff.**

*** HACC staff will not discuss family information contained in files unless there is a business reason to do so. Inappropriate discussion of family information, or improper disclosure of family information by staff will result in disciplinary action.**

*** All files must be signed for when removed from the secured file storage area.**

M. FAMILY OUTREACH

The HACC will publicize and disseminate information to make known the availability of housing assistance and related services for very low income families on a regular basis. When the HACC's waiting list is open, the HACC will publicize the availability and nature of housing assistance for very low income families in a newspaper of general circulation, minority media, and by other suitable means. Notices will also be provided in **[spanish]**.

To reach persons who cannot read the newspapers, the HACC will distribute fact sheets to the broadcasting media, and initiate personal contacts with members of the news media and community service personnel. The HACC will also utilize public service announcements.

*** The HACC will communicate the status of housing availability to other service providers in the community, and advise them of housing eligibility factors and guidelines in order that they can make proper referrals for housing assistance.**

N. OWNER OUTREACH [24 CFR 982.54(d)(5)]

The HACC makes a concerted effort to keep private owners informed of legislative changes in the tenant-based program, which are designed to make the program more attractive to owners. This includes informing participant owners of applicable legislative changes in program requirements.

The HACC encourages owners of decent, safe and sanitary housing units to lease to Section 8 families.

The HACC encourages participation by owners of suitable units located outside areas of low poverty or minority concentration.

The HACC conducts [**periodic**] meetings with participating owners to improve owner relations and to recruit new owners.

***The HACC maintains a [list of interested landlords/list of units available] for the Section 8 Program and updates this list at least Bi-monthly. When listings from owners are received, they will be compiled by the HACC staff by bedroom size.**

*** The HACC will maintain lists of available housing submitted by owners in all neighborhoods within the Housing Authority's jurisdiction to ensure greater mobility and housing choice to very low income households. The lists of [owners/units] will be [provided at the front desk/mailed on request] and provided at briefings.**

*** The staff of the HACC initiates personal contact with private property owners and managers by conducting formal and informal discussions and meetings.**

*** Printed material is offered to acquaint owners and managers with the opportunities available under the program.**

*** The HACC has active participation in a community based organization(s) comprised of private property and apartment owners and managers.**

*** The HACC will actively recruit property owners with property located outside areas of minority and poverty concentration and apply for exception payment standards if the HACC determines it is necessary to make the program more accessible in the HACC's jurisdiction .**

*** The HACC encourages program participation by owners of units located outside areas of poverty or minority concentration. The HACC periodically evaluates the demographic distribution of assisted families to identify areas within the jurisdiction where owner outreach should be targeted. The purpose of these activities is to provide more choice and better housing opportunities to families. Voucher holders are informed of a broad range of areas where they may lease units inside the HACC's jurisdiction and given a list of**

Attachment nj010m01

landlords or other parties who are willing to lease units or help families who desire to live outside areas of poverty or minority concentration.

*** The HACC works with a nonprofit agency through the regional counseling program who contacts others in the area, identifies families in the program, and counsels the families on their prospective move and services available in the areas in which the family is interested.**

*** The HACC shall periodically:**

*** Request the HUD Field Office to furnish a list of HUD-held properties available for rent.**

*** Develop working relationships with owners and real estate broker associations.**

*** Establish contact with civic, charitable or neighborhood organizations which have an interest in housing for low-income families and public agencies concerned with obtaining housing for displacements.**

*** Explain the program, including equal opportunity requirements and nondiscrimination requirements, including Fair Housing Amendments Act of 1988 and Americans with Disabilities Act, to real estate agents, landlords, and other groups that have dealings with low-income families or are interested in housing such families.**

Chapter 2

ELIGIBILITY FOR ADMISSION

[24 CFR Part 5, Subparts B, D & E; Part 982, Subpart E]

INTRODUCTION

This Chapter defines both HUD and the HACC's criteria for admission and denial of admission to the program. The policy of this HACC is to strive for objectivity and consistency in applying these criteria to evaluate the eligibility of families who apply. The HACC staff will review all information provided by the family carefully and without regard to factors other than those defined in this Chapter. Families will be provided the opportunity to explain their circumstances, to furnish additional information, if needed, and to receive an explanation of the basis for any decision made by the HACC pertaining to their eligibility.

A. ELIGIBILITY FACTORS [982.201(b)]

The HACC accepts applications only from families whose head or spouse is at least 18 years of age [**or emancipated minors under State law**].

To be eligible for participation, an applicant must meet HUD's criteria, as well as any permissible additional criteria established by the HACC.

The HUD eligibility criteria are:

An applicant must be a "family"

An applicant must be within the appropriate Income Limits

An applicant must furnish Social Security Numbers for all family members age six and older

An applicant must furnish declaration of Citizenship or Eligible Immigrant Status and verification where required

At least one member of the applicant family must be either a U.S. citizen or have eligible immigration status before the HACC may provide any financial assistance.

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Reasons for denial of admission are addressed in the "Denial or Termination of Assistance" chapter. These reasons for denial constitute additional admission criteria.

The Family's initial eligibility for placement on the waiting list will be made in accordance with the eligibility factors.

*** Eligibility factors will be verified before the family is placed on the waiting list.**

*** Evidence of Citizenship/Eligible Immigrant Status will not be verified until the family is selected from the waiting list for final eligibility processing for issuance of a Voucher,** [unless the HACC determines that such eligibility is in question, whether or not the family is at or near the top of the waiting list].

B. FAMILY COMPOSITION [24 CFR 982.201(c)]

The applicant must qualify as a Family. A Family may be a single person or a group of persons.

A “family” includes a family with or without a child or children. A group of persons consisting of two or more elderly persons or disabled persons living together, or one or more elderly or disabled persons living with one or more live-in aides is a family. The HACC determines if any other group of persons qualifies as a “family”.

A single person family may be:

An elderly person

A displaced person

A person with a disability

Individuals may not be considered disabled for eligibility purposes solely on the basis of any drug or alcohol dependence.

Any other single person

A child who is temporarily away from home because of placement in foster care is considered a member of the family. This provision only pertains to the foster child's temporary absence from the home, and is not intended to artificially enlarge the space available for other family members.

*** A family also includes:**

*** Two or more persons who intend to share residency whose income and resources are available to meet the family's needs.**

*** Two or more persons who intend to share residency whose income and resources are available to meet the family's needs and who have a history as a family unit or show evidence of a stable family relationship.**

Two or more elderly or disabled persons living together, or one or more elderly, near elderly or disabled persons living with one or more live-in aides is a family.

Head of Household

The head of household is the **adult** member of the household who is designated by the family as head, is wholly or partly responsible for paying the rent, and has the legal capacity to enter into a lease under State/local law. **[Emancipated minors who qualify under State law will be recognized as head of household.]**

Spouse of Head

Spouse means the husband or wife of the head.

For proper application of the Non-citizens Rule, the definition of spouse is: the marriage partner who, in order to dissolve the relationship, would have to be divorced. It includes the partner in a common law marriage. The term "spouse" does not apply to boyfriends, girlfriends, significant others, or co-heads.

Co-Head

An individual in the household who is equally responsible for the lease with the Head of Household. A family may have a spouse or co-head, but not both. A co-head never qualifies as a dependent.

Live-in Attendants

A Family may include a live-in aide provided that such live-in aide:

- Is determined by the HACC to be essential to the care and well being of an elderly person, a near-elderly person, or a person with disabilities,
- Is not obligated for the support of the person(s), and
- Would not be living in the unit except to provide care for the person(s).

A live-in aide is treated differently than family members:

- Income of the live-in aide will not be counted for purposes of determining eligibility or level of benefits.
- Live-in aides are not subject to Non-Citizen Rule requirements.
- Live-in aides may not be considered as a remaining member of the tenant family.

Relatives are not automatically excluded from being live-in aides, but they must meet all of the elements in the live-in aide definition described above.

A Live in Aide may only reside in the unit with the approval of the HACC. Written verification will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or case worker. The verification provider must certify that a live-in aide is needed for the care of the family member who is elderly, near-elderly (50-61) or disabled.

The HACC will approve a live-in aide if needed as a reasonable accommodation to make the program accessible to and usable by the family member with a disability. Approval of a live-in aide for reasonable accommodation will be in accordance with CFR 24 Part 8 and the reasonable accommodations section in Chapter 1 of this administrative plan.

*** Verification must include the hours the care will be provided.**

*** [24 CFR 982.316] At any time, the HACC will refuse to approve a particular person as a live-in aide or may withdraw such approval if:**

***The person commits fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program;**

***The person commits drug-related criminal activity or violent criminal activity; or**

***The person currently owes rent or other amounts to the HACC or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.**

Split Households Prior to Voucher Issuance

When a family on the waiting list splits into two otherwise eligible families due to divorce or legal separation, and the new families both claim the same placement on the waiting list, and there is no court determination, the HACC will make the decision taking into consideration the following factors:

*** Which family member applied as head of household.**

*** Which family unit retains the children or any disabled or elderly members.**

*** Restrictions that were in place at the time the family applied.**

*** Role of domestic violence in the split.**

*** Recommendations of social service agencies or qualified professionals such as children's protective services.**

*** Documentation of these factors is the responsibility of the applicant families. If either or both of the families do not provide the documentation, they may be denied placement on the waiting list for failure to supply information requested by the HACC.**

***In cases where domestic violence played a role, the standard used for verification will be the same as that required for the "domestic violence" preference.**

*** The HACC will require evidence that the family has been displaced as a result of fleeing violence in the home. Families are also eligible for this preference if there is proof that the family is currently living in a situation where they are being subjected to or victimized by violence in the home (See "Establishing Preferences and Maintaining the Waiting List" chapter).**

Multiple Families in the Same Household

When families apply which consist of two families living together, (such as a mother and father, and a daughter with her own husband or children), if they apply as a family unit, they will be treated as a family unit.

Joint Custody of Children

*** Children who are subject to a joint custody agreement but live with one parent at least 51% of the time will be considered members of the household. "51% of the time" is defined as 183 days of the year, which do not have to run consecutively.**

*** There will be a self-certification required of families who claim joint custody or temporary guardianship.**

*** When both parents are on the Waiting List and both are trying to claim the child, the parent whose address is listed in the school records will be allowed to claim the school-age child as a dependent.**

C. INCOME LIMITATIONS [24 CFR 982.201(b), 982.353]

***INSTRUCTION:** The Quality Housing and Work Responsibility Act of 1998 authorizes PHAs to admit families whose income does not exceed the low-income limit (80% of median area income) provided the PHA has included this part of the admissions policy in the PHA's Annual Plan and specifies the criteria.*

To be eligible for assistance, an applicant must:

Have an Annual Income at the time of admission that does not exceed the **[low income]** **[very low income]** income limits for occupancy established by HUD.

***INSTRUCTION:** If the PHA elects to use the Very Low Income limit, this should be added:*

*** To be income eligible the applicant must be a family in the very low income category, which is a family whose income does not exceed 50 percent of the area median income. The PHA will not admit families whose income exceeds 50 percent of the area median income except those families included in 24 CFR 982.201(b).**

*** To be income eligible the family may be under the low-income limit in any of the following categories: [24 CFR 982.201(b)]**

A very low income family.

A low-income family that is continuously assisted under the 1937 Housing Act. An applicant is continuously assisted if the family has received assistance under any 1937 Housing Act program within **[30/60/90/120]** days of voucher issuance. Programs include any housing federally assisted under the 1937 Housing Act.

A low-income family physically displaced by rental rehabilitation activity under 24 CFR part 511.

A low-income non-purchasing family residing in a HOPE 1 or HOPE 2 project.

A low-income non-purchasing family residing in a project subject to a home-ownership program under 24 CFR 248.173.

A low-income family or moderate income family that is displaced as a result of the prepayment of a mortgage or voluntary termination of a mortgage insurance contract under 24 CFR 248.165.

A low-income family that qualifies for Voucher assistance as a non-purchasing family residing in a project subject to a resident home ownership program.

*** In accordance with the HACC Plan, the HACC's criteria for admitting Low Income families, in addition to those required under the regulations and identified above, is to admit families who:**

Are pursuing their education

Are participating in an economic self-sufficiency program

Are working full time (part-time)

To determine if the family is income-eligible, the HACC compares the Annual Income of the family to the applicable income limit for the family's size.

Families whose Annual Income exceeds the income limit will be denied admission and offered an informal review.

*** Multijurisdictional HACCs: The applicable income limit used for initial issuance of a voucher is the highest income limit within the HACC's jurisdiction.**

Portability: For initial lease-up at admission, families who exercise portability must be within the applicable income limit for the jurisdiction of the receiving HACC in which they want to live.

D. MANDATORY SOCIAL SECURITY NUMBERS [24 CFR 5.216, 5.218]

Families are required to provide verification of Social Security Numbers for all family members age 6 and older prior to admission, if they have been issued a number by the Social Security Administration. This requirement also applies to persons joining the family after admission to the program.

Failure to furnish verification of social security numbers is grounds for denial or termination of assistance.

Persons who have not been issued a Social Security Number must sign a certification that they have never been issued a Social Security Number.

Persons who disclose their Social Security Number but cannot provide verification must sign a certification and provide verification within 60 days. Elderly persons must provide verification within 120 days.

E. CITIZENSHIP/ELIGIBLE IMMIGRATION STATUS [24 CFR Part 5, Subpart E]

In order to receive assistance, a family member must be a U.S. citizen or eligible immigrant. Individuals who are neither, may elect not to contend their status. Eligible immigrants are persons who are in one of the immigrant categories as specified by HUD.

For the Citizenship/Eligible Immigration requirement, the status of each member of the family is considered individually before the family's status is defined.

Mixed Families. A family is eligible for assistance as long as at least one member is a citizen or eligible immigrant. Families that include eligible and ineligible individuals are called "mixed." Such applicant families will be given notice that their assistance will be pro-rated and that they may request a hearing if they contest this determination.

All members ineligible. Applicant families that include no eligible members are ineligible for assistance. Such families will be denied admission and offered an opportunity for a hearing.

Non-citizen students. Defined by HUD in the non-citizen regulations at 24 CFR 5.522. Not eligible for assistance.

Appeals. For this eligibility requirement only, the applicant is entitled to a hearing exactly like those provided for participants.

F. OTHER CRITERIA FOR ADMISSIONS [24 CFR 982.552(b)]

A family will not be admitted to the program if any member of the family has been evicted from federally assisted housing for serious violation of the lease within the past [7] years.

A family will be denied admission to the program if any member of the family fails to sign and submit consent forms for obtaining information required by the HACC, including Form HUD-9886.

*** The HACC will apply the following criteria, in addition to the HUD eligibility criteria, as grounds for denial of admission to the program:**

- * The family must not have violated any family obligation during a previous participation in the Section 8 program for [7] years prior to final eligibility determination.**
- * The HACC will make an exception, if the family member who violated the family obligation is not a current member of the household on the application.**
- * The family must pay any outstanding debt owed the HACC or another HACC as a result of prior participation in any federal housing program within [60] days of HACC notice to repay.**
- *The family must be in good standing regarding any current payment agreement made with another HACC for a previous debt incurred, before this HACC will allow participation in its Section 8 program.**
- * The HACC will check criminal history for all adults in the household to determine whether any member of the family has violated any of the prohibited behaviors as referenced in the section on screening and terminations policy in the "Denial or Termination of Assistance" chapter.**
- * If any applicant deliberately misrepresents the information on which eligibility or tenant rent is established, the HACC may deny assistance and may refer the family file/record to the proper authorities for appropriate disposition. (See Program Integrity Addendum).**
- * If any applicant deliberately misrepresents the information on which eligibility or tenant rent is established, the HACC may deny assistance and may refer the family file/record to the proper authorities for appropriate disposition. (See Program Integrity Addendum).**

*** G. TENANT SCREENING [24 CFR 982.307]**

The HACC will take into consideration any of the criteria for admission described in the "Denial or Termination of Assistance" chapter.

The HACC [**will not**] screen family behavior or suitability for tenancy. The HACC will not be liable or responsible to the owner or other persons for the family's behavior or the family's conduct in tenancy.

The owner is responsible for screening and selection of the family to occupy the owner's unit. At or before HACC approval of the tenancy, the HACC will inform the owner that screening and selection for tenancy is the responsibility of the owner.

The owner is responsible for screening families based on their tenancy histories, including such factors as:[24 CFR 982.307(a)(3)]

Payment of rent and utility bills

Caring for a unit and premises

Respecting the rights of other residents to the peaceful enjoyment of their housing

Drug-related criminal activity or other criminal activity that is a threat to the health, safety or property of others; and

Compliance with other essential conditions of tenancy.

The HACC will give the owner:

The family's current and prior address as shown in the HACC's records; and

The name and address (if known by the HACC) of the landlord at the family's current and prior address.

***The HACC will offer the owner other information in the HACC's possession concerning the family, including:**

*** Information about the family's tenancy history; or**

*** Information about drug-trafficking by family members**

The same types of information will be supplied to all owners.

The HACC will advise families how to file a complaint if they have been discriminated against by an owner. The HACC will advise the family to make a Fair Housing complaint. The HACC may also report the owner to HUD (Fair Housing/Equal Opportunity) or the local Fair Housing Organization.

H. CHANGES IN ELIGIBILITY PRIOR TO EFFECTIVE DATE OF THE CONTRACT

Changes that occur during the period between issuance of a voucher and lease up may affect the family's eligibility or share of the rental payment.

I. INELIGIBLE FAMILIES

Families who are determined to be ineligible will be notified in writing of the reason for denial and given an opportunity to request an informal review, or an informal hearing if they were denied due to noncitizen status. See "Complaints and Appeals" chapter for additional information about reviews and hearings.

J. PROHIBITED ADMISSIONS CRITERIA [982.202(b)]

Admission to the program may not be based on where the family lives before admission to the program.

Admission to the program may not be based on:

Where a family lives prior to admission to the program.

Where the family will live with assistance under the program.

Discrimination because members of the family are unwed parents, recipients of public assistance, or children born out of wedlock.

Discrimination because a family includes children.

Whether a family decides to participate in a family self sufficiency program; or

Other reasons as listed in the "Statement of Policies and Objectives" chapter under the Fair Housing and Reasonable Accommodations sections.

Chapter 3

APPLYING FOR ADMISSION

[24 CFR 982.204]

INTRODUCTION

The policy of the HACC is to ensure that all families who express an interest in housing assistance are given an equal opportunity to apply, and are treated in a fair and consistent manner. This Chapter describes the policies and procedures for completing an initial application for assistance, placement and denial of placement on the waiting list, and limitations on who may apply. The primary purpose of the intake function is to gather information about the family, but the HACC will also utilize this process to provide information to the family so that an accurate and timely decision of eligibility can be made. Applicants will be placed on the waiting list in accordance with this Plan.

A. OVERVIEW OF THE APPLICATION TAKING PROCESS

The purpose of application taking is to permit the HACC to gather information and determine placement on the waiting list. The application will contain questions designed to obtain pertinent program information.

Families who wish to apply for any one of the HACC's programs must complete a written application form when application-taking is open. Applications will be made available in an accessible format upon request from a person with a disability.

When the waiting list is open, any family asking to be placed on the waiting list for Section 8 rental assistance will be given the opportunity to complete an application.

Applications will be mailed to interested families upon request.

The application process will involve two phases. The first is the "initial" application for assistance (referred to as a preapplication). This first phase results in the family's placement on the waiting list.

The pre-application will be dated, time-stamped, and referred to the HACC's eligibility office where it will be maintained until such time as it is needed for processing.

The second phase is the "final determination of eligibility" (referred to as the full application).

The full application takes place when the family reaches the top of the waiting list. At this time the HACC ensures that verification of all HUD and HACC eligibility factors is current in order to determine the family's eligibility for the issuance of a voucher.

B. OPENING/CLOSING OF APPLICATION TAKING [24 CFR 982.206, 982.54(d)(1)]

The HACC will utilize the following procedures for opening the waiting list:

When the HACC opens the waiting list, the HACC will advertise through public notice in the following newspapers, minority publications and media entities, location(s), and program(s) for which applications are being accepted:

Courier Post

Other Government Agencies

The notice will contain:

The dates, times, and the locations where families may apply.

The programs for which applications will be taken.

A brief description of the program.

A statement that public housing residents must submit a separate application if they want to apply for section 8.

Limitations, if any, on who may apply.

The notices will be made in an accessible format if requested. They will provide potential applicants with information that includes the HACC address and telephone number, how to submit an application, information on eligibility requirements, and the availability of local preferences.

Upon request from a person with a disability, additional time will be given as an accommodation for submission of an application after the closing deadline. This accommodation is to allow persons with disabilities the opportunity to submit an application in cases when a social service organization provides inaccurate or untimely information about the closing date.

If the waiting list is open, the HACC will accept applications from eligible families unless there is good cause for not accepting the application, such as denial of assistance because of action or inaction by members of the family for the grounds stated in the "Denial or Termination of Assistance" chapter of this Administrative Plan. [24 CFR 982.206(b)(2)]

Closing the Waiting List

The HACC may stop applications if there are enough applicants to fill anticipated openings for the next 24 months. The waiting list may not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws.

The HACC will announce the closing of the waiting list by public notice in the advertisement. The open period shall be long enough to achieve a waiting list adequate to cover projected turnover and new allocations over the next 24 months. The HACC will give at least five days notice prior to closing the list. When the period for accepting applications is over, the HACC will add the new applicants to the list by:

- * Separating the new applicants into groups based on preferences and ranking applicants within each group by date and time of application.

Limits on Who May Apply

When the waiting list is open:

- * Any family asking to be placed on the waiting list for Section 8 rental assistance will be given the opportunity to complete an application.
- * Depending upon the composition of the waiting list with regard to family types and preferences and to better serve the needs of the community, the HACC may only accept applications from any family claiming preference(s).

When the application is submitted to the HACC:

- * It establishes the family's date and time of application for placement order on the waiting list.

C. "INITIAL" APPLICATION PROCEDURES [24 CFR 982.204(b)]

The HACC will utilize a pre-application form. The information is to be filled out by the applicant whenever possible. To provide specific accommodation for persons with disabilities, the information may be completed by a staff person over the telephone. It may also be mailed to the applicant and, if requested, it will be mailed in an accessible format. Translations will be provided for non-English speaking applicants HACC staff in Spanish.

The purpose of the preapplication is to permit the HACC to preliminarily assess family eligibility or ineligibility and to determine placement on the waiting list. The preapplication will contain at least the following information:

- Applicant name
- Family Unit Size (number of bedrooms the family qualifies for under HACC subsidy standards)
- Date and time of application
- Qualification for any local preference
- Racial or ethnic designation of the head of household
- Annual (gross) family income
- Singles preference status
- Targeted program qualifications

Duplicate applications, including applications from a segment of an applicant household, will not be accepted.

Ineligible families will not be placed on the waiting list.

Preapplications will not require an interview. The information on the application will be verified and the applicant has been selected for final eligibility determination. Final eligibility will be determined when the full application process is completed and all information is verified.

D. APPLICANT STATUS WHILE ON WAITING LIST [CFR 982.204]

Applicants are required to inform the HACC in writing of changes in address. Applicants are also required to respond to requests from the HACC to update information on their application and to determine their interest in assistance.

If after a review of the preapplication the family is determined to be preliminarily eligible, they will be notified in writing or in an accessible format upon request, as a reasonable accommodation.

The notice will contain the approximate date that assistance may be offered, and will further explain that the estimated date is subject to factors such as turnover and available funding.

This written notification of preliminary eligibility will be:

- * given to the applicant at the time the preapplication is submitted
- * mailed to the applicant by first class mail
- * distributed to the applicant in the manner requested as a specific accommodation

If the family is determined to be ineligible based on the information provided in the preapplication, the HACC will notify the family in writing (in an accessible format upon request as a reasonable accommodation), state the reason(s), and inform them of their right to an informal review. Persons with disabilities may request to have an advocate attend the informal review as an accommodation. See "Complaints and Appeals "chapter.

E. TIME OF SELECTION [24 CFR 982.204]

When funding is available, families will be selected from the waiting list in their determined sequence, regardless of family size, subject to income targeting requirements.

When there is insufficient funding available for the family at the top of the list, the HACC will not admit any other applicant until funding is available for the first applicant.

Based on the HACC's turnover and the availability of funding, groups of families will be selected from the waiting list to form a final eligibility "pool." Selection from the pool will be based on /completion of verification.

F. COMPLETION OF A FULL APPLICATION

All preferences claimed on the preapplication or while the family is on the waiting list will be verified:

Upon receipt of the preliminary application and prior to placement on the waiting list

After the family is selected from the waiting list, and prior to completing the full application

Whenever the family claims a preference

The qualification for preference must exist at the time the preference is claimed and at the time of verification, because claim of a preference determines placement on the waiting list.

After the preference is verified, when the HACC is ready to select applicants, applicants will be required to:

Complete a Personal Declaration Form prior to the full application interview.

Complete a full application in their own handwriting, unless assistance is needed, or a request for accommodation is made by a person with a disability. Applicant will then be interviewed by HACC staff to review the information on the full application form.

Participate in a full application interview with a HACC representative during which the applicant will be required to furnish complete and accurate information verbally as requested by the interviewer. The HACC interviewer will complete the full application form with answers supplied by the applicant. The applicant will sign and certify that all information is complete and accurate.

The full application will be [mailed/communicated as requested as an accommodation to a person with a disability/mailed to the applicant in advance to complete/completed when the applicant attends the interview].

Requirement to Attend Interview

The HACC utilizes the full application interview to discuss the family's circumstances in greater detail, to clarify information, which has been provided by the family, and to ensure that the information is complete. The interview is also used as a vehicle to meet the informational needs of the family by providing information about the application and verification process, as well as to advise the family of other HACC services or programs, which may be available.

All adult family members are required to attend the interview and sign the housing application. Exceptions may be made for students attending school out of state/for members for whom attendance would be a hardship.

The head of household is required to attend the interview.

The head and spouse are both required to attend the interview.

If the head of household cannot attend the interview, the spouse may attend to complete the application and certify for the family. The head of household, however, will be required to attend an interview within 5 days to review the information and to certify by signature that all of the information is complete and accurate.

It is the applicant's responsibility to reschedule the interview if s/he misses the appointment. If the applicant does not reschedule or misses two scheduled meetings, the HACC will reject the application.

Applicants who fail to appear and want to reschedule a missed appointment must make the request to reschedule no later than five days from the original appointment date. The request must be made to the staff person who scheduled the appointment.

If an applicant fails to appear for a pre-scheduled appointment, the HACC will automatically schedule a second appointment. If the applicant misses the second appointment without prior approval, the application is denied.

If an applicant fails to appear for their interview without prior approval of the HACC, their application will be denied unless they can provide acceptable documentation to the HACC that an emergency prevented them from calling.

Reasonable accommodation will be made for persons with a disability who require an advocate or accessible offices. A designee will be allowed to participate in the interview process, but only with permission of the person with a disability.

If an application is denied due to failure to attend the full application interview, the applicant will be notified in writing and offered an opportunity to request an informal review. (See "Complaints and Appeals "chapter.)

All adult members must sign the HUD Form 9886, Release of Information, the application form and all supplemental forms required by the HACC, the declarations and consents related to citizenship/immigration status and any other documents required by the HACC. Applicants will be required to sign specific verification forms for information which is not covered by the HUD form 9886. Failure to do so will be cause for denial of the application for failure to provide necessary certifications and release as required by the HACC.

Every adult household member must sign a consent form to release criminal conviction records and to allow HACCs to receive records and use them in accordance with HUD regulations.

If the HACC determines at or after the interview that additional information or document(s) are needed, the HACC will request the document(s) or information in writing. The family will be given 5 days to supply the information.

If the information is not supplied in this time period, the HACC will provide the family a notification of denial for assistance. (See "Complaints and Appeals" chapter)

G. VERIFICATION [24 CFR 982.201(e)]

Information provided by the applicant will be verified, using the verification procedures in the "Verification Procedures" chapter. Family composition, income, allowances and deductions, assets, full-time student status, eligibility and rent calculation factors, and other pertinent information will be verified. Verifications may not be more than 60 days old at the time of issuance of the Voucher.

H. FINAL DETERMINATION AND NOTIFICATION OF ELIGIBILITY

[24 CFR 982.201]

After the verification process is completed, the HACC will make a final determination of eligibility. This decision is based upon information provided by the family, the verification completed by the HACC, and the current eligibility criteria in effect. If the family is determined to be eligible, the HACC will mail a notification of eligibility. A briefing will be scheduled for the issuance of a voucher and the family's orientation to the housing program.

Chapter 4

ESTABLISHING PREFERENCES AND MAINTAINING THE WAITING LIST

INTRODUCTION

It is the HACC's objective to ensure that families are placed in the proper order on the waiting list and selected from the waiting list for admissions in accordance with the policies in this Administrative Plan.

This chapter explains the [insert number] local preferences which the HACC has adopted to meet local housing needs, defines the eligibility criteria for the preferences and explains the HACC's system of applying them.

By maintaining an accurate waiting list, the HACC will be able to perform the activities, which ensure that an adequate pool of qualified applicants will be available so that program funds are used in a timely manner.

A. WAITING LIST [24 CFR 982.204]

The HACC uses a single waiting list for admission to its Section 8 tenant-based assistance program.

Except for Special Admissions, applicants will be selected from the HACC waiting list in accordance with policies and preferences and income targeting requirements defined in this Administrative Plan.

The HACC will maintain information that permits proper selection from the waiting list.

The waiting list contains the following information for each applicant listed:

Applicant name

Family unit size (number of bedrooms family qualifies for under HACC subsidy standards)

Date and time of application

Qualification for any local preference

Racial or ethnic designation of the head of household

Annual (gross) family income

Number of persons in family

Singles preference status

Targeted program qualifications

B. SPECIAL ADMISSIONS [24 CFR 982.54(d)(e), 982.203]

If HUD awards a HACC program funding that is targeted for specifically named families, the HACC will admit these families under a Special Admission procedure.

Special admissions families will be admitted outside of the regular waiting list process. They do not have to qualify for any preferences, nor are they required to be on the program waiting list. The HACC maintains separate records of these admissions.

The following are examples of types of program funding, that may be designated by HUD for families living in a specified unit:

A family displaced because of demolition or disposition of a public or Indian housing project;

A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;

For housing covered by the Low Income Housing Preservation and Resident Homeownership Act of 1990;

A family residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term; and

A non-purchasing family residing in a HOPE 1 or HOPE 2 project.

Applicants are admitted under Special Admissions, rather than from the waiting list.

C. LOCAL PREFERENCES [24 CFR 982.207]

The HACC will offer public notice when changing its preference system and the notice will be publicized using the same guidelines as those for opening and closing the waiting list.

The HACC uses the following local preference system:

- Date and time of receipt of a completed application.
- Residency preference for families who live, work, or have been hired to work [or who are attending school] in the jurisdiction.
- Veteran preference: [state law definition] (veterans or surviving spouses of veterans).
- Disability preference: This preference is extended to disabled persons or families with a disabled member as defined in this plan. Proof of disability will be required at time of selection
- Working preference. Families with at least one adult who is employed at least [number] hours per week [or who are active participants in accredited educational and training programs designed to prepare the individual for the job market]. This preference is automatically extended to elderly families or families whose head or spouse is receiving income based on their inability to work.
- Families who are graduates of or active participants in educational and training programs designed to prepare the individual for the job market.
- Moderate rehabilitation families who are currently residing in a unit which is overcrowded or under-occupied and there is no applicable unit available in the moderate rehabilitation development [or other moderate rehabilitation developments within the HACC's jurisdiction].
- Graduates of transitional housing programs for [homeless/substance abusers/victims of domestic abuse].

- Victims of domestic violence: The HACC will offer a local preference to families that have been subjected to or victimized by a member of the family or household within the past year. The HACC will require evidence that the family has been displaced as a result of fleeing violence in the home. Families are also eligible for this preference if there is proof that the family is currently living in a situation where they are being subjected to or victimized by violence in the home. The following criteria are used to establish a family's eligibility for this preference:

Actual or threatened physical violence directed against the applicant or the applicant's family by a spouse or other household member who lives in the unit with the family.

The actual or threatened violence must have occurred within the past 180 days or be of a continuing nature.

An applicant who lives in a violent neighborhood or is fearful of other violence outside the household is not considered involuntarily displaced.

To qualify for this preference, the abuser must still reside in the unit from which the victim was displaced. The applicant must certify that the abuser will not reside with the applicant unless the HACC gives prior written approval.

The HACC will approve the return of the abuser to the household under the following conditions:

- * The HACC verifies that the abuser has received therapy or counseling that appears to minimize the likelihood of recurrence of violent behavior.

- * A counselor, therapist or other appropriate professional recommends in writing that the individual be allowed to reside with the family.

If the abuser returns to the family without approval of the HACC, the HACC will deny or terminate assistance for breach of the certification.

* At the family's request, the HACC will take precautions to ensure that the new location of the family is concealed in cases of domestic abuse.

- Involuntarily displaced.

Currently living in substandard housing (including homeless families).

- Currently paying more than 50% of their income for rent and utilities ("Rent Burden").

Descriptions of these preferences and their "definitional elements" (or sub-categories) follows.

Involuntary Displacement

Involuntarily displaced applicants are applicants who have been involuntarily displaced and are not living in standard, permanent replacement housing, or will be involuntarily displaced within no more than six months from the date of the application.

Families are considered to be involuntarily displaced if they are required to vacate housing as a result of:

1. A disaster (fire, flood, earthquake, etc.) that has caused the unit to be uninhabitable.
2. Federal, state or local government action related to code enforcement, public improvement or development.
3. Action by a housing owner which is beyond an applicant's ability to control, and which occurs despite the applicant's having met all previous conditions of occupancy, and is other than a rent increase.

* If the owner is an immediate family relative and there has been no previous rental agreement and the applicant has been part of the owner's family immediately prior to application, the applicant will not be considered involuntarily displaced.

Attachment nj010m01

* For purposes of this definitional element, reasons for an applicant's having to vacate a housing unit include, but are not limited to:

Conversion of an applicant's housing unit to non-rental or non-residential use;

Closure of an applicant's housing unit for rehabilitation or non-residential use;

Notice to an applicant that s/he must vacate a unit because the owner wants the unit for the owner's personal or family use or occupancy;

Sale of a housing unit in which an applicant resides under an agreement that the unit must be vacant when possession is transferred; or

Any other legally authorized act that results, or will result, in the withdrawal by the owner of the unit or structure from the rental market.

4. To avoid reprisals because the family provided information on criminal activities to a law enforcement agency and, after a threat assessment, the law enforcement agency recommends rehousing the family to avoid or reduce risk of violence against the family.

The family must be part of a Witness Protection Program, or the HUD Office or law enforcement agency must have informed the HACC that the family is part of a similar program.

The HACC will take precautions to ensure that the new location of the family is concealed in cases of witness protection.

5. By hate crimes if a member of the family has been the victim of one or more hate crimes, and the applicant has vacated the unit because of the crime or the fear of such a crime has destroyed the applicant's peaceful enjoyment of the unit.

A hate crime is actual or threatened physical violence or intimidation that is directed against a person or his property and is based on the person's race, color, religion, sex, national origin, disability or familial status including sexual orientation and occurred within the last 90 days or is of a continuing nature.

6. Displacement by non-suitability of the unit when a member of the family has a mobility or other impairment that makes the person unable to use critical elements of the unit and the owner is not legally obligated to make changes to the unit.

Critical elements are:

- entry and egress of unit and building
- a sleeping area,
- a full bathroom,
- a kitchen if the person with a disability must do their own food preparation/other.

7. Due to HUD disposition of a multifamily project under Section 203 of the Housing and Community Development Amendments of 1978.

Standard Replacement Housing

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

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

Standard replacement housing *does not* include transient facilities, hotels, motels, temporary shelters, and (in the case of Victims of Domestic Violence) housing occupied by the individual who engages in such violence.

It does not include any individual imprisoned or detained pursuant to State Law or an Act of Congress. * Shared housing with family or friends is considered temporary and is not considered standard replacement housing.

Substandard Housing

Applicants who live in substandard housing are families whose dwelling meets one or more of the following criteria, provided that the family did not cause the condition:

Is dilapidated, as cited by officials of local code enforcement office and does not provide safe, adequate shelter; has one or more critical defects or a combination of defects requiring considerable repair; endangers the health, safety, and well-being of family.

Does not have operable indoor plumbing.

Does not have usable flush toilet in the unit for the exclusive use of the family.

Does not have usable bathtub or shower in unit for exclusive family use.

Does not have adequate, safe electrical service.

Does not have an adequate, safe source of heat.

Should, but does not, have a kitchen. (Single Room Occupancy (SRO) Housing is not substandard solely because it does not contain sanitary and/or food preparation facilities in the unit).

Has been declared unfit for habitation by a government agency.

Is overcrowded according to [HQS/local/state/BOCA code].

Persons who reside as part of a family unit shall not be considered a separate family unit for substandard housing definition preference purposes.

Applicants living in Public Housing or publicly assisted housing shall not be denied this preference if unit meets the criteria for the substandard preference.

An applicant who is a "Homeless Family" is considered to be living in substandard housing. "Homeless Families":

Lack a fixed, regular and adequate nighttime residence; AND

Have a primary nighttime residence that is a supervised public or private shelter providing temporary accommodations (including welfare hotels, congregate shelters and transitional housing), or an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not ordinarily used as a sleeping accommodation for human beings.

Homeless families may maintain their place on the waiting list while completing a transitional housing program.

Families who are residing with friends or relatives on a temporary basis will not be included in the homeless definition.

Persons who reside as part of a family unit shall not be considered a separate household.

Rent Burden

Families paying more than 50% of their income for rent and utilities for at least 90 days [commencing before they were selected from the Waiting List/and continuing through the verification of preference] will receive this preference.

For purposes of this preference, "Family Income" is Gross Monthly Income as defined in the regulations.

"Rent" is defined as the actual amount due under a lease or occupancy agreement calculated on a monthly basis without regard to the amount actually paid, plus the monthly amount of tenant-supplied utilities which can be either:

The HACC's reasonable estimate of the cost of such utilities, using the Section 8 Utility Allowance Schedule; or

The average monthly payments the family actually made for these utilities in the most recent 12-month period, or if information is not obtainable for the entire period, the average of at least the past [number of/any representative sampling of] months.

Attachment nj010m01

An applicant family may choose which method to use to calculate utilities expense. Any amounts paid to or on behalf of a family under any energy assistance program must be subtracted from the total rent burden if included in Family Income. The applicant must show that they actually paid the utility bills, regardless of whose name the service is under.

To qualify for the Rent Burden preference, the applicant must pay rent directly to the landlord or agent.

If the applicant pays their share of rent to a cohabitant and is not named on the lease, the HACC will require both verification from the Landlord that the applicant resides in the unit, and verification from the cohabitant of the amount of rent paid by the applicant.

If the applicant is subletting, the lessor must have the legal right to sublet.

If an applicant owns a mobile home, but rents the space upon which it is located, then "Rent" must include the monthly payment made to amortize the purchase price of the home.

Members of a cooperative are "renters" for the purposes of qualifying for the preference. In this case, "Rent" would mean the charges under the occupancy agreement.

Treatment of Single Applicants

Single applicants will be treated as any other eligible family on the waiting list.

Single applicants who are elderly, disabled, or displaced will be given a selection priority over all "Other Single" applicants regardless of preference status. "Other Singles" denotes a one-person household in which the individual member is not elderly, disabled, or displaced by government action. Such applicants will be placed on the waiting list in accordance with any other preferences to which they are entitled, but they cannot be selected for assistance before any one-person elderly, disabled or displaced family regardless of local preferences.

All families with children and families who include an elderly person or a person with a disability (see 24 CFR 100.80) shall be given a selection priority over all other applicants.

D. INCOME TARGETING

In accordance with the Quality Housing and Work Responsibility Act of 1998, each fiscal year the HACC will reserve a minimum of seventy-five percent of its Section 8 new admissions for families whose income does not exceed 30 percent of the area median income. HUD refers to these families as “extremely low-income families.” The HACC will admit families who qualify under the Extremely Low Income limit to meet the income targeting requirement, regardless of preference.

The HACC’s income targeting requirement does not apply to low income families continuously assisted as provided for under the 1937 Housing Act.

The HACC is also exempted from this requirement where the HACC is providing assistance to low income or moderate income families entitled to preservation assistance under the tenant-based program as a result of a mortgage prepayment or opt-out.

The HACC shall have the discretion, at least annually, to exercise the “fungibility” provision of the QHWRA. This provision allows the HACC to admit less than the minimum 40% of its extremely low-income families in a fiscal year to its public housing program to the extent that the HACC’s admission of extremely low income families in the tenant-based assistance program exceeds 75% of all admissions during the fiscal year. If exercising this option the HACC will follow the fungibility threshold limitations as set forth in QHWRA legislation.

The discretion by the HACC to exercise the fungibility provision will also be reflected in the HACC’s Public Housing Admissions and Continued Occupancy Policy.

E. INITIAL DETERMINATION OF LOCAL PREFERENCE QUALIFICATION
[24 CFR 982.207]

At the time of application, an applicant's entitlement to a local preference may be made on the following basis.

An applicant's certification that they qualify for a preference will be accepted without verification at the initial application. When the family is selected from the waiting list for the final determination of eligibility, the preference will be verified.

The HACC will verify all preference claims at the time they are made. The HACC will reverify a preference claim, if the HACC feels the family's circumstances have changed, at time of selection from the waiting list.

Attachment nj010m01

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list without the local preference and given an opportunity for a meeting.

If, at the time the family applied, the preference claim was the only reason for placement of the family on the list and the family cannot verify their eligibility for the preference as of the date of application, the family will be removed from the list.

F. EXCEPTIONS FOR SPECIAL ADMISSIONS [24 CFR 982.203, 982.54(d)(3)]

If HUD awards a HACC program funding that is targeted for specifically named families, the PHA will admit these families under a Special Admission procedure.

Special admissions families will be admitted outside of the regular waiting list process. They do not have to qualify for any preferences, nor are they required to be on the program waiting list. The HACC maintains separate records of these admissions.

The following are examples of types of program funding that may be designated by HUD for families living in a specified unit:

A family displaced because of demolition or disposition of a public or Indian housing project;

A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;

For housing covered by the Low Income Housing Preservation and Resident Homeownership Act of 1990;

A family residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term; and

A non-purchasing family residing in a HOPE 1 or HOPE 2 project.

G. TARGETED FUNDING [24 CFR 982.203]

When HUD awards special funding for certain family types, families who qualify are placed on the regular waiting list. When a specific type of funding becomes available, the waiting list is searched for the first available family meeting the targeted funding criteria.

Applicants who are admitted under targeted funding which are not identified as a Special Admission will be identified by special codes.

H. PREFERENCE AND INCOME TARGETING ELIGIBILITY [24 CFR 982.207]

Change in Circumstances

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to notify the HACC in writing when their circumstances change.

When an applicant claims an additional preference, s/he will be placed on the waiting list in the appropriate order determined by the newly-claimed preference.

The exception to this is, if at the time the family applied, the waiting list was only open to families who claimed that preference. In such case, the applicant must verify that they were eligible for the first preference before they are returned to the waiting list with the new preference.

If the family's verified annual income, at final eligibility determination, does not fall under the Extremely Low Income limit and the family was selected for income targeting purposes before family(s) with a higher preference, the family will be returned to the waiting list.

Attachment nj010m01

Other Housing Assistance [24 CFR 982.205(b)]

Other housing assistance means a federal, State or local housing subsidy, as determined by HUD, including public housing.

The HACC may not take any of the following actions because an applicant has applied for, received, or refused other housing: [24 CFR 982.205(b)]

Refuse to list the applicant on the HACC waiting list for tenant-based assistance;

Deny any admission preference for which the applicant is currently qualified;

Change the applicant's place on the waiting list based on preference, date and time of application, or other factors affecting selection under the HACC selection policy; or

Remove the applicant from the waiting list.

However, the HACC may remove the applicant from the waiting list for tenant-based assistance if the HACC has offered the applicant assistance under the voucher program.

I. ORDER OF SELECTION [24 CFR 982.207(e)]

The HACC's method for selecting applicants from a preference category leaves a clear audit trail that can be used to verify that each applicant has been selected in accordance with the method specified in the administrative plan.

Local Preferences

Local preferences will be used to select families from the waiting list.

The HACC has selected the following system to apply local preferences: (Select only one)

- * 1. All local preferences will be treated equally.
- * 2. Local preferences will be numerically ranked, with number 1 being the highest preference, in the following order: [list]
- * 3. Local preferences will be aggregated using the following system: (select only one system of aggregating)
 - * Two preferences outweigh one, three outweigh two, etc.
 - * Each preference will be equal to [number] points. The more preference points an applicant has, the higher the applicant's place on the waiting list.
 - * Each preference will receive an allocation of points. The more preference points an applicant has, the higher the applicant's place on the waiting list.
 - * [list preferences offered and indicate the number of points allotted each preference]

Among Applicants with Equal Preference Status

Among applicants with equal preference status, the waiting list will be organized by date and time of application.

J. FINAL VERIFICATION OF PREFERENCES [24 CFR 982.207]

Preference information on applications will be updated as applicants are selected from the waiting list. At that time, the HACC will:

- * Mail a Preference Verification letter to the applicant's last known address, requesting verification of the family's preference claim and mail third party verifications as applicable.
- * Obtain necessary verifications of preference at the interview and by third party verification.

K. PREFERENCE DENIAL [24 CFR 982.207]

*If the HACC denies a preference, the HACC will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for [an informal meeting/a review with] [title of person]. If the preference denial is upheld as a result of the meeting, or the applicant does not request a meeting, the applicant will be placed on the waiting list without benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

* If the applicant falsifies documents or makes false statements in order to qualify for any preference, they will be removed from the waiting list.

L. REMOVAL FROM WAITING LIST AND PURGING [24 CFR 982.204(c)]

The Waiting List will be purged [approximately every ____2____ years/not more than one time each year] by a mailing to all applicants to ensure that the waiting list is current and accurate. The mailing will ask for confirmation of continued interest.

* Any mailings to the applicant which require a response will state that failure to respond within [number of] days will result in the applicant's name being dropped from the waiting list.

An extension of [number of] days to respond will be granted, if requested and needed as a reasonable accommodation for a person with a disability.

* If an applicant fails to respond to a mailing from the HACC, the applicant will be sent written notification and given [number of] days to contact the HACC. If they fail to respond within [number of] days, they will be removed from the waiting list.

If the applicant did not respond to the HACC request for information or updates because of a family member's disability, the HACC will reinstate the applicant in the family's former position on the waiting list.

* If a letter is returned by the Post Office without a forwarding address, the applicant will be removed without further notice, and the envelope and letter will be maintained in the **file**.

* If a letter is returned with a forwarding address, it will be re-mailed to the address indicated.

* If an applicant is removed from the waiting list for failure to respond, they will not be entitled to reinstatement unless a [title of position] determines there were circumstances beyond the person's control. The following exceptions, if determined to exist, will be acceptable to warrant reinstatement: [indicate exceptions].

* Applicants are required to contact the HACC in writing [indicate at what times/or indicate how often] to confirm their continued interest. The HACC will give written notification to all applicants who fail to respond at the required times. If they fail to respond to this notification, they will be removed from the waiting list.

* The HACC allows a grace period of [number of] days after completion of the purge. Applicants who respond during this grace period will be reinstated.

Chapter 5

SUBSIDY STANDARDS

[24 CFR 982.54(d)(9)]

INTRODUCTION

HUD guidelines require that HACC establish subsidy standards for the determination of family unit size, and that such standards provide for a minimum commitment of subsidy while avoiding overcrowding. The standards used for the unit size selected by the family must be within the minimum unit size requirements of HUD's Housing Quality Standards. This Chapter explains the subsidy standards which will be used to determine the voucher size (family unit size) for various sized families when they are selected from the waiting list, as well as the HACC's procedures when a family's size changes, or a family selects a unit size that is different from the Voucher.

A. DETERMINING FAMILY UNIT (VOUCHER) SIZE [24 CFR 982.402]

The HACC does not determine who shares a bedroom/sleeping room, but there must be at least one person per bedroom on the Voucher. The HACC's subsidy standards for determining voucher size shall be applied in a manner consistent with Fair Housing guidelines.

For subsidy standards, an adult is a person 18 years old or older.

All standards in this section relate to the number of bedrooms on the Voucher, not the family's actual living arrangements.

The unit size on the Voucher remains the same as long as the family composition remains the same, regardless of the actual unit size rented.

One bedroom will be assigned for each two family members. The HACC will consider factors such as family characteristics including sex, age, or relationship. Consideration will also be given for medical reasons and the presence of a live-in aide.

Generally, the HACC assigns one bedroom to two people within the following guidelines:

- * Persons of different generations, persons of the opposite sex (other than spouses), and unrelated adults should be allocated a separate bedroom.
- * Separate bedrooms should be allocated for persons of the opposite sex (other than adults who have a spousal relationship and children under [age]).
- * Foster children will be included in determining unit size only if they will be in the unit for more than [12] months.
- * Live-in attendants will generally be provided a separate bedroom. No additional bedrooms are provided for the attendant's family.
- * Space may be provided for a child who is away at school but who lives with the family during school recesses.
- * Space will not be provided for a family member, other than a spouse, who will be absent most of the time, such as a member who is away in the military.
- * Adults of different generations will have separate bedrooms.
- * A single pregnant woman with no other family members must be treated as a two-person family.
- * Single person families shall be allocated [zero/one] bedroom.

GUIDELINES FOR DETERMINING VOUCHER SIZE

Voucher Size	Persons in Household	
	Minimum Number	Maximum Number
0 Bedroom	1	1
1 Bedroom	1	2
2 Bedrooms	2	6
3 Bedrooms	3	8
4 Bedrooms	4	10
5 Bedrooms	6	12
6 Bedrooms	8	

B. EXCEPTIONS TO SUBSIDY STANDARDS [24 CFR 982.403(a) & (b)]

The HACC shall grant exceptions from the subsidy standards if the family requests and the HACC determines the exceptions are justified by the relationship, age, sex, health or disability of family members, or other individual circumstances.

The HACC will grant an exception upon request as an accommodation for persons with disabilities. Circumstances may dictate a larger size than the subsidy standards permit when persons cannot share a bedroom because of a need, such as a:

Verified medical or health reason; or

Elderly persons or persons with disabilities who may require a live-in attendant.

Request for Exceptions to Subsidy Standards

The family may request a larger sized voucher than indicated by the HACC's subsidy standards. Such request must be made in writing within five days of the HACC's determination of bedroom size. The request must explain the need or justification for a larger bedroom. Documentation verifying the need or justification will be required as appropriate.

The HACC will not issue a larger voucher due to additions of family members other than by birth, adoption, marriage, or court-awarded custody.

Requests based on health related reasons must be verified by a [doctor/medical/professional/social service professional].

HACC Error

If the HACC errs in the bedroom size designation, the family will be issued a Voucher of the appropriate size.

Changes for Applicants

The voucher size is determined prior to the briefing by comparing the family composition to the HACC subsidy standards. If an applicant requires a change in the voucher size, based on the requirements of the HACC subsidy standards, the above-referenced guidelines will apply.

Changes for Participants

The members of the family residing in the unit must be approved by the HACC prior to the family permitting the member to reside in the unit. The family must obtain approval of any additional family member before the new member occupies the unit except for additions by birth, adoption, or court-awarded custody, in which case the family must inform the HACC within fifteen days. The above referenced guidelines will apply.

Underhoused Families

If a unit does not meet HQS space standards due to an increase in family size, (unit too small), the HACC will issue a new voucher of the appropriate size and assist the family in locating a suitable unit.

The HACC will also notify the family of the circumstances under which an exception will be granted, such as:

If a family with a disability is under-housed in an accessible unit.

If a family requires the additional bedroom because of a health problem, which has been verified by the HACC.

The HACC and family have been unable to locate a unit within sixty days.

C. UNIT SIZE SELECTED [24 CFR 982.402(c)]

The family may select a different size dwelling unit than that listed on the Voucher. There are three criteria to consider:

Subsidy Limitation: The family unit size as determined for a family under the HACC subsidy standard for a family assisted in the voucher program is based on the HACC's adopted payment standards. The payment standard for a family shall be the *lower of*:

The payment standard amount for the family unit size; or

The payment standard amount for the unit size rented by the family.

Utility Allowance: The utility allowance used to calculate the gross rent is based on the actual size of the unit the family selects, regardless of the size authorized on the family's Voucher.

Housing Quality Standards: The standards allow two persons per living/sleeping room and permit maximum occupancy levels (assuming a living room is used as a living/sleeping area) as shown in the table below. The levels may be exceeded if a room in addition to bedrooms and living room is used for sleeping.

***HQS GUIDELINES FOR UNIT SIZE SELECTED**

Unit Size	Maximum Number in Household
0 Bedroom	1
1 Bedroom	4
2 Bedrooms	6
3 Bedrooms	8
4 Bedrooms	10
5 Bedrooms	12
6 Bedrooms	14

Chapter 6
INCOME AND SUBSIDY DETERMINATIONS
[24 CFR Part 5, Subparts E and F; 24 CFR 982]

INTRODUCTION

A family's income determines eligibility for assistance and is also used to calculate the family's payment and the HACC's subsidy. The HACC will use the policies and methods described in this chapter to ensure that only eligible families receive assistance and that no family pays more or less than its obligation under the regulations. This chapter describes HUD regulations and HACC policies related to these topics in three parts as follows:

- Part I: Annual Income. HUD regulations specify the sources of income to include and exclude to arrive at a family's annual income. These requirements and HACC policies for calculating annual income are found in Part I.
- Part II: Adjusted Income. Once annual income has been established HUD regulations require the HACC to subtract from annual income any of five mandatory deductions for which a family qualifies. These requirements and HACC policies for calculating adjusted income are found in Part II.
- Part III: Calculating Family Share and HACC Subsidy. This part describes the statutory formula for calculating total tenant payment (TTP), the use of utility allowances, and the methodology for determining HACC subsidy and required family payment.

PART I: ANNUAL INCOME

6-I.A. OVERVIEW

The general regulatory definition of *annual income* shown below is from 24 CFR 5.609.

5.609 Annual income.

(a) Annual income means all amounts, monetary or not, which:

- (1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or
 - (2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
 - (3) Which are not specifically excluded in paragraph [5.609(c)].
- (4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

In addition to this general definition, HUD regulations establish policies for treating specific types of income and assets. The full texts of those portions of the regulations are provided in exhibits at the end of this chapter as follows:

- Annual Income Inclusions (Exhibit 6-1)
- Annual Income Exclusions (Exhibit 6-2)
- Treatment of Family Assets (Exhibit 6-3)
- Earned Income Disallowance for Persons with Disabilities (Exhibit 6-4)
- The Effect of Welfare Benefit Reduction (Exhibit 6-5)

Sections 6-I.B and 6-I.C discuss general requirements and methods for calculating annual income. The rest of this section describes how each source of income is treated for the purposes of determining annual income. HUD regulations present income inclusions and exclusions separately [24 CFR 5.609(b) and 24 CFR 5.609(c)]. In this plan, however, the discussions of income inclusions and exclusions are integrated by topic (e.g., all policies affecting earned income are discussed together in section 6-I.D). Verification requirements for annual income are discussed in Chapter 7.

6-I.B. HOUSEHOLD COMPOSITION AND INCOME

Income received by all family members must be counted unless specifically excluded by the regulations. It is the responsibility of the head of household to report changes in family composition. The rules on which sources of income are counted vary somewhat by family member. The chart below summarizes how family composition affects income determinations.

Summary of Income Included and Excluded by Person	
Live-in aides	Income from all sources is excluded [24 CFR 5.609(c)(5)].
Foster child or foster adult	Income from all sources is excluded [24 CFR 5.609(c)(2)].
Head, spouse, or cohead Other adult family members	All sources of income not specifically excluded by the regulations are included.
Children under 18 years of age	Employment income is excluded [24 CFR 5.609(c)(1)]. All other sources of income, except those specifically excluded by the regulations, are included.
Full-time students 18 years of age or older (not head, spouse, or cohead)	Employment income above \$480/year is excluded [24 CFR 5.609(c)(11)]. All other sources of income, except those specifically excluded by the regulations, are included.

Temporarily Absent Family Members

The income of family members approved to live in the unit will be counted, even if the family member is temporarily absent from the unit [HCV GB, p. 5-18].

Absent Full-Time Students

HACC Policy

When someone who has been considered a family member attends school away from home, the person will continue to be considered a family member unless information becomes available to the HACC indicating that the student has established a separate household or the family declares that the student has established a separate household.

Court-Ordered Absences

HACC Policy

If a member of the family is subject to a court order that restricts the member from the home, the HACC will determine whether the person will be considered temporarily or permanently absent. If the court order specifies a permanent restriction or if the court restriction exceeds 180 days, the person will no longer be considered a family member. If the individual intends to return to the unit at the end of the restriction, the individual is subject to the eligibility and screening requirements discussed in Chapter 3 of this plan.

Absences Due to Placement in Foster Care

Children temporarily absent from the home as a result of placement in foster care are considered members of the family [24 CFR 5.403].

HACC Policy

If a child has been placed in foster care, the HACC will verify with the appropriate agency whether and when the child is expected to be returned to the home. Unless the agency confirms that the child has been permanently removed from the home, the child will be counted as a family member.

Absences Due to Incarceration

HACC Policy

If a family member is expected to be incarcerated for more than 180 consecutive days, the person will not be considered a family member. If the individual intends to return to the unit following incarceration, the individual is subject to the eligibility and screening requirements discussed in Chapter 3 of this plan.

Family Members Permanently Confined for Medical Reasons

If a family member is confined to a nursing home or hospital on a permanent basis, that person is no longer considered a family member and the income of that person is not counted [HCV GB, p. 5-22].

HACC Policy

The HACC will request verification from a responsible medical professional and will use this determination. If the responsible medical professional cannot provide a determination, the person generally will be considered temporarily absent. The family may present evidence that the family member is confined on a permanent basis and request that the person not be considered a family member.

When an individual who has been counted as a family member is determined permanently absent, the family is eligible for the medical expense deduction only if the remaining head, spouse, or cohead qualifies as an elderly person or a person with disabilities.

Joint Custody of Children

HACC Policy

In the case of joint custody, only one family may claim a child as a dependent. When two assisted families could conceivably claim the child, the two families must resolve the issue and declare which household will receive the dependent deduction. If the two households are unable to resolve the issue, the HACC will make the determination on the basis of such factors as who claimed the child as a dependent on the most recent income tax filing and how much time the child spends in each household.

Caretakers for a Child

HACC Policy

If neither a parent nor a designated guardian remains in a household receiving HCV assistance, the HACC will take the following actions.

- (1) If a responsible agency has determined that another adult is to be brought into the assisted unit to care for a child for an indefinite period, the designated caretaker will not be considered a family member until a determination of custody or legal guardianship is made.
- (2) If a caretaker has assumed responsibility for a child without the involvement of a responsible agency or formal assignment of custody or legal guardianship, the caretaker will be treated as a visitor for 90 days. After the 90 days has elapsed, the caretaker will be considered a family member unless information is provided that would confirm that the caretaker's role is temporary. In such cases the HACC will extend the caretaker's status as an eligible visitor.
- (3) At any time that custody or guardianship legally has been awarded to a caretaker, the housing choice voucher will be transferred to the caretaker.
- (4) During any period that a caretaker is considered a visitor, the income of the caretaker is not counted in annual income and the caretaker does not qualify the family for any deductions from income.

6-I.C. ANTICIPATING ANNUAL INCOME

The HACC is required to count all income “anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date” [24 CFR 5.609(a)(2)]. Policies related to anticipating annual income are provided below.

Basis of Annual Income Projection

The HACC generally will use current circumstances to determine anticipated income for the coming 12-month period. HUD authorizes the HACC to use other than current circumstances to anticipate income when:

- An imminent change in circumstances is expected [HCV GB, p. 5-17]
- It is not feasible to anticipate a level of income over a 12-month period (e.g., seasonal or cyclic income) [24 CFR 5.609(d)]
- The HACC believes that past income is the best available indicator of expected future income [24 CFR 5.609(d)]

HACC Policy

When the HACC cannot readily anticipate income based upon current circumstances (e.g., in the case of seasonal employment, unstable working hours, or suspected fraud), the HACC will review and analyze historical data for patterns of employment, paid benefits, and receipt of other income and use the results of this analysis to establish annual income. Anytime current circumstances are not used to project annual income, a clear rationale for the decision will be documented in the file. In all such cases the family may present information and documentation to the HACC to show why the historic pattern does not represent the family’s anticipated income.

Known Changes in Income

If the HACC verifies an upcoming increase or decrease in income, annual income will be calculated by applying each income amount to the appropriate part of the 12-month period.

Example: An employer reports that a full-time employee who has been receiving \$6/hour will begin to receive \$6.25/hour in the eighth week after the effective date of the reexamination. In such a case the HACC would calculate annual income as follows:
($\$6/\text{hour} \times 40 \text{ hours} \times 7 \text{ weeks}$) + ($\$6.25 \times 40 \text{ hours} \times 45 \text{ weeks}$).

The family may present information that demonstrates that implementing a change before its effective date would create a hardship for the family. In such cases the HACC will calculate annual income using current circumstances and then require an interim reexamination when the change actually occurs. This requirement will be imposed even if the HACC’s policy in Chapter 10 does not require interim reexaminations for other types of changes.

Using Up-Front Income Verification (UIV) to Project Income

HUD strongly recommends the use of up-front income verification (UIV). UIV is “the verification of income, before or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals” [VG, p. 7].

HUD allows HACC to use UIV information in conjunction with family-provided documents to anticipate income [UIV].

HACC Policy

HACC procedures for anticipating annual income will include the use of UIV methods approved by HUD in conjunction with family-provided documents dated within the last 60 days of the HACC interview date.

The HACC will follow “HUD Guidelines for Projecting Annual Income When Up-Front Income Verification (UIV) Data Is Available” in handling differences between UIV and family-provided income data. The guidelines depend on whether a difference is substantial or not. HUD defines *substantial difference* as a difference of \$200 or more per month.

No Substantial Difference. If UIV information for a particular income source differs from the information provided by a family by less than \$200 per month, the HACC will follow these guidelines:

If the UIV figure is less than the family’s figure, the HACC will use the family’s information.

If the UIV figure is more than the family’s figure, the HACC will use the UIV data unless the family provides documentation of a change in circumstances to explain the discrepancy (e.g., a reduction in work hours). Upon receipt of acceptable family-provided documentation of a change in circumstances, the HACC will use the family-provided information.

Substantial Difference. If UIV information for a particular income source differs from the information provided by a family by \$200 or more per month, the HACC will follow these guidelines:

The HACC will request written third-party verification from the discrepant income source in accordance with 24 CFR 5.236(b)(3)(i).

When the HACC cannot readily anticipate income (e.g., in cases of seasonal employment, unstable working hours, or suspected fraud), the HACC will review historical income data for patterns of employment, paid benefits, and receipt of other income.

The HACC will analyze all UIV, third-party, and family provided data and attempt to resolve the income discrepancy.

Attachment nj010m01

The HACC will use the most current verified income data and, if appropriate, historical income data to calculate anticipated annual income.

6-I.D. EARNED INCOME

Types of Earned Income Included in Annual Income

Wages and Related Compensation. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services is included in annual income [24 CFR 5.609(b)(1)].

HACC Policy

For persons who regularly receive bonuses or commissions, the HACC will verify and then average amounts received for the two years preceding admission or reexamination. If only a one-year history is available, the HACC will use the prior year amounts. In either case the family may provide, and the HACC will consider, a credible justification for not using this history to anticipate future bonuses or commissions. If a new employee has not yet received any bonuses or commissions, the HACC will count only the amount estimated by the employer.

Some Types of Military Pay. All regular pay, special pay and allowances of a member of the Armed Forces are counted [24 CFR 5.609(b)(8)] except for the special pay to a family member serving in the Armed Forces who is exposed to hostile fire [24 CFR 5.609(c)(7)].

Types of Earned Income Not Counted in Annual Income

Temporary, Nonrecurring, or Sporadic Income [24 CFR 5.609(c)(9)]. Sporadic income is income that is not received periodically and cannot be reliably predicted. For example, the income of an individual who works occasionally as a handyman would be considered sporadic if future work could not be anticipated and no historic, stable pattern of income existed. Such income is not counted.

Children's Earnings. Employment income earned by children (including foster children) under the age of 18 years is not included in annual income [24 CFR 5.609(c)(1)]. (See Eligibility chapter for a definition of *foster children*.)

Certain Earned Income of Full-Time Students. Earnings in excess of \$480 for each full-time student 18 years old or older (except for the head, spouse, or cohead) are not counted [24 CFR 5.609(c)(11)]. To be considered "full-time," a student must be considered "full-time" by an educational institution with a degree or certificate program [HCV GB, p. 5-29].

Income of a Live-in Aide. Income earned by a live-in aide, as defined in [24 CFR 5.403], is not included in annual income [24 CFR 5.609(c)(5)]. (See Eligibility chapter for a full discussion of live-in aides.)

Income Earned under Certain Federal Programs. Income from some federal programs is specifically excluded from consideration as income [24 CFR 5.609(c)(17)], including:

- Payments to volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058)
- Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b))
- Awards under the federal work-study program (20 U.S.C. 1087 uu)
- Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f))
- Allowances, earnings, and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d))
- Allowances, earnings, and payments to participants in programs funded under the Workforce Investment Act of 1998 (29 U.S.C. 2931)

Resident Service Stipend. Amounts received under a resident service stipend are not included in annual income. A resident service stipend is a modest amount (not to exceed \$200 per individual per month) received by a resident for performing a service for the HACC or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the HACC's governing board. No resident may receive more than one such stipend during the same period of time [24 CFR 5.600(c)(8)(iv)].

State and Local Employment Training Programs. Incremental earnings and benefits to any family member resulting from participation in qualifying state or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff are excluded from annual income. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the training program [24 CFR 5.609(c)(8)(v)].

HACC Policy

The HACC defines *training program* as “a learning process with goals and objectives, generally having a variety of components, and taking place in a series of sessions over a period to time. It is designed to lead to a higher level of proficiency, and it enhances the individual’s ability to obtain employment. It may have performance standards to measure proficiency. Training may include, but is not limited to: (1) classroom training in a specific occupational skill, (2) on-the-job training with wages subsidized by the program, or (3) basic education” [expired Notice PIH 98-2, p. 3].

The HACC defines *incremental earnings and benefits* as the difference between (1) the total amount of welfare assistance and earnings of a family member prior to enrollment in a training program and (2) the total amount of welfare assistance and earnings of the family member after enrollment in the program [expired Notice PIH 98-2, pp. 3–4].

In calculating the incremental difference, the HACC will use as the pre-enrollment income the total annualized amount of the family member’s welfare assistance and earnings reported on the family’s most recently completed HUD-50058.

End of participation in a training program must be reported in accordance with the HACC's interim reporting requirements.

HUD-Funded Training Programs. Amounts received under training programs funded in whole or in part by HUD [24 CFR 5.609(c)(8)(i)] are excluded from annual income. Eligible sources of funding for the training include operating subsidy, Section 8 administrative fees, and modernization, Community Development Block Grant (CDBG), HOME program, and other grant funds received from HUD.

HACC Policy

To qualify as a training program, the program must meet the definition of *training program* provided above for state and local employment training programs.

Earned Income Tax Credit. Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j)), are excluded from annual income [24 CFR 5.609(c)(17)]. Although many families receive the EITC annually when they file taxes, an EITC can also be received throughout the year. The prorated share of the annual EITC is included in the employee's payroll check.

Earned Income Disallowance. The earned income disallowance for persons with disabilities is discussed in section 6-I.E below.

6-I.E. EARNED INCOME DISALLOWANCE FOR PERSONS WITH DISABILITIES [24 CFR 5.617]

The earned income disallowance (EID) encourages people with disabilities to enter the work force by not including the full value of increases in earned income for a period of time. The full text of 24 CFR 5.617 is included as Exhibit 6-4 at the end of this chapter. Eligibility criteria and limitations on the disallowance are summarized below.

Eligibility

This disallowance applies only to individuals in families already participating in the HCV program (not at initial examination). To qualify, the family must experience an increase in annual income that is the result of one of the following events:

- Employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment. *Previously unemployed* includes a person who annually has earned not more than the minimum wage applicable to the community multiplied by 500 hours. The applicable minimum wage is the federal minimum wage unless there is a higher state or local minimum wage.
- Increased earnings by a family member who is a person with disabilities and whose earnings increase during participation in an economic self-sufficiency or job-training program. A self-sufficiency program includes a program designed to encourage, assist, train, or facilitate the economic independence of HUD-assisted families or to provide work to such families [24 CFR 5.603(b)].
- New employment or increased earnings by a family member who is a person with disabilities and who has received benefits or services under Temporary Assistance for Needy Families (TANF) or any other state program funded under Part A of Title IV of the Social Security Act within the past six months. If the benefits are received in the form of monthly maintenance, there is no minimum amount. If the benefits or services are received in a form other than monthly maintenance, such as one-time payments, wage subsidies, or transportation assistance, the total amount received over the six-month period must be at least \$500.

Calculation of the Disallowance

Calculation of the earned income disallowance for an eligible member of a qualified family begins with a comparison of the member's current income with his or her "prior income."

HACC Policy

The HACC defines *prior income*, or *prequalifying income*, as the family member's last certified income prior to qualifying for the EID.

The family member's prior, or pre-qualifying, income remains constant throughout the period that he or she is receiving the EID.

Initial 12-Month Exclusion. During the initial 12-month exclusion period, the full amount (100 percent) of any increase in income attributable to new employment or increased earnings is excluded. The 12 months are cumulative and need not be consecutive.

HACC Policy

The initial EID exclusion period will begin on the first of the month following the date an eligible member of a qualified family is first employed or first experiences an increase in earnings.

Second 12-Month Exclusion and Phase-In. During the second 12-month exclusion period, the exclusion is reduced to half (50 percent) of any increase in income attributable to employment or increased earnings. The 12 months are cumulative and need not be consecutive.

Lifetime Limitation. The EID has a four-year (48-month) lifetime maximum. The four-year eligibility period begins at the same time that the initial exclusion period begins and ends 48 months later. The one-time eligibility for the EID applies even if the eligible individual begins to receive assistance from another housing agency, if the individual moves between public housing and Section 8 assistance, or if there are breaks in assistance.

HACC Policy

During the 48-month eligibility period, the HACC will schedule and conduct an interim reexamination each time there is a change in the family member's annual income that affects or is affected by the EID (e.g., when the family member's income falls to a level at or below his/her prequalifying income, when one of the exclusion periods ends, and at the end of the lifetime maximum eligibility period).

6-I.F. BUSINESS INCOME [24 CFR 5.609(b)(2)]

Annual income includes “the net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family” [24 CFR 5.609(b)(2)].

Business Expenses

Net income is “gross income less business expense” [HCV GB, p. 5-19].

HACC Policy

To determine business expenses that may be deducted from gross income, the HACC will use current applicable Internal Revenue Service (IRS) rules for determining allowable business expenses [see IRS Publication 535], unless a topic is addressed by HUD regulations or guidance as described below.

Business Expansion

HUD regulations do not permit the HACC to deduct from gross income expenses for business expansion.

HACC Policy

Business expansion is defined as any capital expenditures made to add new business activities, to expand current facilities, or to operate the business in additional locations. For example, purchase of a street sweeper by a construction business for the purpose of adding street cleaning to the services offered by the business would be considered a business expansion. Similarly, the purchase of a property by a hair care business to open at a second location would be considered a business expansion.

Capital Indebtedness

HUD regulations do not permit the HACC to deduct from gross income the amortization of capital indebtedness.

HACC Policy

Capital indebtedness is defined as the principal portion of the payment on a capital asset such as land, buildings, and machinery. This means the HACC will allow as a business expense interest, but not principal, paid on capital indebtedness.

Negative Business Income

If the net income from a business is negative, no business income will be included in annual income; a negative amount will not be used to offset other family income.

Withdrawal of Cash or Assets from a Business

HUD regulations require the HACC to include in annual income the withdrawal of cash or assets from the operation of a business or profession unless the withdrawal reimburses a family member for cash or assets invested in the business by the family.

HACC Policy

Acceptable investments in a business include cash loans and contributions of assets or equipment. For example, if a member of an assisted family provided an up-front loan of \$2,000 to help a business get started, the HACC will not count as income any withdrawals from the business up to the amount of this loan until the loan has been repaid. Investments do not include the value of labor contributed to the business without compensation.

Co-owned Businesses

HACC Policy

If a business is co-owned with someone outside the family, the family must document the share of the business it owns. If the family's share of the income is lower than its share of ownership, the family must document the reasons for the difference.

6-I.G. ASSETS [24 CFR 5.609(b)(3) and 24 CFR 5.603(b)]

Overview

There is no asset limitation for participation in the HCV program. However, HUD requires that the HACC include in annual income the “interest, dividends, and other net income of any kind from real or personal property” [24 CFR 5.609(b)(3)]. This section discusses how the income from various types of assets is determined. For most types of assets, the HACC must determine the value of the asset in order to compute income from the asset. Therefore, for each asset type, this section discusses:

- How the value of the asset will be determined
- How income from the asset will be calculated

Exhibit 6-1 provides the regulatory requirements for calculating income from assets [24 CFR 5.609(b)(3)], and Exhibit 6-4 provides the regulatory definition of *net family assets* as well as a chart from the *HCV Guidebook* that summarizes asset inclusions and exclusions. This section begins with a discussion of general policies related to assets and then provides HUD rules and HACC policies related to each type of asset.

General Policies

Income from Assets

The HACC generally will use current circumstances to determine both the value of an asset and the anticipated income from the asset. As is true for all sources of income, HUD authorizes the PHA to use other than current circumstances to anticipate income when (1) an imminent change in circumstances is expected (2) it is not feasible to anticipate a level of income over 12 months or (3) the HACC believes that past income is the best indicator of anticipated income. For example, if a family member owns real property that typically receives rental income but the property is currently vacant, the HACC can take into consideration past rental income along with the prospects of obtaining a new tenant.

HACC Policy

Anytime current circumstances are not used to determine asset income, a clear rationale for the decision will be documented in the file. In such cases the family may present information and documentation to the HACC to show why the asset income determination does not represent the family’s anticipated asset income.

Valuing Assets

The calculation of asset income sometimes requires the HACC to make a distinction between an asset’s market value and its cash value.

- The market value of an asset is its worth (e.g., the amount a buyer would pay for real estate or the balance in an investment account).
- The cash value of an asset is its market value less all reasonable amounts that would be incurred when converting the asset to cash. Examples of acceptable costs include penalties for premature withdrawal, broker and legal fees, and settlement costs incurred in real estate transactions [HCV GB, p. 5-28].

Lump-Sum Receipts

Payments that are received in a single lump sum, such as inheritances, capital gains, lottery winnings, insurance settlements, and proceeds from the sale of property, are generally considered assets, not income. However, such lump-sum receipts are counted as assets only if they are retained by a family in a form recognizable as an asset (e.g., deposited in a savings or checking account) [RHIIP FAQs]. (For a discussion of lump-sum payments that represent the delayed start of a periodic payment, most of which are counted as income, see sections 6-I.H and 6-I.I.)

Imputing Income from Assets [24 CFR 5.609(b)(3)]

When net family assets are \$5,000 or less, the HACC will include in annual income the actual income anticipated to be derived from the assets. When the family has net family assets in excess of \$5,000, the HACC will include in annual income the greater of (1) the actual income derived from the assets or (2) the imputed income. Imputed income from assets is calculated by multiplying the total cash value of all family assets by the current HUD-established passbook savings rate.

Determining Actual Anticipated Income from Assets

It may or may not be necessary for the HACC to use the value of an asset to compute the actual anticipated income from the asset. When the value is required to compute the anticipated income from an asset, the market value of the asset is used. For example, if the asset is a property for which a family receives rental income, the anticipated income is determined by annualizing the actual monthly rental amount received for the property; it is not based on the property's market value. However, if the asset is a savings account, the anticipated income is determined by multiplying the market value of the account by the interest rate on the account.

Withdrawal of Cash or Liquidation of Investments

Any withdrawal of cash or assets from an investment will be included in income except to the extent that the withdrawal reimburses amounts invested by the family. For example, when a family member retires, the amount received by the family from a retirement plan is not counted as income until the family has received payments equal to the amount the family member deposited into the retirement fund.

Jointly Owned Assets

The regulation at 24 CFR 5.609(a)(4) specifies that annual income includes “amounts derived (during the 12-month period) from assets to which any member of the family has access.”

HACC Policy

If an asset is owned by more than one person and any family member has unrestricted access to the asset, the HACC will count the full value of the asset. A family member has unrestricted access to an asset when he or she can legally dispose of the asset without the consent of any of the other owners.

If an asset is owned by more than one person, including a family member, but the family member does not have unrestricted access to the asset, the HACC will prorate the asset according to the percentage of ownership. If no percentage is specified or provided for by state or local law, the HACC will prorate the asset evenly among all owners.

Assets Disposed Of for Less than Fair Market Value [24 CFR 5.603(b)]

HUD regulations require the HACC to count as a current asset any business or family asset that was disposed of for less than fair market value during the two years prior to the effective date of the examination/reexamination, except as noted below.

Minimum Threshold

The *HVC Guidebook* permits the HACC to set a threshold below which assets disposed of for less than fair market value will not be counted [HCV GB, p. 5-27].

HACC Policy

The HACC will not include the value of assets disposed of for less than fair market value unless the cumulative fair market value of all assets disposed of during the past two years exceeds the gross amount received for the assets by more than \$1,000.

When the two-year period expires, the income assigned to the disposed asset(s) also expires. If the two-year period ends between annual recertifications, the family may request an interim recertification to eliminate consideration of the asset(s).

Assets placed by the family in nonrevocable trusts are considered assets disposed of for less than fair market value except when the assets placed in trust were received through settlements or judgments.

Attachment nj010m01

Separation or Divorce

The regulation also specifies that assets are not considered disposed of for less than fair market value if they are disposed of as part of a separation or divorce settlement and the applicant or tenant receives important consideration not measurable in dollar terms.

HACC Policy

All assets disposed of as part of a separation or divorce settlement will be considered assets for which important consideration not measurable in monetary terms has been received. In order to qualify for this exemption, a family member must be subject to a formal separation or divorce settlement agreement established through arbitration, mediation, or court order.

Foreclosure or Bankruptcy

Assets are not considered disposed of for less than fair market value when the disposition is the result of a foreclosure or bankruptcy sale.

Family Declaration

HACC Policy

Families must sign a declaration form at initial certification and each annual recertification identifying all assets that have been disposed of for less than fair market value or declaring that no assets have been disposed of for less than fair market value. The HACC may verify the value of the assets disposed of if other information available to the HACC does not appear to agree with the information reported by the family.

Types of Assets

Checking and Savings Accounts

For regular checking accounts and savings accounts, *cash value* has the same meaning as *market value*. If a checking account does not bear interest, the anticipated income from the account is zero.

HACC Policy

In determining the value of a checking account, the HACC will use the average monthly balance for the last six months.

In determining the value of a savings account, the HACC will use the current balance.

In determining the anticipated income from an interest-bearing checking or savings account, the HACC will multiply the value of the account by the current rate of interest paid on the account.

Investment Accounts Such as Stocks, Bonds, Saving Certificates, and Money Market Funds

Interest or dividends earned by investment accounts are counted as actual income from assets even when the earnings are reinvested. The cash value of such an asset is determined by deducting from the market value any broker fees, penalties for early withdrawal, or other costs of converting the asset to cash.

HACC Policy

In determining the market value of an investment account, the HACC will use the value of the account on the most recent investment report.

How anticipated income from an investment account will be calculated depends on whether the rate of return is known. For assets that are held in an investment account with a known rate of return (e.g., savings certificates), asset income will be calculated based on that known rate (market value multiplied by rate of earnings). When the anticipated rate of return is not known (e.g., stocks), the HACC will calculate asset income based on the earnings for the most recent reporting period.

Equity in Real Property or Other Capital Investments

Equity (cash value) in a property or other capital asset is the estimated current market value of the asset less the unpaid balance on all loans secured by the asset and reasonable costs (such as broker fees) that would be incurred in selling the asset [HCV GB, p. 5-25].

Equity in real property and other capital investments is considered in the calculation of asset income except for the following types of assets:

- Equity accounts in HUD homeownership programs [24 CFR 5.603(b)]
- The value of a home currently being purchased with assistance under the HCV program Homeownership Option for the first 10 years after the purchase date of the home [24 CFR 5.603(b)]
- Equity in owner-occupied cooperatives and manufactured homes in which the family lives [HCV GB, p. 5-25]
- Equity in real property when a family member's main occupation is real estate [HCV GB, p. 5-25]. This real estate is considered a business asset, and income related to this asset will be calculated as described in section 6-I.F.
- Interests in Indian Trust lands [24 CFR 5.603(b)]
- Real property and capital assets that are part of an active business or farming operation [HCV GB, p. 5-25]

A family may have real property as an asset in two ways: (1) owning the property itself and (2) holding a mortgage or deed of trust on the property. In the case of a property owned by a family member, the anticipated asset income generally will be in the form of rent or other payment for the use of the property. If the property generates no income, actual anticipated income from the asset will be zero.

In the case of a mortgage or deed of trust held by a family member, the outstanding balance (unpaid principal) is the cash value of the asset. The interest portion only of payments made to the family in accordance with the terms of the mortgage or deed of trust is counted as anticipated asset income.

HACC Policy

In the case of capital investments owned jointly with others not living in a family's unit, a prorated share of the property's cash value will be counted as an asset unless the HACC determines that the family receives no income from the property and is unable to sell or otherwise convert the asset to cash.

Trusts

A *trust* is a legal arrangement generally regulated by state law in which one party (the creator or grantor) transfers property to a second party (the trustee) who holds the property for the benefit of one or more third parties (the beneficiaries).

Revocable Trusts

If any member of a family has the right to withdraw the funds in a trust, the value of the trust is considered an asset [HCV GB, p. 5-25]. Any income earned as a result of investment of trust funds is counted as actual asset income, whether the income is paid to the family or deposited in the trust.

Nonrevocable Trusts

In cases where a trust is not revocable by, or under the control of, any member of a family, the value of the trust fund is not considered an asset. However, any income distributed to the family from such a trust is counted as a periodic payment or a lump-sum receipt, as appropriate [24 CFR 5.603(b)]. (Periodic payments are covered in section 6-I.H. Lump-sum receipts are discussed earlier in this section.)

Retirement Accounts

Company Retirement/Pension Accounts

In order to correctly include or exclude as an asset any amount held in a company retirement or pension account by an employed person, the HACC must know whether the money is accessible before retirement [HCV GB, p. 5-26].

While a family member is employed, only the amount the family member can withdraw without retiring or terminating employment is counted as an asset [HCV GB, p. 5-26].

After a family member retires or terminates employment, any amount distributed to the family member is counted as a periodic payment or a lump-sum receipt, as appropriate [HCV GB, p. 5-26], except to the extent that it represents funds invested in the account by the family member. (For more on periodic payments, see section 6-I.H.) The balance in the account is counted as an asset only if it remains accessible to the family member.

IRA, Keogh, and Similar Retirement Savings Accounts

IRA, Keogh, and similar retirement savings accounts are counted as assets even though early withdrawal would result in a penalty [HCV GB, p. 5-25].

Personal Property

Personal property held as an investment, such as gems, jewelry, coin collections, antique cars, etc., is considered an asset [HCV GB, p. 5-25].

HACC Policy

In determining the value of personal property held as an investment, the HACC will use the family's estimate of the value. However, the HACC also may obtain an appraisal if appropriate to confirm the value of the asset. The family must cooperate with the appraiser but cannot be charged any costs related to the appraisal.

Generally, personal property held as an investment generates no income until it is disposed of. If regular income is generated (e.g., income from renting the personal property), the amount that is expected to be earned in the coming year is counted as actual income from the asset.

Necessary items of personal property are not considered assets [24 CFR 5.603(b)].

HACC Policy

Necessary personal property consists of items such as clothing, furniture, household furnishings, jewelry that is not held as an investment, and vehicles, including those specially equipped for persons with disabilities.

Life Insurance

The cash value of a life insurance policy available to a family member before death, such as a whole life or universal life policy, is included in the calculation of the value of the family's assets [HCV GB 5-25]. The cash value is the surrender value. If such a policy earns dividends or interest that the family could elect to receive, the anticipated amount of dividends or interest is counted as income from the asset whether or not the family actually receives it.

6-I.H. PERIODIC PAYMENTS

Periodic payments are forms of income received on a regular basis. HUD regulations specify periodic payments that are and are not included in annual income.

Periodic Payments Included in Annual Income

- Periodic payments from sources such as social security, unemployment and welfare assistance, annuities, insurance policies, retirement funds, and pensions. However, periodic payments from retirement accounts, annuities, and similar forms of investments are counted only after they exceed the amount contributed by the family [24 CFR 5.609(b)(4) and (b)(3)].
- Disability or death benefits and lottery receipts paid periodically, rather than in a single lump sum [24 CFR 5.609(b)(4) and HCV, p. 5-14]

Lump-Sum Payments for the Delayed Start of a Periodic Payment

Most lump sums received as a result of delays in processing periodic payments, such as unemployment or welfare assistance, are counted as income. However, lump-sum receipts for the delayed start of periodic social security or supplemental security income (SSI) payments are not counted as income [CFR 5.609(b)(4)].

HACC Policy

When a delayed-start payment is received and reported during the period in which the HACC is processing an annual reexamination, the HACC will adjust the family share and HACC subsidy retroactively for the period the payment was intended to cover. The family may pay in full any amount due or request to enter into a repayment agreement with the HACC.

Periodic Payments Excluded from Annual Income

- Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the assisted family, who are unable to live alone) [24 CFR 5.609(c)(2)]
HACC Policy
The HACC will exclude payments for the care of foster children and foster adults only if the care is provided through an official arrangement with a local welfare agency [HCV GB, p. 5-18].
- Amounts paid by a state agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home [24 CFR 5.609(c)(16)]
- Amounts received under the Low-Income Home Energy Assistance Program (42 U.S.C. 1626(c)) [24 CFR 5.609(c)(17)]
- Amounts received under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q) [24 CFR 5.609(c)(17)]
- Earned Income Tax Credit (EITC) refund payments (26 U.S.C. 32(j)) [24 CFR 5.609(c)(17)].
Note: EITC may be paid periodically if the family elects to receive the amount due as part of payroll payments from an employer.
- Lump sums received as a result of delays in processing Social Security and SSI payments (see section 6-I.J.) [24 CFR 5.609(b)(4)].

6-I.I. PAYMENTS IN LIEU OF EARNINGS

Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay, are counted as income [24 CFR 5.609(b)(5)] if they are received either in the form of periodic payments or in the form of a lump-sum amount or prospective monthly amounts for the delayed start of a periodic payment. If they are received in a one-time lump sum (as a settlement, for instance), they are treated as lump-sum receipts [24 CFR 5.609(c)(3)]. (See also the discussion of periodic payments in section 6-I.H and the discussion of lump-sum receipts in section 6-I.G.)

6-I.J. WELFARE ASSISTANCE

Overview

Welfare assistance is counted in annual income. Welfare assistance includes Temporary Assistance for Needy Families (TANF) and any payments to individuals or families based on need that are made under programs funded separately or jointly by federal, state, or local governments [24 CFR 5.603(b)].

Sanctions Resulting in the Reduction of Welfare Benefits [24 CFR 5.615]

The HACC must make a special calculation of annual income when the welfare agency imposes certain sanctions on certain families. The full text of the regulation at 24 CFR 5.615 is provided as Exhibit 6-5. The requirements are summarized below. This rule applies only if a family was receiving HCV assistance at the time the sanction was imposed.

Covered Families

The families covered by 24 CFR 5.615 are those “who receive welfare assistance or other public assistance benefits (‘welfare benefits’) from a State or other public agency (‘welfare agency’) under a program for which Federal, State or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for such assistance” [24 CFR 5.615(b)]

Imputed Income

When a welfare agency imposes a sanction that reduces a family’s welfare income because the family commits fraud or fails to comply with the agency’s economic self-sufficiency program or work activities requirement, the HACC must include in annual income “imputed” welfare income. The HACC must request that the welfare agency inform the HACC when the benefits of an HCV participant family are reduced. The imputed income is the amount the family would have received if the family had not been sanctioned.

This requirement does not apply to reductions in welfare benefits: (1) at the expiration of the lifetime or other time limit on the payment of welfare benefits, (2) if a family member is unable to find employment even though the family member has complied with the welfare agency economic self-sufficiency or work activities requirements, or (3) because a family member has not complied with other welfare agency requirements [24 CFR 5.615(b)(2)].

Offsets

The amount of the imputed income is offset by the amount of additional income the family begins to receive after the sanction is imposed. When the additional income equals or exceeds the imputed welfare income, the imputed income is reduced to zero [24 CFR 5.615(c)(4)].

6-I.K. PERIODIC AND DETERMINABLE ALLOWANCES [24 CFR 5.609(b)(7)]

Annual income includes periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing with an assisted family.

Alimony and Child Support

The HACC must count alimony or child support amounts awarded as part of a divorce or separation agreement.

HACC Policy

The HACC will count court-awarded amounts for alimony and child support unless the HACC verifies that (1) the payments are not being made and (2) the family has made reasonable efforts to collect amounts due, including filing with courts or agencies responsible for enforcing payments [HCV GB, pp. 5-23 and 5-47].

Families who do not have court-awarded alimony and child support awards are not required to seek a court award and are not required to take independent legal action to obtain collection.

Regular Contributions or Gifts

The HACC must count as income regular monetary and nonmonetary contributions or gifts from persons not residing with an assisted family [24 CFR 5.609(b)(7)]. Temporary, nonrecurring, or sporadic income and gifts are not counted [24 CFR 5.609(c)(9)].

HACC Policy

Examples of regular contributions include: (1) regular payment of a family's bills (e.g., utilities, telephone, rent, credit cards, and car payments), (2) cash or other liquid assets provided to any family member on a regular basis, and (3) "in-kind" contributions such as groceries and clothing provided to a family on a regular basis.

Nonmonetary contributions will be valued at the cost of purchasing the items, as determined by the HACC. For contributions that may vary from month to month (e.g., utility payments), the HACC will include an average amount based upon past history.

6-I.L. ADDITIONAL EXCLUSIONS FROM ANNUAL INCOME

Other exclusions contained in 24 CFR 5.609(c) that have not been discussed earlier in this chapter include the following:

- Reimbursement of medical expenses [24 CFR 5.609(c)(4)]
- The full amount of student financial assistance paid directly to the student or to the educational institution [24 CFR 5.609(c)(6)]
- Amounts received by participants in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred and which are made solely to allow participation in a specific program [24 CFR 5.609(c)(8)(iii)]
- Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS) [(24 CFR 5.609(c)(8)(ii)]
- Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era [24 CFR 5.609(c)(10)]
- Adoption assistance payments in excess of \$480 per adopted child [24 CFR 5.609(c)(12)]
- Refunds or rebates on property taxes paid on the dwelling unit [24 CFR 5.609(c)(15)]
- Amounts paid by a state agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home [24 CFR 5.609(c)(16)]
- Amounts specifically excluded by any other federal statute [24 CFR 5.609(c)(17)]. HUD publishes an updated list of these exclusions periodically. It includes:
 - (a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017 (b))
 - (b) Payments to Volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058)
 - (c) Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c))
 - (d) Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e)
 - (e) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f))
 - (f) Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b)) (Effective July 1, 2000, references to Job Training Partnership Act shall be deemed to refer to the corresponding provision of the Workforce Investment Act of 1998 (29 U.S.C. 2931).)

Attachment nj010m01

- (g) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians
(Pub. L. 94-540, 90 Stat. 2503-04)

- (h) The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U. S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2,000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407-1408)
- (i) Amounts of scholarships funded under title IV of the Higher Education Act of 1965, including awards under the federal work-study program or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu)
- (j) Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f))
- (k) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in *In Re Agent*-product liability litigation, M.D.L. No. 381 (E.D.N.Y.)
- (l) Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721)
- (m) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q)
- (n) Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j))
- (o) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L. 95-433)
- (p) Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d))
- (q) Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran (38 U.S.C. 1805)
- (r) Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602)
- (s) Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 (29 U.S.C. 2931)

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PART II: ADJUSTED INCOME

6-II.A. INTRODUCTION

Overview

HUD regulations require HACC's to deduct from annual income any of five mandatory deductions for which a family qualifies. The resulting amount is the family's adjusted income. Mandatory deductions are found in 24 CFR 5.611.

5.611(a) Mandatory deductions. In determining adjusted income, the responsible entity Housing Authority of the City of Camden must deduct the following amounts from annual income:

- (1) \$480 for each dependent;
- (2) \$400 for any elderly family or disabled family;
- (3) The sum of the following, to the extent the sum exceeds three percent of annual income:
 - (i) Unreimbursed medical expenses of any elderly family or disabled family;
 - (ii) Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed. This deduction may not exceed the earned income received by family members who are 18 years of age or older and who are able to work because of such attendant care or auxiliary apparatus; and
- (4) Any reasonable child-care expenses necessary to enable a member of the family to be employed or to further his or her education.

This part covers policies related to these mandatory deductions. Verification requirements related to these deductions are found in Chapter 7.

Anticipating Expenses

HACC Policy

Generally, the HACC will use current circumstances to anticipate expenses. When possible, for costs that are expected to fluctuate during the year (e.g., child care during school and nonschool periods and cyclical medical expenses), the HACC will estimate costs based on historic data and known future costs.

If a family has an accumulated debt for medical or disability assistance expenses, the HACC will include as an eligible expense the portion of the debt that the family expects to pay during the period for which the income determination is being made. However, amounts previously deducted will not be allowed even if the amounts were not paid as expected in a preceding period. The HACC may require the family to provide documentation of payments made in the preceding year.

6-II.B. DEPENDENT DEDUCTION

A deduction of \$480 is taken for each dependent [24 CFR 5.611(a)(1)]. *Dependent* is defined as any family member other than the head, spouse, or cohead who is under the age of 18 or who is 18 or older and is a person with disabilities or a full-time student. Foster children, foster adults, and live-in aides are never considered dependents [24 CFR 5.603(b)].

6-II.C. ELDERLY OR DISABLED FAMILY DEDUCTION

A single deduction of \$400 is taken for any elderly or disabled family [24 CFR 5.611(a)(2)]. An *elderly family* is a family whose head, spouse, cohead, or sole member is 62 years of age or older, and a *disabled family* is a family whose head, spouse, cohead, or sole member is a person with disabilities [24 CFR 5.403].

6-II.D. MEDICAL EXPENSES DEDUCTION [24 CFR 5.611(a)(3)(i)]

Unreimbursed medical expenses may be deducted to the extent that, in combination with any disability assistance expenses, they exceed three percent of annual income.

The medical expense deduction is permitted only for families in which the head, spouse, or cohead is at least 62 or is a person with disabilities. If a family is eligible for a medical expense deduction, the medical expenses of all family members are counted [VG, p. 28].

Definition of *Medical Expenses*

HUD regulations define *medical expenses* at 24 CFR 5.603(b) to mean “medical expenses, including medical insurance premiums, that are anticipated during the period for which annual income is computed, and that are not covered by insurance.”

HACC Policy

The most current IRS Publication 502, *Medical and Dental Expenses*, will be used to determine the costs that qualify as medical expenses.

Summary of Allowable Medical Expenses from IRS Publication 502	
Services of medical professionals Surgery and medical procedures that are necessary, legal, noncosmetic Services of medical facilities Hospitalization, long-term care, and in-home nursing services Prescription medicines and insulin, but <u>not</u> nonprescription medicines even if recommended by a doctor Improvements to housing directly related to medical needs (e.g., ramps for a wheel chair, handrails)	Substance abuse treatment programs Psychiatric treatment Ambulance services and some costs of transportation related to medical expenses The cost and care of necessary equipment related to a medical condition (e.g., eyeglasses/lenses, hearing aids, crutches, and artificial teeth) Cost and continuing care of necessary service animals Medical insurance premiums or the cost of a health maintenance organization (HMO)
<p>Note: This chart provides a summary of eligible medical expenses only. Detailed information is provided in IRS Publication 502. Medical expenses are considered only to the extent they are not reimbursed by insurance or some other source.</p>	

Families That Qualify for Both Medical and Disability Assistance Expenses

HACC Policy

This policy applies only to families in which the head, spouse, or cohead is 62 or older or is a person with disabilities.

When expenses anticipated by a family could be defined as either medical or disability assistance expenses, the HACC will consider them medical expenses unless it is clear that the expenses are incurred exclusively to enable a person with disabilities to work.

6-II.E. DISABILITY ASSISTANCE EXPENSES DEDUCTION [24 CFR 5.603(b) and 24 CFR 5.611(a)(3)(ii)]

Reasonable expenses for attendant care and auxiliary apparatus for a disabled family member may be deducted if they: (1) are necessary to enable a family member 18 years or older to work, (2) are not paid to a family member or reimbursed by an outside source, (3) in combination with any medical expenses, exceed three percent of annual income, and (4) do not exceed the earned income received by the family member who is enabled to work.

Earned Income Limit on the Disability Assistance Expense Deduction

A family can qualify for the disability assistance expense deduction only if at least one family member (who may be the person with disabilities) is enabled to work [24 CFR 5.603(b)].

The disability expense deduction is capped by the amount of “earned income received by family members who are 18 years of age or older and who are able to work” because of the expense [24 CFR 5.611(a)(3)(ii)]. The earned income used for this purpose is the amount verified before any earned income disallowances or income exclusions are applied.

HACC Policy

The family must identify the family members enabled to work as a result of the disability assistance expenses. In evaluating the family’s request, the HACC will consider factors such as how the work schedule of the relevant family members relates to the hours of care provided, the time required for transportation, the relationship of the family members to the person with disabilities, and any special needs of the person with disabilities that might determine which family members are enabled to work.

When the HACC determines that the disability assistance expenses enable more than one family member to work, the expenses will be capped by the sum of the family members’ incomes.

Eligible Disability Expenses

Examples of auxiliary apparatus are provided in the *HCV Guidebook* as follows: “Auxiliary apparatus are items such as wheelchairs, ramps, adaptations to vehicles, or special equipment to enable a blind person to read or type, but only if these items are directly related to permitting the disabled person or other family member to work” [HCV GB, p. 5-30].

HUD advises HACCs to further define and describe auxiliary apparatus [VG, p. 30].

Eligible Auxiliary Apparatus

HACC Policy

Expenses incurred for maintaining or repairing an auxiliary apparatus are eligible. In the case of an apparatus that is specially adapted to accommodate a person with disabilities (e.g., a vehicle or computer), the cost to maintain the special adaptations (but not maintenance of the apparatus itself) is an eligible expense. The cost of service animals trained to give assistance to persons with disabilities, including the cost of acquiring the animal, veterinary care, food, grooming, and other continuing costs of care, will be included.

Eligible Attendant Care

The family determines the type of attendant care that is appropriate for the person with disabilities.

HACC Policy

Attendant care includes, but is not limited to, reasonable costs for home medical care, nursing services, in-home or center-based care services, interpreters for persons with hearing impairments, and readers for persons with visual disabilities.

Attendant care expenses will be included for the period that the person enabled to work is employed plus reasonable transportation time. The cost of general housekeeping and personal services is not an eligible attendant care expense. However, if the person enabled to work is the person with disabilities, personal services necessary to enable the person with disabilities to work are eligible.

If the care attendant also provides other services to the family, the HACC will prorate the cost and allow only that portion of the expenses attributable to attendant care that enables a family member to work. For example, if the care provider also cares for a child who is not the person with disabilities, the cost of care must be prorated. Unless otherwise specified by the care provider, the calculation will be based upon the number of hours spent in each activity and/or the number of persons under care.

Payments to Family Members

No disability assistance expenses may be deducted for payments to a member of an assisted family [24 CFR 5.603(b)]. However, expenses paid to a relative who is not a member of the assisted family may be deducted if they are not reimbursed by an outside source.

Necessary and Reasonable Expenses

The family determines the type of care or auxiliary apparatus to be provided and must describe how the expenses enable a family member to work. The family must certify that the disability assistance expenses are necessary and are not paid or reimbursed by any other source.

HACC Policy

The HACC determines the reasonableness of the expenses based on typical costs of care or apparatus in the locality. To establish typical costs, the HACC will collect information from organizations that provide services and support to persons with disabilities. A family may present, and the HACC will consider, the family's justification for costs that exceed typical costs in the area.

Families That Qualify for Both Medical and Disability Assistance Expenses

HACC Policy

This policy applies only to families in which the head or spouse is 62 or older or is a person with disabilities.

When expenses anticipated by a family could be defined as either medical or disability assistance expenses, the HACC will consider them medical expenses unless it is clear that the expenses are incurred exclusively to enable a person with disabilities to work.

6-II.F. CHILD CARE EXPENSE DEDUCTION

HUD defines *child care expenses* at 24 CFR 5.603(b) as “amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child-care. In the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income.”

Clarifying the Meaning of *Child* for This Deduction

Child care expenses do not include child support payments made to another on behalf of a minor who is not living in an assisted family’s household [VG, p. 26].

HACC Policy

For the purposes of child-care expenses, the HACC defines *child* to include any foster children under the age of 13 living in an assisted family’s household [HCV GB, p. 5-29].

Qualifying for the Deduction

Determining Who Is Enabled to Pursue an Eligible Activity

HACC Policy

The family must identify the family member(s) enabled to pursue an eligible activity. The term *eligible activity* in this section means any of the activities that may make the family eligible for a child care deduction (seeking work, pursuing an education, or being gainfully employed).

In evaluating the family’s request, the HACC will consider factors such as how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the relationship of the family member(s) to the child, and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

Seeking Work

HACC Policy

If the child-care expense being claimed is to enable a family member to seek employment, the family must provide evidence of the family member’s efforts to obtain employment at each reexamination. The deduction may be reduced or denied if the family member’s job search efforts are not commensurate with the child-care expense being allowed by the HACC.

Furthering Education

HACC Policy

If the child-care expense being claimed is to enable a family member to further his or her education, the member must be enrolled in school (academic or vocational) or participating in a formal training program. The family member is not required to be a full-time student, but the time spent in educational activities must be commensurate with the child-care claimed.

Being Gainfully Employed

HACC Policy

If the child-care expense being claimed is to enable a family member to be gainfully employed, the family must provide evidence of the family member's employment during the time that child care is being provided. Gainful employment is any legal work activity (full- or part-time) for which a family member is compensated.

Earned Income Limit on Child Care Expense Deduction

When a family member looks for work or furthers his or her education, there is no cap on the amount that may be deducted for child care – although the care must still be necessary and reasonable. However, when child care enables a family member to work, the deduction is capped by “the amount of employment income that is included in annual income” [24 CFR 5.603(b)].

The earned income used for this purpose is the amount of earned income verified after any earned income disallowances or income exclusions are applied.

When the person who is enabled to work is a person with disabilities who receives the earned income disallowance (EID) or a full-time student whose earned income above \$480 is excluded, child care costs related to enabling a family member to work may not exceed the portion of the person’s earned income that actually is included in annual income. For example, if a family member who qualifies for the EID makes \$15,000 but because of the EID only \$5,000 is included in annual income, child care expenses are limited to \$5,000.

The HACC must not limit the deduction to the least expensive type of child care. If the care allows the family to pursue more than one eligible activity, including work, the cap is calculated in proportion to the amount of time spent working [HCV GB, p. 5-30].

HACC Policy

When the child care expense being claimed is to enable a family member to work, only one family member’s income will be considered for a given period of time. When more than one family member works during a given period, the HACC generally will limit allowable child care expenses to the earned income of the lowest-paid member. The family may provide information that supports a request to designate another family member as the person enabled to work.

Eligible Child Care Expenses

The type of care to be provided is determined by the assisted family. The HACC may not refuse to give a family the child care expense deduction because there is an adult family member in the household that may be available to provide child care [VG, p. 26].

Allowable Child Care Activities

HACC Policy

For school-age children, costs attributable to public or private school activities during standard school hours are not considered. Expenses incurred for supervised activities after school or during school holidays (e.g., summer day camp, after-school sports league) are allowable forms of child care.

The costs of general housekeeping and personal services are not eligible. Likewise, child care expenses paid to a family member who lives in the family's unit are not eligible; however, payments for child care to relatives who do not live in the unit are eligible.

If a child care provider also renders other services to a family or child care is used to enable a family member to conduct activities that are not eligible for consideration, the HACC will prorate the costs and allow only that portion of the expenses that is attributable to child care for eligible activities. For example, if the care provider also cares for a child with disabilities who is 13 or older, the cost of care will be prorated. Unless otherwise specified by the child care provider, the calculation will be based upon the number of hours spent in each activity and/or the number of persons under care.

Necessary and Reasonable Costs

Child care expenses will be considered necessary if: (1) a family adequately explains how the care enables a family member to work, actively seek employment, or further his or her education, and (2) the family certifies, and the child care provider verifies, that the expenses are not paid or reimbursed by any other source.

HACC Policy

Child care expenses will be considered for the time required for the eligible activity plus reasonable transportation time. For child care that enables a family member to go to school, the time allowed may include not more than one study hour for each hour spent in class.

To establish the reasonableness of child care costs, the HACC will use the schedule of child care costs from the local welfare agency. Families may present, and the HACC will consider, justification for costs that exceed typical costs in the area.

PART III: CALCULATING FAMILY SHARE AND PHA SUBSIDY

6-III.A. OVERVIEW OF RENT AND SUBSIDY CALCULATIONS

TTP Formula [24 CFR 5.628]

HUD regulations specify the formula for calculating the total tenant payment (TTP) for an assisted family. TTP is the highest of the following amounts, rounded to the nearest dollar:

- 30 percent of the family's monthly adjusted income (adjusted income is defined in Part II)
- 10 percent of the family's monthly gross income (annual income, as defined in Part I, divided by 12)
- The welfare rent (in as-paid states only)
- A minimum rent between \$0 and \$50 that is established by the HACC

The HACC has authority to suspend and exempt families from minimum rent when a financial hardship exists, as defined in section 6-III.B.

The amount that a family pays for rent and utilities (the family share) will never be less than the family's TTP but may be greater than the TTP depending on the rent charged for the unit the family selects.

Welfare Rent [24 CFR 5.628]

HACC Policy

Welfare rent [does not] apply in this locality.

Minimum Rent [24 CFR 5.630]

HACC Policy

The minimum rent for this locality is \$50.

Family Share [24 CFR 982.305(a)(5)]

If a family chooses a unit with a gross rent (rent to owner plus an allowance for tenant-paid utilities) that exceeds the HACC's applicable payment standard: (1) the family will pay more than the TTP, and (2) at initial occupancy the HACC may not approve the tenancy if it would require the family share to exceed 40 percent of the family's monthly adjusted income. The income used for this determination must have been verified no earlier than 60 days before the family's voucher was issued. (For a discussion of the application of payment standards, see section 6-III.C.)

PHA Subsidy [24 CFR 982.505(b)]

The HACC will pay a monthly housing assistance payment (HAP) for a family that is equal to the lower of (1) the applicable payment standard for the family minus the family's TTP or (2) the gross rent for the family's unit minus the TTP. (For a discussion of the application of payment standards, see section 6-III.C.)

Utility Reimbursement [24 CFR 982.514(b)]

When the HACC subsidy for a family exceeds the rent to owner, the family is due a utility reimbursement. HUD permits the HACC to pay the reimbursement to the family or directly to the utility provider.

HACC Policy

The PHA will make utility reimbursements to the family.

6-III.B. FINANCIAL HARDSHIPS AFFECTING MINIMUM RENT [24 CFR 5.630]

HACC Policy

The financial hardship rules described below do not apply in this jurisdiction because the PHA has established a minimum rent of \$50.

Overview

If the HACC establishes a minimum rent greater than zero, the HACC must grant an exemption from the minimum rent if a family is unable to pay the minimum rent because of financial hardship.

The financial hardship exemption applies only to families required to pay the minimum rent. If a family's TTP is higher than the minimum rent, the family is not eligible for a hardship exemption. If the HACC determines that a hardship exists, the family share is the highest of the remaining components of the family's calculated TTP.

HUD-Defined Financial Hardship

Financial hardship includes the following situations:

- (1) The family has lost eligibility for or is awaiting an eligibility determination for a federal, state, or local assistance program. This includes a family member who is a noncitizen lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for Title IV of the Personal Responsibility and Work Opportunity Act of 1996.

HACC Policy

A hardship will be considered to exist only if the loss of eligibility has an impact on the family's ability to pay the minimum rent.

For a family waiting for a determination of eligibility, the hardship period will end as of the first of the month following (1) implementation of assistance, if approved, or (2) the decision to deny assistance. A family whose request for assistance is denied may request a hardship exemption based upon one of the other allowable hardship circumstances.

- (2) The family would be evicted because it is unable to pay the minimum rent.

HACC Policy

For a family to qualify under this provision, the cause of the potential eviction must be the family's failure to pay rent to the owner or tenant-paid utilities.

- (3) Family income has decreased because of changed family circumstances, including the loss of employment.

Attachment nj010m01

(4) A death has occurred in the family.

HACC Policy

In order to qualify under this provision, a family must describe how the death has created a financial hardship (e.g., because of funeral-related expenses or the loss of the family member's income).

(5) The family has experienced other circumstances determined by the HACC.

HACC Policy

The HACC has not established any additional hardship criteria.

Implementation of Hardship Exemption

Determination of Hardship

When a family requests a financial hardship exemption, the HACC must suspend the minimum rent requirement beginning the first of the month following the family’s request.

The HACC then determines whether the financial hardship exists and whether the hardship is temporary (expected to last 90 days or less) or long-term.

When the minimum rent is suspended, the family share reverts to the highest of the remaining components of the calculated TTP. The example below demonstrates the effect of the minimum rent exemption.

Example: Impact of Minimum Rent Exemption	
Assume the HACC has established a minimum rent of \$35.	
Family Share – No Hardship	Family Share – With Hardship
\$0 30% of monthly adjusted income	\$0 30% of monthly adjusted income
\$15 10% of monthly gross income	\$15 10% of monthly gross income
N/A Welfare rent	N/A Welfare rent
\$35 Minimum rent	\$35 Minimum rent
Minimum rent applies. TTP = \$35	Hardship exemption granted. TTP = \$15

HACC Policy

To qualify for a hardship exemption, a family must submit a request for a hardship exemption in writing. The request must explain the nature of the hardship and how the hardship has affected the family’s ability to pay the minimum rent.

The HACC will make the determination of hardship within 30 calendar days.

No Financial Hardship

If the HACC determines there is no financial hardship, the HACC will reinstate the minimum rent and require the family to repay the amounts suspended.

HACC Policy

The HACC will require the family to repay the suspended amount within 30 calendar days of the HACC's notice that a hardship exemption has not been granted.

Temporary Hardship

If the HACC determines that a qualifying financial hardship is temporary, the HACC must suspend the minimum rent for the 90-day period beginning the first of the month following the date of the family's request for a hardship exemption.

At the end of the 90-day suspension period, the family must resume payment of the minimum rent and must repay the HACC the amounts suspended. HUD requires the HACC to offer a reasonable repayment agreement, on terms and conditions established by the HACC. The HACC also may determine that circumstances have changed and the hardship is now a long-term hardship.

HACC Policy

The PHA will enter into a repayment agreement in accordance with the procedures found in Chapter 13 of this plan.

Long-Term Hardship

If the HACC determines that the financial hardship is long-term, the HACC must exempt the family from the minimum rent requirement for so long as the hardship continues. The exemption will apply from the first of the month following the family's request until the end of the qualifying hardship. When the financial hardship has been determined to be long-term, the family is not required to repay the minimum rent.

HACC Policy

The hardship period ends when any of the following circumstances apply:

- (1) At an interim or annual reexamination, the family's calculated TTP is greater than the minimum rent.
- (2) For hardship conditions based on loss of income, the hardship condition will continue to be recognized until new sources of income are received that are at least equal to the amount lost. For example, if a hardship is approved because a family no longer receives a \$60/month child support payment, the hardship will continue to exist until the family receives at least \$60/month in income from another source or once again begins to receive the child support.
- (3) For hardship conditions based upon hardship-related expenses, the minimum rent exemption will continue to be recognized until the cumulative amount exempted is equal to the expense incurred.

6-III.C. APPLYING PAYMENT STANDARDS [24 CFR 982.505]

Overview

The HACC's schedule of payment standards is used to calculate housing assistance payments for HCV families. This section covers the application of the HACC's payment standards. The establishment and revision of the HACC's payment standard schedule are covered in Chapter 15. *Payment standard* is defined as "the maximum monthly assistance payment for a family assisted in the voucher program (before deducting the total tenant payment by the family)" [24 CFR 982.4(b)].

The payment standard for a family is the lower of (1) the payment standard for the family unit size, which is defined as the appropriate number of bedrooms for the family under the HACC's subsidy standards [24 CFR 982.4(b)], or (2) the payment standard for the size of the dwelling unit rented by the family.

If the HACC has established an exception payment standard for a designated part of an FMR area and a family's unit is located in the exception area, the HACC must use the appropriate payment standard for the exception area.

The HACC is required to pay a monthly housing assistance payment (HAP) for a family that is the lower of (1) the payment standard for the family minus the family's TTP or (2) the gross rent for the family's unit minus the TTP.

If during the term of the HAP contract for a family's unit, the owner lowers the rent, the HACC will recalculate the HAP using the lower of the initial payment standard or the gross rent for the unit [HCV GB, p. 7-8].

Changes in Payment Standards

When the HACC revises its payment standards during the term of the HAP contract for a family's unit, it will apply the new payment standards in accordance with HUD regulations.

Decreases

If the amount on the payment standard schedule is decreased during the term of the HAP contract, the lower payment standard generally will be used beginning at the effective date of the family's second regular reexamination following the effective date of the decrease in the payment standard. The HACC will determine the payment standard for the family as follows:

Step 1: At the first regular reexamination following the decrease in the payment standard, the HACC will determine the payment standard for the family using the lower of the payment standard for the family unit size or the size of the dwelling unit rented by the family.

Step 2: The HACC will compare the payment standard from step 1 to the payment standard last used to calculate the monthly housing assistance payment for the family. The payment standard used by the HACC at the first regular reexamination following the decrease in the payment standard will be the higher of these two payment standards. The HACC will advise the family that the application of the lower payment standard will be deferred until the second regular reexamination following the effective date of the decrease in the payment standard.

Step 3: At the second regular reexamination following the decrease in the payment standard, the lower payment standard will be used to calculate the monthly housing assistance payment for the family unless the HACC has subsequently increased the payment standard, in which case the payment standard will be determined in accordance with procedures for increases in payment standards described below.

Increases

If the payment standard is increased during the term of the HAP contract, the increased payment standard will be used to calculate the monthly housing assistance payment for the family beginning on the effective date of the family's first regular reexamination on or after the effective date of the increase in the payment standard.

Families requiring or requesting interim reexaminations will not have their HAP payments calculated using the higher payment standard until their next annual reexamination [HCV GB, p. 7-8].

Changes in Family Unit Size

Irrespective of any increase or decrease in the payment standard, if the family unit size increases or decreases during the HAP contract term, the new family unit size must be used to determine the payment standard for the family beginning at the family's first regular reexamination following the change in family unit size.

Reasonable Accommodation

If a family requires a higher payment standard as a reasonable accommodation for a family member who is a person with disabilities, the HACC is allowed to establish a higher payment standard for the family within the basic range.

6-III.D. UTILITY ALLOWANCES [24 CFR 982.517]

Overview

A HACC-established utility allowance schedule is used in determining family share and HACC subsidy.

The utility allowance must include the utilities and services that are necessary in the locality to provide housing that complies with housing quality standards. The HACC must maintain a utility allowance schedule for (1) all tenant-paid utilities, (2) the cost of tenant-supplied refrigerators and ranges, and (3) other tenant-paid housing services such as trash collection. Costs for telephone, cable/satellite TV, and Internet services are not included in the utility allowance schedule.

The cost of each utility and housing service must be stated separately by unit size and type. Chapter 16 of the *HCV Guidebook* provides detailed guidance to the HACC about establishing utility allowance schedules.

The HACC must use the appropriate utility allowance for the size of dwelling unit actually leased by a family rather than the voucher unit size for which the family qualifies using HACC subsidy standards. See Chapter 5 for information on the HACC's subsidy standards.

Air-Conditioning

An allowance for air-conditioning must be provided when the majority of housing units in the market have central air-conditioning or are wired for tenant-installed air conditioners.

HACC Policy

The HACC has included an allowance for air-conditioning in its schedule. Central air-conditioning or a portable air conditioner must be present in a unit before the HACC will apply this allowance to a family's rent and subsidy calculations.

Reasonable Accommodation

HCV program regulations require a HACC to approve a utility allowance amount higher than shown on the HACC's schedule if a higher allowance is needed as a reasonable accommodation for a family member with a disability. For example, if a family member with a disability requires such an accommodation, the HACC will approve an allowance for air-conditioning, even if the HACC has determined that an allowance for air-conditioning generally is not needed.

The family must request the higher allowance and provide the HACC with an explanation of the need for the reasonable accommodation and information about the amount of additional allowance required [HCV GB, p. 18-8].

Utility Allowance Revisions

The HACC must review its schedule of utility allowances each year, and must revise the schedule if there has been a change of 10 percent or more in any utility rate since the last time the allowance for that utility was revised.

Revised utility allowances will be applied to a family's rent and subsidy calculations at the next annual reexamination that is effective after the allowance is adopted [HCV GB, p. 18-9].

6-III.E. PRORATED ASSISTANCE FOR MIXED FAMILIES [24 CFR 5.520]

HUD regulations prohibit assistance to ineligible family members. A *mixed family* is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible family members. The HACC must prorate the assistance provided to a mixed family. The HACC will first determine assistance as if all family members were eligible and then prorate the assistance based upon the percentage of family members that actually are eligible. For example, if the HACC subsidy for a family is calculated at \$500 and two of four family members are ineligible, the HACC subsidy would be reduced to \$250.

EXHIBIT 6-1: ANNUAL INCOME INCLUSIONS

24 CFR 5.609

(a) Annual income means all amounts, monetary or not, which:

- (1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or
- (2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
- (3) Which are not specifically excluded in paragraph (c) of this section.
- (4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

(b) Annual income includes, but is not limited to:

- (1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
- (2) The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is

reimbursement of cash or assets invested in the operation by the family;

- (3) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in paragraph (b)(2) of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD;
- (4) The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (except as provided in paragraph (c)(14) of this section);
- (5) Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except as provided in paragraph (c)(3) of this section);

(6) Welfare assistance payments.

(i) Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) program are included in annual income only to the extent such payments:

(A) Qualify as assistance under the TANF program definition at 45 CFR 260.31¹; and

(B) Are not otherwise excluded under paragraph (c) of this section.

(ii) If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:

(A) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus

(B) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage.

(7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling;

(8) All regular pay, special pay and allowances of a member of the Armed Forces (except as provided in paragraph (c)(7) of this section)

¹ Text of 45 CFR 260.31 follows.
Housing Authority of the City of Camden

<p style="text-align: center;">HHS DEFINITION OF "ASSISTANCE"</p>
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**45 CFR: GENERAL TEMPORARY
ASSISTANCE FOR NEEDY FAMILIES**

**260.31 What does the term “assistance”
mean?**

(a)(1) The term “assistance” includes cash, payments, vouchers, and other forms of benefits designed to meet a family’s ongoing basic needs (i.e., for food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses).

(2) It includes such benefits even when they are:

(i) Provided in the form of payments by a TANF agency, or other agency on its behalf, to individual recipients; and

(ii) Conditioned on participation in work experience or community service (or any other work activity under 261.30 of this chapter).

(3) Except where excluded under paragraph (b) of this section, it also includes supportive services such as transportation and child care provided to families who are not employed.

(b) [The definition of “assistance”] excludes: (1) Nonrecurrent, short-term benefits that:

(i) Are designed to deal with a specific crisis situation or episode of need;

(ii) Are not intended to meet recurrent or ongoing needs; and

(iii) Will not extend beyond four months.

Attachment nj010m01

- (2) Work subsidies (i.e., payments to employers or third parties to help cover the costs of employee wages, benefits, supervision, and training);
- (3) Supportive services such as child care and transportation provided to families who are employed;
- (4) Refundable earned income tax credits;
- (5) Contributions to, and distributions from, Individual Development Accounts;

- (6) Services such as counseling, case management, peer support, child care information and referral, transitional services, job retention, job advancement, and other employment-related services that do not provide basic income support; and
- (7) Transportation benefits provided under a Job Access or Reverse Commute project, pursuant to section 404(k) of [the Social Security] Act, to an individual who is not otherwise receiving assistance.

EXHIBIT 6-2: ANNUAL INCOME EXCLUSIONS

24 CFR 5.609

(c) Annual income does not include the following:

- (1) Income from employment of children (including foster children) under the age of 18 years;
- (2) Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);
- (3) Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except as provided in paragraph (b)(5) of this section);
- (4) Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
- (5) Income of a live-in aide, as defined in Sec. 5.403;
- (6) The full amount of student financial assistance paid directly to the student or to the educational institution;
- (7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- (8) (i) Amounts received under training programs funded by HUD;
(ii) Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they

are set aside for use under a Plan to Attain Self-Sufficiency (PASS);

(iii) Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;

(iv) Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the HACC or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the HACC's governing board. No resident may receive more than one such stipend during the same period of time;

(v) Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program;

Attachment nj010m01

- (9) Temporary, nonrecurring or sporadic income (including gifts);
- (10) Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
- (11) Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
- (12) Adoption assistance payments in excess of \$480 per adopted child;
- (13) [Reserved]
- (14) Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.
- (15) Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;
- (16) Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or
- (17) Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. A notice will be published in the Federal Register and distributed to PHAs and housing owners identifying the benefits that qualify for this

exclusion. Updates will be published and distributed when necessary. [See the following chart for a list of benefits that qualify for this exclusion.]

Sources of Income Excluded by Federal Statute from Consideration as Income for Purposes of Determining Eligibility or Benefits

- a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017 (b));
- b) Payments to Volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058);
- c) Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c));
- d) Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e);
- e) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f));
- f) Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b); (effective July 1, 2000, references to Job Training Partnership Act shall be deemed to refer to the corresponding provision of the Workforce Investment Act of 1998 (29 U.S.C. 2931);
- g) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub.L- 94-540, 90 Stat. 2503-04);

h) The first \$2000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U. S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407-1408);

i) Amounts of scholarships funded under title IV of the Higher Education Act of 1965, including awards under federal work-study program or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu);

j) Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f));

k) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in In Re Agent-product liability litigation, M.D.L. No. 381 (E.D.N.Y.);

l) Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721);

m) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q);

n) Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j));

o) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L. 95-433);

p) Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d));

q) Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran (38 U.S.C. 1805);

r) Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602); and

s) Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 (29 U.S.C. 2931).

EXHIBIT 6-3: TREATMENT OF FAMILY ASSETS

24 CFR 5.603(b) Net Family Assets

(1) Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.

(2) In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income under Sec. 5.609.

(3) In determining net family assets, HACC or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefor.

In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms.

(4) For purposes of determining annual income under Sec. 5.609, the term "net family assets" does not include the value of a home currently being purchased with assistance under part 982, subpart M of this title. This exclusion is limited to the first 10 years after the purchase date of the home.

EXHIBIT 6-4: EARNED INCOME DISALLOWANCE FOR PERSONS WITH DISABILITIES

24 CFR 5.617 Self-sufficiency incentives for persons with disabilities—Disallowance of increase in annual income.

(a) Applicable programs. The disallowance of increase in annual income provided by this section is applicable only to the following programs: HOME Investment Partnerships Program (24 CFR part 92); Housing Opportunities for Persons with AIDS (24 CFR part 574); Supportive Housing Program (24 CFR part 583); and the Housing Choice Voucher Program (24 CFR part 982).

(b) Definitions. The following definitions apply for purposes of this section.

Disallowance. Exclusion from annual income.

Previously unemployed includes a person with disabilities who has earned, in the twelve months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

Qualified family. A family residing in housing assisted under one of the programs listed in paragraph (a) of this section or receiving tenant-based rental assistance under one of the programs listed in paragraph (a) of this section.

(1) Whose annual income increases as a result of employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment;

(2) Whose annual income increases as a result of increased earnings by a family member who is a person with disabilities during

participation in any economic self-sufficiency or other job training program; or

(3) Whose annual income increases, as a result of new employment or increased earnings of a family member who is a person with disabilities, during or within six months after receiving assistance, benefits or services under any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by the responsible entity in consultation with the local agencies administering temporary assistance for needy families (TANF) and Welfare-to-Work (WTW) programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance-- provided that the total amount over a six-month period is at least \$500.

(c) Disallowance of increase in annual income—

(1) Initial twelve month exclusion. During the cumulative twelve month period beginning on the date a member who is a person with disabilities of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the responsible entity must exclude from annual income (as defined in the regulations governing the applicable program listed in paragraph (a) of this section) of a qualified family any increase in income of the

family member who is a person with disabilities as a result of employment over prior income of that family member.

(2) Second twelve month exclusion and phase-in. During the second cumulative twelve month period after the date a member who is a person with disabilities of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the responsible entity must exclude from annual income of a qualified family fifty percent of any increase in income of such family member as a result of employment over income of that family member prior to the beginning of such employment.

(3) Maximum four year disallowance. The disallowance of increased income of an individual family member who is a person with disabilities as provided in paragraph (c)(1) or (c)(2) is limited to a lifetime 48 month period. The disallowance only applies for a maximum of twelve months for disallowance under paragraph (c)(1) and a maximum of twelve months for disallowance under paragraph (c)(2), during the 48 month period starting from the initial exclusion under paragraph (c)(1) of this section.

(d) Inapplicability to admission. The disallowance of increases in income as a result of employment of persons with disabilities under this section does not apply for purposes of admission to the program (including the determination of income eligibility or any income targeting that may be applicable).

EXHIBIT 6-5: THE EFFECT OF WELFARE BENEFIT REDUCTION

24 CFR 5.615

Public housing program and Section 8 tenant-based assistance program: How welfare benefit reduction affects family income.

(a) Applicability. This section applies to covered families who reside in public housing (part 960 of this title) or receive Section 8 tenant-based assistance (part 982 of this title).

(b) Definitions. The following definitions apply for purposes of this section:

Covered families. Families who receive welfare assistance or other public assistance benefits ("welfare benefits") from a State or other public agency ("welfare agency") under a program for which Federal, State, or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for such assistance.

Economic self-sufficiency program. See definition at Sec. 5.603.

Imputed welfare income. The amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income for purposes of determining rent.

Specified welfare benefit reduction.

(1) A reduction of welfare benefits by the welfare agency, in whole or in part, for a family member, as determined by the welfare agency, because of fraud by a family member in connection with the welfare program; or because of welfare agency sanction against a family member for noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.

(2) "Specified welfare benefit reduction" does not include a reduction or termination of welfare benefits by the welfare agency:

(i) at expiration of a lifetime or other time limit on the payment of welfare benefits;

(ii) because a family member is not able to obtain employment, even though the family member has complied with welfare agency economic self-sufficiency or work activities requirements; or

(iii) because a family member has not complied with other welfare agency requirements.

(c) Imputed welfare income.

(1) A family's annual income includes the amount of imputed welfare income (because of a specified welfare benefits reduction, as specified in notice to the PHA by the welfare agency), plus the total amount of other annual income as determined in accordance with Sec. 5.609.

(2) At the request of the PHA, the welfare agency will inform the PHA in writing of the amount and term of any specified welfare benefit reduction for a family member, and the reason for such reduction, and will also inform the PHA of any subsequent changes in the term or amount of such specified welfare benefit reduction. The PHA will use this information to determine the amount of imputed welfare income for a family.

(3) A family's annual income includes imputed welfare income in family annual income, as determined at the PHA's interim or regular reexamination of family income and composition, during the term of the welfare benefits reduction (as specified in information provided to the PHA by the welfare agency).

(4) The amount of the imputed welfare income is offset by the amount of additional income a family receives that commences after the time the sanction was imposed. When such additional income from other sources is at least equal to the imputed

(5) The PHA may not include imputed welfare income in annual income if the family was not an assisted resident at the time of sanction.

(d) Review of PHA decision.

(1) Public housing. If a public housing tenant claims that the PHA has not correctly calculated the amount of imputed welfare income in accordance with HUD requirements, and if the PHA denies the family's request to modify such amount, the PHA shall give the tenant written notice of such denial, with a brief explanation of the basis for the PHA determination of the amount of imputed welfare income. The PHA notice shall also state that if the tenant does not agree with the PHA determination, the tenant may request a grievance hearing in accordance with part 966, subpart B of this title to review the PHA determination. The tenant is not required to pay an escrow deposit pursuant to Sec. 966.55(e) for the portion of tenant rent attributable to the imputed welfare income in order to obtain a grievance hearing on the PHA determination.

(2) Section 8 participant. A participant in the Section 8 tenant-based assistance program may request an informal hearing, in accordance with Sec. 982.555 of this title, to review the PHA determination of the amount of imputed welfare income that must be included in the family's annual income in accordance with this section. If the family claims that such amount is not correctly calculated in accordance with HUD requirements, and if the PHA denies the family's request to modify such amount, the PHA shall give the family written notice of such denial, with a brief explanation of the basis for the PHA determination of the amount of imputed welfare income. Such notice shall also state that if the family does not agree with the PHA determination, the family may request an informal hearing on the determination under the PHA hearing procedure.

(e) PHA relation with welfare agency.

(1) The PHA must ask welfare agencies to inform the PHA of any specified welfare benefits reduction for a family member, the reason for such reduction, the term of any such reduction, and any subsequent welfare agency determination affecting the amount or term of a specified welfare benefits reduction. If the welfare agency determines a specified welfare benefits reduction for a family member, and gives the PHA written notice of such reduction, the family's annual incomes shall include the imputed welfare income because of the specified welfare benefits reduction.

(2) The PHA is responsible for determining the amount of imputed welfare income that is included in the family's annual income as a result of a specified welfare benefits reduction

Attachment nj010m01

as determined by the welfare agency, and specified in the notice by the welfare agency to the PHA. However, the PHA is not responsible for determining whether a reduction of welfare benefits by the welfare agency was correctly determined by the welfare agency in accordance with welfare program requirements and procedures, nor for providing the opportunity for review or hearing on such welfare agency determinations.

(3) Such welfare agency determinations are the responsibility of the welfare agency, and the family may seek appeal of such determinations through the welfare agency's normal due process procedures. The PHA shall be entitled to rely on the welfare agency notice to the PHA of the welfare agency's determination of a specified welfare benefits reduction.

**CHAPTER 7
VERIFICATION**

[24 CFR 982.516, 24 CFR 982.551, 24 CFR 5.230]

INTRODUCTION

The HACC must verify all information that is used to establish the family's eligibility and level of assistance and is required to obtain the family's consent to collect the information. Applicants and program participants must cooperate with the verification process as a condition of receiving assistance. The HACC must not pass on the cost of verification to the family.

The HACC will follow the verification guidance provided by HUD in PIH Notice 2004-01 Verification Guidance and any subsequent guidance issued by HUD. This chapter summarizes those requirements and provides supplementary HACC policies.

Part I describes the general verification process. More detailed requirements related to individual factors are provided in subsequent parts including family information (Part II), income and assets (Part III), and mandatory deductions (Part IV).

Verification policies, rules and procedures will be modified as needed to accommodate persons with disabilities. All information obtained through the verification process will be handled in accordance with the records management policies of the HACC.

PART I. GENERAL VERIFICATION REQUIREMENTS

7-I.A. FAMILY CONSENT TO RELEASE OF INFORMATION [24 CFR 982.516 AND 982.551, 24 CFR 5.230]

The family must supply any information that the HACC or HUD determines is necessary to the administration of the program and must consent to HACC verification of that information [24 CFR 982.551].

Consent Forms

It is required that all adult applicants and participants sign form HUD-9886, Authorization for Release of Information. The purpose of form HUD-9886 is to facilitate automated data collection and computer matching from specific sources and provides the family's consent only for the specific purposes listed on the form. HUD and the HACC may collect information from State Wage Information Collection Agencies (SWICAs) and current and former employers of adult family members. Only HUD is authorized to collect information directly from the Internal Revenue Service (IRS) and the Social Security Administration (SSA). Adult family members must sign other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.

Penalties for Failing to Consent [24 CFR 5.232]

If any family member who is required to sign a consent form fails to do so, the HACC will deny admission to applicants and terminate assistance of participants. The family may request an informal review (applicants) or informal hearing (participants) in accordance with HACC procedures.

7-I.B. OVERVIEW OF VERIFICATION REQUIREMENTS

HUD's Verification Hierarchy

HUD authorizes the HACC to use five methods to verify family information and specifies the circumstances in which each method will be used. In general HUD requires the HACC to use the most reliable form of verification that is available and to document the reasons when the HACC uses a lesser form of verification. In order of priority, the forms of verification that may be used are:

- Up-front Income Verification (UIV) whenever available
- Third-party Written Verification
- Third-party Oral Verification
- Review of Documents
- Self-Certification

Each of the verification methods is discussed in subsequent sections below. Exhibit 7-1 at the end of the chapter contains an excerpt from the notice that provides guidance with respect to how each method may be used.

Requirements for Acceptable Documents

HACC Policy

Any documents used for verification must be the original (not photocopies) and generally must be dated within 60 calendar days of the date they are provided to the HACC. The documents must not be damaged, altered or in any way illegible.

The HACC will accept documents dated up to 6 months before the effective date of the family's reexamination if the document represents the most recent scheduled report from a source. For example, if the holder of a pension annuity provides semi-annual reports, the HACC would accept the most recent report.

Print-outs from web pages are considered original documents.

The HACC staff member who views the original document must make a photocopy.

Any family self-certifications must be made in a format acceptable to the HACC and must be signed in the presence of a HACC representative or notary public.

File Documentation

The HACC must document in the file how the figures used in income and rent calculations were determined. All verification attempts, information obtained, and decisions reached during the verification process will be recorded in the family's file in sufficient detail to demonstrate that the HACC has followed all of the verification policies set forth in this plan. The record should be sufficient to enable a staff member or HUD reviewer to understand the process followed and conclusions reached.

7-I.C. UP-FRONT INCOME VERIFICATION (UIV)

Up-front income verification (UIV) refers to the HACC's use of the verification tools available from independent sources that maintain computerized information about earnings and benefits. UIV will be used to the extent that these systems are available to the HACC.

The HACC must restrict access to and safeguard UIV data in accordance with HUD guidance on security procedures, as issued and made available by HUD.

There may be legitimate differences between the information provided by the family and UIV-generated information. No adverse action can be taken against a family until the HACC has

independently verified the UIV information and the family has been granted an opportunity to contest any adverse findings through the informal review/hearing process of the HACC.

Definition of Substantial Difference

UIV information is used differently depending upon whether there is a *substantial difference* between information provided by the family and the UIV information. In "HUD Guidelines for Projecting Annual Income When UIV Data is Available" [HUD website, April 2004], HUD recommends using \$200 per month as the threshold for a substantial difference. The HACC will therefore use \$200 per month as the threshold for a substantial difference.

See Chapter 6 for the HACC's policy on the use of UIV to project annual income and for the HACC's threshold for substantial difference.

When No Substantial Difference Exists

If UIV information does not differ substantially from family information, the UIV documentation may serve as third-party written verification.

When a Substantial Difference Exists

When there is a substantial difference between the information provided by the UIV source and the family, the HACC must request another form of third-party written verification and use any other verification methods (in priority order) to reconcile the difference(s).

7-I.D. THIRD-PARTY WRITTEN AND ORAL VERIFICATION

Reasonable Effort and Timing

Unless third-party verification is not required as described below, HUD requires the HACC to make at least two unsuccessful attempts to obtain third-party verification before using another form of verification [VG, p. 15].

HACC Policy

The HACC will diligently seek third-party verification using a combination of written and oral requests to verification sources. Information received orally from third parties may be used either to clarify information provided in writing by the third party or as independent verification when written third-party verification is not received in a timely fashion.

The HACC may mail, fax, e-mail, or hand deliver third-party written verification requests and will accept third-party responses using any of these methods. The HACC will send a written request for verification to each required source within 5 business days of securing a family's authorization for the release of the information and give the source 10 business days to respond in writing. If a response has not been received by the 11th business day, the HACC will request third-party oral verification.

The HACC will make a minimum of two attempts, one of which may be oral, to obtain third-party verification. A record of each attempt to contact the third-party source (including no-answer calls) and all contacts with the source will be documented in the file. Regarding third-party oral verification, HACC staff will record in the family's file the name and title of the person contacted, the date and time of the conversation (or attempt), the telephone number used, and the facts provided.

When any source responds verbally to the initial written request for verification the HACC will accept the verbal response as oral verification but will also request that the source complete and return any verification forms that were provided.

If a third party agrees to confirm in writing the information provided orally, the HACC will wait no more than 5 business days for the information to be provided. If the information is not provided by the 6th business day, the HACC will use any information provided orally in combination with reviewing family-provided documents (see below).

When Third-Party Information is Late

When third-party verification has been requested and the timeframes for submission have been exceeded, the HACC will use the information from documents on a provisional basis. If the HACC later receives third-party verification that differs from the amounts used in income and rent determinations and it is past the deadline for processing the reexamination, the HACC will conduct an interim reexamination to adjust the figures used for the reexamination, regardless of the HACC's interim reexamination policy.

When Third-Party Verification is Not Required

Primary Documents

Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth.

Certain Assets and Expenses

The HACC will accept a self-certification from a family as verification of assets disposed of for less than fair market value [HCV GB, p. 5-28].

The HACC will determine that third-party verification is not available if the asset or expense involves an insignificant amount, making it not cost-effective or reasonable to obtain third-party verification [VG, p. 15].

HACC Policy

The HACC will use review of documents in lieu of requesting third-party verification when the market value of an individual asset or an expense is less than \$500 annually *and* the family has original documents that support the declared amount.

Certain Income, Asset and Expense Sources

The HACC will determine that third-party verification is not available when it is known that an income source does not have the ability to provide written or oral third-party verification [VG, p. 15]. For example, the HACC will rely upon review of documents when the HACC determines that a third party's privacy rules prohibit the source from disclosing information. Another example would be where the Social Security Administration (SSA) has refused to respond to requests for third-party verification.

HACC Policy

The HACC also will determine that third-party verification is not available when there is a service charge for verifying an asset or expense *and* the family has original documents that provide the necessary information.

If the family cannot provide original documents, the HACC will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The cost of verification will not be passed on to the family.

The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost [VG, p. 18].

7-I.E. REVIEW OF DOCUMENTS

Using Review of Documents as Verification

If the HACC has determined that third-party verification is not available or not required, the HACC will use documents provided by the family as verification.

The HACC may also review documents when necessary to help clarify information provided by third parties. In such cases the HACC will document in the file how the HACC arrived at a final conclusion about the income or expense to include in its calculations.

7-I.F. SELF-CERTIFICATION

When information cannot be verified by a third party or by review of documents, family members will be required to submit self-certifications attesting to the accuracy of the information they have provided to the HACC.

HACC Policy

The HACC may require a family to certify that a family member does not receive a particular type of income or benefit.

The self-certification must be made in a format acceptable to the HACC and must be signed by the family member whose information or status is being verified. All self-certifications must be signed in the presence of a HACC representative or HACCotary public.

PART II. VERIFYING FAMILY INFORMATION

7-II.A. VERIFICATION OF LEGAL IDENTITY

HACC Policy

The HACC will require families to furnish verification of legal identity for each household member.

Verification of Legal Identity for Adults	Verification of Legal Identity for Children
Certificate of birth, naturalization papers Church issued baptismal certificate Current, valid driver's license or Department of Motor Vehicle identification card U.S. military discharge (DD 214) U.S. passport Employer identification card	Certificate of birth Adoption papers Custody agreement Health and Human Services ID School records

If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

If none of these documents can be provided and at the HACC's discretion, a third party who knows the person may attest to the person's identity. The certification must be provided in a format acceptable to the HACC and be signed in the presence of a HACC representative or HACC notary public.

Legal identity will be verified on an as needed basis.

7-II.B. SOCIAL SECURITY NUMBERS [24 CFR 5.216 and HCV GB, p. 5-12]

For every family member age 6 or older, the family must provide documentation of a valid social security number (SSN), or a self-certification stating that no SSN has been issued. The self-certification must be executed personally by any family member 18 or older, or by a parent or guardian for a minor.

HACC Policy

The HACC will also accept the following documents as evidence if the SSN is provided on the document:

- Driver's license
- Other identification card issued by a federal, state, or local agency, a medical insurance company or provider, or employer or trade union
- Payroll stubs
- Benefit award letters from government agencies; retirement benefit letters; life insurance policies
- Court records (real estate, tax notices, marriage and divorce, judgment or bankruptcy records)

If the family reports an SSN but cannot provide acceptable documentation of the number, the HACC will require a self-certification stating that documentation of the SSN cannot be provided at this time. The HACC will require documentation of the SSN within 60 calendar days from the date of the family member's self-certification mentioned above. If the family is an applicant, assistance cannot be provided until proper documentation of the SSN is provided.

HACC Policy

The HACC will instruct the family to obtain a duplicate card from the local Social Security Administration (SSA) office.

For individuals who are at least 62 years of age and are unable to submit the required documentation of their SSN within the initial 60-day period, the HACC will grant an additional 60 calendar days to provide documentation.

Social security numbers must be verified only once during continuously-assisted occupancy. If any family member obtains an SSN after admission to the program, the new SSN must be disclosed at the next regularly scheduled reexamination. In addition, if a child reaches the age of 6 and has no SSN, the parent or guardian must execute a self-certification stating that the child has no SSN at the next regularly scheduled reexamination.

The social security numbers of household members, such as live-in aids, must be verified for the purpose of conducting criminal background checks.

7-II.C. DOCUMENTATION OF AGE

A birth certificate or other official record of birth is the preferred form of age verification for all family members. For elderly family members an original document that provides evidence of the receipt of social security retirement benefits is acceptable.

HACC Policy

If an official record of birth or evidence of social security retirement benefits cannot be provided, the HACC will require the family to submit other documents that support the reported age of the family member (e.g., school records, driver's license if birth year is recorded) and to provide a self-certification.

Age must be verified only once during continuously-assisted occupancy.

7-II.D. FAMILY RELATIONSHIPS

Applicants and program participants are required to identify the relationship of each household member to the head of household. Definitions of the primary household relationships are provided in the Eligibility chapter.

HACC Policy

Family relationships are verified only to the extent necessary to determine a family's eligibility and level of assistance. Certification by the head of household normally is sufficient verification of family relationships.

Marriage

HACC Policy

HACC will require the family to provide documentation of the marriage.

A marriage certificate generally is required to verify that a couple is married.

In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns).

Separation or Divorce

HACC Policy

Certification by the head of household is normally sufficient verification. If the HACC has reasonable doubts about a separation or divorce, the HACC will require the family to document the divorce, or separation.

A certified copy of a divorce decree, signed by a court officer, is required to document that a couple is divorced.

A copy of a court-ordered maintenance or other court record is required to document a separation.

If no court document is available, documentation from a community-based agency will be accepted.

Absence of Adult Member

HACC Policy

If an adult member who was formerly a member of the household is reported to be permanently absent, the family must provide evidence to support that the person is no longer a member of the family (e.g., documentation of another address at which the person resides such as a lease or utility bill).

Foster Children and Foster Adults

HACC Policy

Third-party verification from the state or local government agency responsible for the placement of the individual with the family is required.

7-II.E. VERIFICATION OF STUDENT STATUS

HACC Policy

The HACC requires families to provide information about the student status of all students who are 18 years of age or older. This information will be verified only if:

The family claims full-time student status for an adult other than the head, spouse, or cohead, or

The family claims a child care deduction to enable a family member to further his or her education.

7-II.F. DOCUMENTATION OF DISABILITY

The HACC must verify the existence of a disability in order to allow certain income disallowances and deductions from income. The HACC is not permitted to inquire about the nature or extent of a person's disability [24 CFR 100.202(c)]. The HACC may not inquire about a person's diagnosis or details of treatment for a disability or medical condition. If the HACC receives a verification document that provides such information, the HACC will not place this information in the tenant file. Under no circumstances will the HACC request a participant's medical record(s). For more information on health care privacy laws, see the Department of Health and Human Services' website at www.os.dhhs.gov.

The above cited regulation does not prohibit the following inquiries, provided these inquiries are made of all applicants, whether or not they are persons with disabilities [VG, p. 24]:

- Inquiry into an applicant's ability to meet the requirements of ownership or tenancy
- Inquiry to determine whether an applicant is qualified for a dwelling available only to persons with disabilities or to persons with a particular type of disability
- Inquiry to determine whether an applicant for a dwelling is qualified for a priority available to persons with disabilities or to persons with a particular type of disability
- Inquiring whether an applicant for a dwelling is a current illegal abuser or addict of a controlled substance
- Inquiring whether an applicant has been convicted of the illegal manufacture or distribution of a controlled substance

Family Members Receiving SSA Disability Benefits

The HACC will attempt to obtain information about disability benefits through the HUD UIV System when it is available, or HUD's Tenant Assessment Subsystem (TASS). If the HUD UIV System or TASS is not available, the PHA will attempt to obtain third-party written/oral verification from the SSA. If third-party verification is not available, the family may provide an original SSA document that confirms the current benefits.

Verification of receipt of SSA benefits or SSI based upon disability is sufficient for verification of disability for the purpose of qualification for waiting list preferences or certain income disallowances and deductions.

Receipt of veteran's disability benefits, worker's compensation, or other non-SSA benefits based on the individual's claimed disability are not sufficient verification that the individual meets HUD's definition of disability in 24 CFR 5.603, necessary to qualify for waiting list preferences or certain income disallowances and deductions.

Family Members Not Receiving SSA Disability Benefits

For family members claiming disability who do not receive SSI or other disability payments from the SSA, a knowledgeable professional must provide third-party verification that the family member meets the HUD definition of disability. See the Eligibility chapter for the HUD definition of disability. The knowledgeable professional will verify whether the family member does or does not meet the HUD definition.

7-II.G. CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS [24 CFR 5.508]

Overview

Housing assistance is not available to persons who are not citizens, nationals, or eligible immigrants. Prorated assistance is provided for "mixed families" containing both eligible and ineligible persons. A detailed discussion of eligibility requirements is in the Eligibility chapter. This verifications chapter discusses HUD and HACC verification requirements related to citizenship status.

The family must provide a certification that identifies each family member as a U.S. citizen, a U.S. national, an eligible noncitizen or an ineligible noncitizen and submit the documents discussed below for each family member. Once eligibility to receive assistance has been verified for an individual it need not be collected or verified again during continuously-assisted occupancy [24 CFR 5.508(g)(5)]

U.S. Citizens and Nationals

HUD requires a declaration for each family member who claims to be a U.S. citizen or national. The declaration must be signed personally by any family member 18 or older and by a guardian for minors.

The HACC may request verification of the declaration by requiring presentation of a birth certificate, United States passport or other appropriate documentation.

HACC Policy

Family members who claim U.S. citizenship or national status will not be required to provide additional documentation unless the HACC receives information indicating that an individual's declaration may not be accurate.

Eligible Immigrants

Documents Required

All family members claiming eligible immigration status must declare their status in the same manner as U.S. citizens and nationals.

The documentation required for eligible noncitizens varies depending upon factors such as the date the person entered the U.S., the conditions under which eligible immigration status has been granted, age, and the date on which the family began receiving HUD funded assistance. Exhibit 7-2 at the end of this chapter summarizes documents family members must provide.

HACC Verification [HCV GB, pp. 5-3 and 5-7]

For family members age 62 or older who claim to be eligible immigrants, proof of age is required in the manner described in 7-II.C. of this plan. No further verification of eligible immigration status is required.

For family members under the age of 62 who claim to be eligible immigrants, the HACC must verify immigration status with the Bureau of Citizenship and Immigration Services (BCIS/INS). The HACC will follow all BCIS/INS protocols for verification of eligible immigration status.

7-II.H. VERIFICATION OF PREFERENCE STATUS

The HACC must verify any preferences claimed by an applicant.

HACC Policy

The HACC offers no preferences; therefore no verification of preferences is required.

PART III. VERIFYING INCOME AND ASSETS

Chapter 6, Part I of this plan describes in detail the types of income that are included and excluded and how assets and income from assets are handled. Any assets and income reported by the family must be verified. This part provides HACC policies that supplement the general verification procedures specified in Part I of this chapter.

7-III.A. EARNED INCOME

HACC Policy

Tips

Unless tip income is included in a family member's W-2 by the employer, persons who work in industries where tips are standard will be required to sign a certified estimate of tips received for the prior year and tips anticipated to be received in the coming year.

7-III.B. BUSINESS AND SELF EMPLOYMENT INCOME

HACC Policy

Business owners and self-employed persons will be required to provide:

An audited financial statement for the previous fiscal year if an audit was conducted. If an audit was not conducted, a statement of income and expenses must be submitted and the business owner or self-employed person must certify to its accuracy.

All schedules completed for filing federal and local taxes in the preceding year. If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.

The HACC will provide a format for any person who is unable to provide such a statement to record income and expenses for the coming year. The business owner/self-employed person will be required to submit the information requested and to certify to its accuracy at all future reexaminations.

At any reexamination the HACC may request documents that support submitted financial statements such as manifests, appointment books, cash books, or bank statements. If a family member has been self-employed less than three (3) months, the HACC will accept the family member's certified estimate of income and schedule an interim reexamination in three (3) months. If the family member has been self-employed for three (3) to twelve (12) months the HACC will require the family to provide documentation of income and expenses for this period and use that information to project income.

7-III.C. PERIODIC PAYMENTS AND PAYMENTS IN LIEU OF EARNINGS

HACC Policy

The HACC will attempt to obtain information about social security/SSI benefits through the HUD UIV System or the Tenant Assessment Subsystem (TASS) when available. If not available, the HACC will attempt to contact the SSA for third-party written/oral verification of payments. If third-party verification is not available through either source, the family may provide an original SSA document that confirms the current benefits.

7-III.D. ALIMONY OR CHILD SUPPORT

HACC Policy

The way the HACC will seek verification for alimony and child support differs depending on whether the family declares that it receives regular payments.

If the family declares that it ***receives regular payments***, verification will be sought in the following order.

If payments are made through a state or local entity, the HACC will request a record of payments for the past 12 months and request that the entity disclose any known information about the likelihood of future payments.

Third-party verification from the person paying the support

Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules

Copy of the latest check and/or payment stubs

Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.

If the family declares that it ***receives irregular or no payments***, in addition to the verification process listed above, the family must provide evidence that it has taken all reasonable efforts to collect amounts due. This may include:

A statement from any agency responsible for enforcing payment that shows the family has requested enforcement and is cooperating with all enforcement efforts

If the family has made independent efforts at collection, a written statement from the attorney or other collection entity that has assisted the family in these efforts

Note: Families are not required to undertake independent enforcement action.

7-III.E. ASSETS AND INCOME FROM ASSETS

Assets Disposed of for Less than Fair Market Value

The family must certify whether any assets have been disposed of for less than fair market value in the preceding two years. The HACC needs to verify only those certifications that warrant documentation [HCV GB, p. 5-28].

HACC Policy

The HACC will verify the value of assets disposed of only if:

The HACC does not already have a reasonable estimation of its value from previously collected information, or

The amount reported by the family in the certification appears obviously in error.

Example 1: An elderly participant reported a \$10,000 certificate of deposit at the last annual reexamination and the HACC verified this amount. Now the person reports that she has given this \$10,000 to her son. The HACC has a reasonable estimate of the value of the asset; therefore, reverification of the value of the asset is not necessary.

Example 2: A family member has disposed of its 1/4 share of real property located in a desirable area and has valued her share at approximately 5,000. Based upon market conditions, this declaration does not seem realistic. Therefore, the HACC will verify the value of this asset.

7-III.F. NET INCOME FROM RENTAL PROPERTY

HACC Policy

The family must provide:

A current executed lease for the property that shows the rental amount or certification from the current tenant

A self-certification from the family members engaged in the rental of property providing an estimate of expenses for the coming year and the most recent IRS Form 1040 with Schedule E (Rental Income). If schedule E was not prepared, the HACC will require the family members involved in the rental of property to provide a self-certification of income and expenses for the previous year and may request documentation to support the statement including: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.

7-III.G. RETIREMENT ACCOUNTS

HACC Policy

When third-party verification is not available the type of original document that will be accepted depends upon the family member's retirement status.

Before retirement, the HACC will accept an original document from the entity holding the account with a date that shows it is the most recently scheduled statement for the account but in no case earlier than 6 months from the effective date of the examination.

Upon retirement, the HACC will accept an original document from the entity holding the account that reflects any distributions of the account balance, any lump sums taken and any regular payments.

After retirement, the HACC will accept an original document from the entity holding the account dated no earlier than 12 months before that reflects any distributions of the account balance, any lump sums taken and any regular payments.

7-III.H. INCOME FROM EXCLUDED SOURCES

A detailed discussion of excluded income is provided in Chapter 6, Part I.

The HACC must obtain verification for income exclusions only if, without verification, the HACC would not be able to determine whether the income is to be excluded. For example: If a family's 16 year old has a job at a fast food restaurant, the HACC will confirm that HACC records verify the child's age but will not send a verification request to the restaurant. However, if a family claims the earned income disallowance for a source of income, both the source and the income must be verified.

HACC Policy

The HACC will reconcile differences in amounts reported by the third party and the family only when the excluded amount is used to calculate the family share (as is the case with the earned income disallowance). In all other cases, the HACC will report the amount to be excluded as indicated on documents provided by the family.

7-III.I. ZERO ANNUAL INCOME STATUS

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

PART IV. VERIFYING MANDATORY DEDUCTIONS
7-IV.A. DEPENDENT AND ELDERLY/DISABLED HOUSEHOLD DEDUCTIONS

The dependent and elderly/disabled family deductions require only that the HACC verify that the family members identified as dependents or elderly/disabled persons meet the statutory definitions. No further verifications are required.

Dependent Deduction

See Chapter 6 (6-II.B.) for a full discussion of this deduction. The HACC will verify that:

- Any person under the age of 18 for whom the dependent deduction is claimed is not the head, spouse, or cohead of the family and is not a foster child
- Any person age 18 or older for whom the dependent deduction is claimed is not a foster adult or live-in aide, and is a person with a disability or a full time student

Elderly/Disabled Family Deduction

See Eligibility chapter for a definition of elderly and disabled families and Chapter 6 (6-II.C.) for a discussion of the deduction. The HACC will verify that the head, spouse, or cohead is 62 years of age or older or a person with disabilities.

7-IV.B. MEDICAL EXPENSE DEDUCTION

Policies related to medical expenses are found in 6-II.D. The amount of the deduction will be verified following the standard verification procedures described in Part I.

Amount of Expense

HACC Policy

The HACC will provide a third-party verification form directly to the medical provider requesting the needed information.

Medical expenses will be verified through:

Third-party verification form signed by the provider, when possible

If third-party is not possible, copies of cancelled checks used to make medical expense payments and/or printouts or receipts from the source will be used. In this case the HACC will make a best effort to determine what expenses from the past are likely to continue to occur in the future. The HACC will also accept evidence of monthly payments or total payments that will be due for medical expenses during the upcoming 12 months.

If third-party or document review is not possible, written family certification as to costs anticipated to be incurred during the upcoming 12 months

In addition, the HACC must verify that:

- The household is eligible for the deduction.
- The costs to be deducted are qualified medical expenses.
- The expenses are not paid for or reimbursed by any other source.
- Costs incurred in past years are counted only once.

Eligible Household

The medical expense deduction is permitted only for households in which the head, spouse, or cohead is at least 62, or a person with disabilities. The HACC will verify that the family meets the definition of an elderly or disabled family provided in the Eligibility chapter and as described in Chapter 7 (7-IV.A.) of this plan.

Qualified Expenses

To be eligible for the medical expenses deduction, the costs must qualify as medical expenses. See Chapter 6 (6-II.D.) for the HACC's policy on what counts as a medical expense.

Unreimbursed Expenses

To be eligible for the medical expenses deduction, the costs must not be reimbursed by another source.

HACC Policy

The family will be required to certify that the medical expenses are not paid or reimbursed to the family from any source.

Expenses Incurred in Past Years

HACC Policy

When anticipated costs are related to on-going payment of medical bills incurred in past years, the HACC will verify:

The anticipated repayment schedule

The amounts paid in the past, and

Whether the amounts to be repaid have been deducted from the family's annual income in past years

7-IV.C. DISABILITY ASSISTANCE EXPENSES

Policies related to disability assistance expenses are found in 6-II.E. The amount of the deduction will be verified following the standard verification procedures described in Part I.

Amount of Expense

Attendant Care

HACC Policy

The HACC will provide a third-party verification form directly to the care provider requesting the needed information.

Expenses for attendant care will be verified through:

Third-party verification form signed by the provider, when possible

If third-party is not possible, copies of cancelled checks used to make attendant care payments and/or receipts from care source

If third-party or document review is not possible, written family certification as to costs anticipated to be incurred for the upcoming 12 months

Auxiliary Apparatus

HACC Policy

Expenses for auxiliary apparatus will be verified through:

Third-party verification of anticipated purchase costs of auxiliary apparatus

If third-party is not possible, billing statements for purchase of auxiliary apparatus, or other evidence of monthly payments or total payments that will be due for the apparatus during the upcoming 12 months

If third-party or document review is not possible, written family certification of estimated apparatus costs for the upcoming 12 months

In addition, the HACC must verify that:

- The family member for whom the expense is incurred is a person with disabilities (as described in 7-II.F above).
- The expense permits a family member, or members, to work (as described in 6-II.E.).
- The expense is not reimbursed from another source (as described in 6-II.E.).

Family Member is a Person with Disabilities

To be eligible for the disability assistance expense deduction, the costs must be incurred for attendant care or auxiliary apparatus expense associated with a person with disabilities. The HACC will verify that the expense is incurred for a person with disabilities (See 7-II.F.).

Family Member(s) Permitted to Work

The HACC must verify that the expenses claimed actually enable a family member, or members, (including the person with disabilities) to work.

HACC Policy

The HACC will seek third-party verification from a Rehabilitation Agency or knowledgeable medical professional indicating that the person with disabilities requires attendant care or an auxiliary apparatus to be employed, or that the attendant care or auxiliary apparatus enables another family member, or members, to work (See 6-II.E.). If third-party and document review verification has been attempted and is either unavailable or proves unsuccessful, the family must certify that the disability assistance expense frees a family member, or members (possibly including the family member receiving the assistance), to work.

Unreimbursed Expenses

To be eligible for the disability expenses deduction, the costs must not be reimbursed by another source.

HACC Policy

An attendant care provider will be asked to certify that, to the best of the provider's knowledge, the expenses are not paid by or reimbursed to the family from any source. The family will be required to certify that attendant care or auxiliary apparatus expenses are not paid by or reimbursed to the family from any source.

7-IV.D. CHILD CARE EXPENSES

Policies related to child care expenses are found in Chapter 6 (6-II.F). The amount of the deduction will be verified following the standard verification procedures described in Part I of this chapter. In addition, the HACC must verify that:

- The child is eligible for care.
- The costs claimed are not reimbursed.
- The costs enable a family member to pursue an eligible activity.
- The costs are for an allowable type of child care.
- The costs are reasonable.

Eligible Child

To be eligible for the child care deduction, the costs must be incurred for the care of a child under the age of 13. The HACC will verify that the child being cared for (including foster children) is under the age of 13 (See 7-II.C.).

Unreimbursed Expense

To be eligible for the child care deduction, the costs must not be reimbursed by another source.

HACC Policy

The child care provider will be asked to certify that, to the best of the provider's knowledge, the child care expenses are not paid by or reimbursed to the family from any source.

The family will be required to certify that the child care expenses are not paid by or reimbursed to the family from any source.

Pursuing an Eligible Activity

The HACC must verify that the family member(s) that the family has identified as being enabled to seek work, pursue education, or be gainfully employed, are actually pursuing those activities.

HACC Policy

Information to be Gathered

The HACC will verify information about how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the time required for study (for students), the relationship of the family member(s) to the child, and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

Seeking Work

Whenever possible the HACC will use documentation from a state or local agency that monitors work-related requirements (e.g., welfare or unemployment). In such cases the HACC will request verification from the agency of the member's job seeking efforts to date and require the family to submit to the HACC any reports provided to the other agency.

In the event third-party verification is not available, the HACC will provide the family with a form on which the family member must record job search efforts. The HACC will review this information at each subsequent reexamination for which this deduction is claimed.

Furthering Education

The HACC will ask that the academic or vocational educational institution verify that the person permitted to further his or her education by the child care is enrolled and provide information about the timing of classes for which the person is registered.

Gainful Employment

The HACC will seek verification from the employer of the work schedule of the person who is permitted to work by the child care. In cases in which two or more family members could be permitted to work, the work schedules for all relevant family members may be verified.

Allowable Type of Child Care

The type of care to be provided is determined by the family, but must fall within certain guidelines, as discussed in Chapter 6.

HACC Policy

The HACC will verify that the type of child care selected by the family is allowable, as described in Chapter 6 (6-II.F).

The HACC will verify that the fees paid to the child care provider cover only child care costs (e.g., no housekeeping services or personal services) and are paid only for the care of an eligible child (e.g., prorate costs if some of the care is provided for ineligible family members).

The HACC will verify that the child care provider is not an assisted family member. Verification will be made through the head of household's declaration of family members who are expected to reside in the unit.

Reasonableness of Expenses

Only reasonable child care costs can be deducted.

HACC Policy

The actual costs the family incurs will be compared with the HACC's established standards of reasonableness for the type of care in the locality to ensure that the costs are reasonable.

If the family presents a justification for costs that exceed typical costs in the area, the HACC will request additional documentation, as required, to support a determination that the higher cost is appropriate.

Exhibit 7-1: Excerpt from HUD Verification Guidance Notice (PIH 2004-01, pp. 11-14)

Upfront (U IV)	Highest (Highly Recommended, highest level of third party verification)
Written 3rd Party	High (Mandatory if upfront income verification is not available or if UIV data differs substantially from tenant-reported information)
Oral 3rd Party	Medium (Mandatory if written third party verification is not available)
Document Review	Medium-Low (Use on provisional basis)
Tenant Declaration	Low (Use as a last resort)

Income Type	Upfront	Written Third Party	Oral Third Party	Document Review	Tenant Declaration
	(LEVEL 5)	(LEVEL 4)	(LEVEL 3)	(LEVEL 2)	(LEVEL 1)
Wages/Salaries	Use of computer matching agencies with State Wage Information Collection Agency (SWICA) to obtain wage information electronically, by mail or fax, or in person.	The PTA may fax or e-mail a verification form directly to the independent services to obtain information.	In the event the independent source does not respond to the PTA's written request for information, the PTA may contact the independent source by phone or mail or in person visit to obtain the requested information.	When neither form of third party verification is available, the PTA may accept original documents such as consecutive pay stubs, HUD records, etc. The PTA review at least three months of pay stubs, if employed by the same employer for three months or more; W-2 forms, etc. from the tenant. Note: The PTA must document in the tenant file the reason third party verification was not available.	The PTA may accept a notarized statement or affidavit from the tenant that declares the family's total annual income from earnings. Note: The PTA must document in the tenant file the reason third party verification was not available.
	Agreements with private transfer agencies such as The Work Number or ClearPath, to obtain wage and salary information.	The PTA may have the tenant sign a Request for Family Statement from the SSA to confirm past earnings. The PTA mails the form to SSA and the statement will be sent to the address the PTA specifies on the form.			
	Use of HUD systems when available.				
<p>Verification of Employment Income: The PTA should always obtain as much information as possible about the employment, such as start date from employer, termination date (previous employment), pay frequency, pay rate, anticipated pay increases in the next twelve months, year-to-date earnings, business structure, company name, address and telephone number, title and position of the person contacting the employment verification form.</p> <p>Effective Date of Employment: The PTA should always confirm start and termination dates of employment.</p>					

Income Type	Uplift	Written Third Party	Oral Third Party	Document Review	Tenant Declaration
	(LEVEL 5)	(LEVEL 4)	(LEVEL 3)	(LEVEL 2)	(LEVEL 1)
Self Employment	Not Available	The PITA must obtain verification for a tenant's self-employment by the family to obtain accurate information.	The PITA may call the tenant to obtain accurate information.	The PITA may accept any documents (i.e. tax returns, pay stubs and letters from customers) provided by the tenant to verify self-employment income. Note: The PITA must document in the tenant file the reason third party verification was not obtained.	The PITA may accept a notarized statement or affidavit from the tenant that declares the family's total annual income from self-employment. Note: The PITA must document in the tenant file, the reason third party verification was not available.
<p>Verification of Self-Employment Income: Typically, it is a challenge for PITAs to obtain third party verification of self-employment income. When third party verification is not available, the PITA should always request a notarized tenant declaration that includes a jurat statement.</p>					
Social Security Benefits	Use of HUD Tenant Assessment System (TASS) to obtain current benefit history and disability reports.	The PITA must obtain verification from directly to the local SSA office to obtain social security benefit information. (Not Available in some areas because SSA makes this data available through TASS. SSA encourages PITAs to use TASS.)	The PITA may call SSA with the tenant on the line to obtain current benefit amount. (Not Available in some areas because SSA makes this data available through TASS. SSA encourages PITAs to use TASS.)	The PITA may accept an original SSA Notice from the tenant. Note: The PITA must document in the tenant file the reason third party verification was not available.	The PITA may accept a notarized statement or affidavit from the tenant that declares monthly social security benefits. Note: The PITA must document in the tenant file, the reason third party verification was not available.
Welfare Benefits	Use of computer matching agreements with the local Social Services Agency to obtain current benefit amount electronically, by mail or fax or in person.	The PITA must fax or e-mail a verification form directly to the local Social Services Agency to obtain welfare benefit information.	The PITA may call the local Social Services Agency to obtain current benefit amount.	The PITA may review an original award notice or printout from the local Social Services Agency provided by the tenant. Note: The PITA must document in the tenant file the reason third party verification was not available.	The PITA may accept a notarized statement or affidavit from the tenant that declares monthly welfare benefits. Note: The PITA must document in the tenant file, the reason third party verification was not available.

Attachment nj010m01

Income Type	Uplift	Written Third Party	Oral Third Party	Document Review	Tenant Declaration
	(LEVEL 5)	(LEVEL 4)	(LEVEL 3)	(LEVEL 2)	(LEVEL 1)
Child Support	Use of agreement with the local Child Support Enforcement Agency to obtain amount child support amount and payment status electronically by mail or fax or in person.	The PHA mails, faxes, or e-mails a verification form directly to the local Child Support Enforcement Agency or child support payer to obtain current child support amount and payment status.	The PHA may call the local Child Support Enforcement Agency or child support payer to obtain current child support amount and payment status.	The PHA may review an original court order, notice or printout from the local Child Support Enforcement Agency provided by the tenant or local Youth or Child Support amount and payment status. Note: The PHA must document the amount, the reason third party verification was not available.	The PHA may accept a notarized statement or affidavit from the tenant that declares current child support amount and payment status. Note: The PHA must document in the tenant file, the reason third party verification was not available.
Unemployment Benefits	Use of computer matching agreements with State Wage Information Collection Agency to obtain unemployment compensation electronically by mail or fax or in person.	The PHA mails, faxes, or e-mails a verification form directly to the State Wage Information Collection Agency to obtain current unemployment compensation information.	The PHA may call the State Wage Information Collection Agency to obtain current benefit amount.	The PHA may review an original benefit notice or unemployment check stub, or printout from the local State Wage Information Collection Agency provided by the tenant. Note: The PHA must document in the tenant file, the reason third party verification was not available.	The PHA may accept a notarized statement or affidavit from the tenant that declares unemployment benefits. Note: The PHA must document in the tenant file, the reason third party verification was not available.
	Use of HUD systems, when available.				
Pension	Use of computer matching agreements with a Federal, State, or Local Government Agency to obtain pension information electronically by mail or fax or in person.	The PHA mails, faxes, or e-mails a verification form directly to the pension provider to obtain pension information.	The PHA may call the pension provider to obtain current benefit amount.	The PHA may review an original benefit notice from the pension provider provided by the tenant. Note: The PHA must document in the tenant file, the reason third party verification was not available.	The PHA may accept a notarized statement or affidavit from the tenant that declares monthly pension amounts. Note: The PHA must document in the tenant file, the reason third party verification was not available.

Income Type	Uplift	Written Third Party	Oral Third Party	Document Review	Tenant Declaration
	(LEVEL 5)	(LEVEL 4)	(LEVEL 3)	(LEVEL 2)	(LEVEL 1)
Assets	Use of cooperating agencies with various to share name and asset. Income information electronically by mail or fax or in person.	The PHA mails, faxes, or mails a s verification for a directly to the source to obtain asset and asset Income information.	The PHA may call the source to obtain asset and asset income information.	The PHA may review original documents provided by the tenant. Note: The PHA must document in the tenant file, the reason third party verification was not available.	The PHA may accept notarized assets or affidavits from the tenant that declare assets and asset income. Note: The PHA must document in the tenant file, the reason third party verification was not available.
Comments	Whenever PITA makes available wage, unemployment, and SSA information, the PITA should use the information as part of the reexamination process. This may result in additional costs during RIM review.	Note: The Independent source completes the form and returns the form directly to the PITA Agency. The tenant should not hand carry documents to or from the independent source.	The PITA should document in the report file, the date and time of the telephone call or in person visit, along with the name and title of the person that verified the current income amount.		The PITA should use this verification method as a last resort when other verification methods are not possible or have been unsuccessful. Notarized statement should include a perjury penalty statement.
<p>Note: The PITA must not pass verification costs along to the participant.</p>					
<p>Note: In cases where the PHA cannot reliably project annual income, the PHA may elect to complete regular interim reexaminations (this policy should be apart of the PITA's written policies.)</p>					

**Exhibit 7-2: Summary of Documentation Requirements for Noncitizens
[HCV GB, pp. 5-9 and 5-10]**

<ul style="list-style-type: none"> • All noncitizens claiming eligible status must sign a declaration of eligible immigrant status on a form acceptable to the HACC. • Except for persons 62 or older, all noncitizens must sign a verification consent form • Additional documents are required based upon the person's status. 	
<p>Elderly Noncitizens</p> <ul style="list-style-type: none"> • A person 62 years of age or older who claims eligible immigration status also must provide proof of age such as birth certificate, passport, or documents showing receipt of SS old-age benefits. 	
<p>All other Noncitizens</p> <ul style="list-style-type: none"> • Noncitizens that claim eligible immigration status also must present the applicable BCIS document. Acceptable BCIS documents are listed below. 	
<ul style="list-style-type: none"> • Form I-551 Alien Registration Receipt Card (for permanent resident aliens) • Form I-94 Arrival-Departure Record annotated with one of the following: • “Admitted as a Refugee Pursuant to Section 207” • “Section 208” or “Asylum” • “Section 243(h)” or “Deportation stayed by Attorney General” • “Paroled Pursuant to Section 221 (d)(5) of the BCIS” 	<ul style="list-style-type: none"> • Form I-94 Arrival-Departure Record with no annotation accompanied by: <ul style="list-style-type: none"> • A final court decision granting asylum (but only if no appeal is taken); • A letter from a BCIS asylum officer granting asylum (if application is filed on or after 10/1/90) or from a BCIS district director granting asylum (application filed before 10/1/90); • A court decision granting withholding of deportation; or • A letter from an asylum officer granting withholding or deportation (if application filed on or after 10/1/90).
<ul style="list-style-type: none"> • Form I-688 Temporary Resident Card annotated “Section 245A” or Section 210”. 	<ul style="list-style-type: none"> • Form I-688B Employment Authorization Card annotated “Provision of Law 274a. 12(11)” or “Provision of Law 274a.12”.
<ul style="list-style-type: none"> • A receipt issued by the BCIS indicating that an application for issuance of a replacement document in one of the above listed categories has been made and the applicant’s entitlement to the document has been verified; or • Other acceptable evidence. If other documents are determined by the BCIS to constitute acceptable evidence of eligible immigration status, they will be announced by notice published in the <i>Federal Register</i> 	

Chapter 8

VOUCHER ISSUANCE AND BRIEFINGS

[24 CFR 982.301, 982.302]

INTRODUCTION

The HACC's goals and objectives are designed to assure that families selected to participate are equipped with the tools necessary to locate an acceptable housing unit. Families are provided sufficient knowledge and information regarding the program and how to achieve maximum benefit while complying with program requirements. When eligibility has been determined, the HACC will conduct a mandatory briefing to ensure that families know how the program works. The briefing will provide a broad description of owner and family responsibilities, HACC procedures, and how to lease a unit. The family will also receive a briefing packet, which provides more detailed information about the program including the benefits of moving outside areas of poverty and minority concentration. This chapter describes how briefings will be conducted, the information that will be provided to families, and the policies for how changes in the family composition will be handled.

A. ISSUANCE OF VOUCHERS [24 CFR 982.204(d), 982.54(d)(2)]

When funding is available, the HACC will issue vouchers to applicants whose eligibility has been determined. The number of vouchers issued must ensure that the HACC stays as close as possible to 100 percent lease-up. The HACC performs a monthly verifications manually to determine whether applications can be processed, the number of vouchers that can be issued, and to what extent the HACC can over-issue (issue more vouchers than the budget allows to achieve leaseup).

The HACC may over-issue vouchers only to the extent necessary to meet leasing goals. All vouchers, which are over-issued, must be honored. If the HACC finds it is over-leased, it must adjust future issuance of vouchers in order not to exceed the ACC budget limitations over the fiscal year.

B. BRIEFING TYPES AND REQUIRED ATTENDANCE [24 CFR 982.301]

Initial Applicant Briefing

A full HUD-required briefing will be conducted for applicant families who are determined to be eligible for assistance. The briefings will be conducted in groups. Families who attend group briefings and still have the need for individual assistance will be referred to a Housing Specialists.

Briefings will be conducted in English.

The purpose of the briefing is to explain how the program works and the documents in the voucher holder's packet to families so that they are fully informed about the program. This will enable them to utilize the program to their advantage, and it will prepare them to discuss it with potential owners and property managers.

The HACC will not issue a voucher to a family unless the household representative has attended a briefing and signed the voucher. Applicants who provide prior notice of inability to attend a briefing will automatically be scheduled for the next briefing. Applicants who fail to attend the scheduled briefings, without prior notification and approval of the HACC, may be denied admission based on failure to supply information needed for certification. The HACC will conduct individual briefings for families with disabilities at their home, upon request by the family, if required for reasonable accommodation.

Briefing Packet [24 CFR 982.301(b)]

The documents and information provided in the briefing packet for the voucher program will comply with all HUD requirements. The HACC also includes other information and/or materials which are not required by HUD.

The family is provided with the following information and materials

The term of the voucher, and the HACC policy for requesting extensions or suspensions of the voucher (referred to as tolling).

A description of the method used to calculate the housing assistance payment for a family, including how the HACC determines the payment standard for a family; how the HACC determines total tenant payment for a family and information on the payment standard and utility allowance schedule. How the HACC determines the maximum allowable rent for an assisted unit, including the rent reasonableness standard.

Where the family may lease a unit. For a family that qualifies to lease a unit outside the HACC jurisdiction under portability procedures, the information must include an explanation of how portability works.

The HUD required tenancy addendum, which must be included in the lease.

The form the family must use to request approval of tenancy (Request for Tenancy Form), and a description of the procedure for requesting approval for a tenancy.

A statement of the HACC policy on providing information about families to prospective owners.

The HACC Subsidy Standards including when and how exceptions are made and how the voucher size relates to the unit size selected.

The HUD brochure on how to select a unit and/or the HUD brochure "A Good Place to Live" on how to select a unit that complies with HQS.

The HUD pamphlet on lead-based paint entitled *Protect Your Family From Lead in Your Home* and information about where blood level testing is available.

Attachment nj010m01

Information on Federal, State and local equal opportunity laws, and a copy of the housing discrimination complaint form. The HACC will also include the pamphlet "Fair Housing: It's Your Right" and other information about fair housing laws and guidelines and the phone numbers of the local fair housing agency and the HUD enforcement office. A list of landlords or other parties willing to lease to assisted families or help in the search and/or known units available for the voucher issued. The list includes landlords or other parties who are willing to lease units or help families find units outside areas of poverty or minority concentration.

If the family includes a person with disabilities, notice that the HACC will provide assistance in locating accessible units and a list of available accessible units known to the HACC.

The family obligations under the program, including any obligations of a family participating in the welfare to work voucher program.

The grounds on which the HACC may terminate assistance for a participant family because of family action or failure to act.

HACC informal hearing procedures including when the HACC is required to offer a participant family the opportunity for an informal hearing, and how to request the hearing.

Information packet including an explanation of how portability works, including a list of neighboring housing agencies with the name, address and telephone number of a portability contact person at each for use by families who move under portability. (required for HACCs in MSAs)

A map showing areas representing various income levels of the jurisdiction and surrounding areas for the purpose of expanding housing opportunities for families. (required for HACCs in MSAs)

Information regarding the HACC's outreach program, which assists families who are interested in, or experiencing difficulty in obtaining available housing units in areas outside of minority concentrated locations.

A list of properties or property management organizations that own or operate housing units outside areas of poverty or minority concentration (required for HACCs in MSAs).

Procedures for notifying the HACC and/or HUD of program abuses such as side payments, extra charges, violations of tenant rights, and owner failure to repair.

The family's rights as a tenant and a program participant.

Requirements for reporting changes between annual recertifications.

Information on security deposits and legal referral services.

Exercising choice in residency

Choosing a unit carefully and only after due consideration.

The Family Self Sufficiency program and its advantages.

If the family includes a person with disabilities, the HACC will ensure compliance with CFR 8.6 to ensure effective communication.

Move Briefing

A move briefing will be held for participants who will be reissued a voucher to move, and who have been recertified within the last 120 days, and have given notice of intent to vacate to their landlord. This briefing includes incoming and outgoing portable families.

Attachment nj010m01

Signature Briefing

All new owners will be required to attend a signature briefing with the family head [at the office/at the unit] to execute contracts and leases. Other owners will be encouraged to attend signature briefings to reduce future conflict between the owner and tenant. The HACC will provide details on the program rules and relationships and responsibilities of all parties.

The HACC provides group briefings for new owners and any other owners who wish to attend at least once per year.

Interested owners who request to sit in on scheduled family briefings to obtain information about the voucher program will be allowed to do so if the request is made within 5 days of the scheduled briefing.

C. ENCOURAGING PARTICIPATION IN AREAS WITHOUT LOW INCOME OR MINORITY CONCENTRATION

At the briefing, families are encouraged to search for housing in non-impacted areas and the HACC will provide assistance to families who wish to do so.

The HACC has areas of poverty and minority concentration clearly delineated in order to provide families with information and encouragement in seeking housing opportunities outside highly concentrated areas.

The HACC has maps that show various areas and information about facilities and services in neighboring areas such as schools, transportation, and supportive and social services.

The HACC will investigate and analyze when voucher holders are experiencing difficulties locating or obtaining housing units outside areas of concentration.

The assistance provided to such families includes:

- Providing families with a search record form to gather and record info.

- Direct contact with landlords.

- Counseling with the family.

- Providing information about services in various non-impacted areas.

- Meeting with neighborhood groups to promote understanding.

- Formal or informal discussions with landlord groups

- Formal or informal discussions with social service agencies

- Meeting with rental referral companies or agencies

- Meeting with fair housing groups or agencies

D. ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION

The HACC will give participants a copy of HUD Form 903 to file a complaint.

E. SECURITY DEPOSIT REQUIREMENTS [24 CFR 982.313]

The owner is not required to but may collect a (one) security deposit from the tenant.

Security deposits charged to families may be any amount the owner wishes to charge, (subject to the following conditions:)

Security deposits charged by owners may not exceed those charged to unassisted tenants (nor the maximum prescribed by State or local law.)

For lease-in-place families, responsibility for first and last month's rent is not considered a security deposit issue. In these cases, the owner should settle the issue with the tenant prior to the beginning of assistance.

F. TERM OF VOUCHER [24 CFR 982.303, 982.54(d)(11)]

During the briefing session, each household will be issued a voucher, which represents a contractual agreement between the HACC and the Family specifying the rights and responsibilities of each party. It does not constitute admission to the program, which occurs when the lease and contract become effective.

Expirations

The voucher is valid for a period of at least sixty calendar days from the date of issuance. The family must submit a Request for Approval of the Tenancy and Lease within the sixty-day period unless, an extension has been granted by the HACC.

If the voucher has expired, and has not been extended by the HACC or expires after an extension, the family will be denied assistance. The family will not be entitled to a review or hearing. If the family is currently assisted, they may remain as a participant in their unit if there is an assisted lease/contract in effect.

Suspensions

When a Request for Approval of Tenancy is received, the HACC will not deduct the number of days required to process the request from the 60-day term of the voucher.

Extensions

The HACC will extend the term up to thirty days from the beginning of the initial term if the family needs and request an extension as a reasonable accommodation to make the program accessible to and usable by a family member with a disability. If the family needs an extension in excess of thirty days, the HACC will extend the voucher term for the amount of time reasonably required for said reasonable accommodation.

A family may request a written request for an extension of the voucher time period. All requests for extensions must be received prior to the expiration date of the voucher.

Extensions are permissible at the discretion of the HACC up to a maximum of an additional thirty days primarily for these reasons:

Extenuating circumstances such as hospitalization or a family emergency for an extended period of time, which has affected the family's ability to find a unit within the initial sixty-day period. Verification is required.

The HACC is satisfied that the family has made a reasonable effort to locate a unit, including seeking the assistance of the HACC, throughout the initial sixty-day period. A completed search record is required.

The family was prevented from finding a unit due to disability accessibility requirements or large size 4/5/6 bedroom unit requirement. The Search Record is part of the required verification.

If the vacancy rate for rental housing in the jurisdiction is less than 10%, extensions will be granted automatically on request up to a total of one twenty days.

The HACC extends in one or more increments. Unless approved by the Director, no more than two extensions of 60 days or less will be granted and never for a total of more than an additional sixty days.

Assistance to Voucher Holders

Families who require additional assistance during their search may call the HACC Office to request assistance. Voucher holders will be notified at their briefing session that the HACC periodically updates the listing of available units and how the updated list may be obtained. The HACC will assist families with negotiations with owners and provide other assistance related to the families' search for housing.

After the first thirty days of the search, the family is required to maintain a search record and report to the HACC every twenty days.

G. VOUCHER ISSUANCE DETERMINATION FOR SPLIT HOUSEHOLDS

[24 CFR 982.315]

In those instances when a family assisted under the Section 8 program becomes divided into two otherwise eligible families due to divorce, legal separation, or the division of the family, and the new families cannot agree as to which new family unit should continue to receive the assistance, and there is no determination by a court, the Director shall consider the following factors to determine which of the families will continue to be assisted:

Which of the two new family units has custody of dependent children.

Which family member was the head of household when the voucher was initially issued (listed on the initial application).

The composition of the new family units, and which unit contains elderly or disabled members.

Whether domestic violence was involved in the breakup.

Which family members remain in the unit.

Recommendations of social service professionals.

Documentation of these factors will be the responsibility of the requesting parties.

If documentation is not provided, the HACC will terminate assistance on the basis of failure to provide information necessary for a recertification.

H. REMAINING MEMBER OF TENANT FAMILY - RETENTION OF VOUCHER

[24 CFR 982.315]

To be considered the remaining member of the tenant family, the person must have been previously approved by the HACC to be living in the unit.

A live-in attendant, by definition, is not a member of the family and will not be considered a remaining member of the Family.

In order for a minor child to continue to receive assistance as a remaining family member:

The court has to have awarded emancipated minor status to the minor, or

The HACC has to have verified that social services and/or the Juvenile Court has arranged for another adult to be brought into the assisted unit to care for the child(ren) for an indefinite period.

A reduction in family size may require a reduction in the voucher family unit size.

Reserved

Chapter 9

REQUEST FOR TENANCY APPROVAL AND CONTRACT EXECUTION

[24 CFR 982.302]

INTRODUCTION [24 CFR 982.305(a)]

The HACC's program operations are designed to utilize available resources in a manner that is efficient and provides eligible families timely assistance based on the number of units that have been budgeted. The HACC's objectives include maximizing HUD funds by providing assistance to as many eligible families and for as many eligible units as the budget will allow.

Attachment nj010m01

After families are issued a voucher, they may search for a unit anywhere within the jurisdiction of the HACC, or outside of the HACC's jurisdiction if they qualify for portability. The family must find an eligible unit under the program rules, with an owner/landlord who is willing to enter into a Housing Assistance Payments Contract with the HACC. This chapter defines the types of eligible housing, the PHA's policies, which pertain to initial inspections, lease requirements, owner disapproval, and the processing of Requests For Tenancy Approval (RFTA).

A. REQUEST FOR TENANCY APPROVAL [24 CFR 982.302, 982.305(b)]

The Request for Tenancy Approval (RFTA) and a copy of the proposed lease, including the HUD prescribed tenancy addendum, must be submitted by the family during the term of the voucher. The family must submit the Request for Tenancy Approval in the form and manner required by the HACC.

The Request for Tenancy Approval must be signed by both the owner and voucher holder.

The HACC will not permit the family to submit more than one RFTA at a time.

The HACC will review the proposed lease and the Request for Tenancy Approval documents to determine whether or not they are approvable. The request will be approved if:

The unit is an eligible type of housing

The unit meets HUD's Housing Quality Standards (and any additional criteria as identified in this Administrative Plan)

The rent is reasonable

The security deposit is approvable in accordance with any limitations in this plan.

The proposed lease complies with HUD and HACC requirements (See "Lease Review" section below).

The owner is approvable, and there are no conflicts of interest (See "Owner Disapproval" section below). In addition to the above, at the time a family initially receives assistance in a unit (new admissions and moves), if the gross rent for the unit exceeds the applicable payment standard for the family, the family share of rent may not exceed 40 percent of the family monthly adjusted income (See "Owner Rents, Rent Reasonableness and Payment Standards" chapter of this Administrative Plan).

Disapproval of RFTA

If the HACC determines that the request cannot be approved for any reason, the landlord and the family will be notified in writing/telephone. The HACC will instruct the owner and family of the steps that are necessary to approve the request.

The owner will be given ten calendar days to submit an approvable RFTA from the date of disapproval.

When, for any reason, an RFTA is not approved, the HACC will furnish another RFTA form to the family along with the notice of disapproval so that the family can continue to search for eligible housing.

B. ELIGIBLE TYPES OF HOUSING [24 CFR 982.353]

The HACC will approve any of the following types of housing in the voucher program:

All structure types can be utilized.

Manufactured homes where the tenant leases the mobile home and the pad.

Manufactured homes where the tenant owns the mobile home and leases the pad

Group homes

Congregate facilities (only the shelter rent is assisted)

Single room occupancy

Units owned (but not subsidized) by the HACC (following HUD-prescribed requirements).

A family can own a rental unit but cannot reside in it while being assisted, except in the case when the tenant owns the mobile home and leases the pad. A family may lease in and have an interest in a cooperative housing development.

The HACC may not permit a voucher holder to lease a unit, which is receiving project-based Section 8 assistance or any duplicative rental subsidies.

C. LEASE REVIEW [24 CFR 982.308]

The HACC will review the lease, particularly noting the approvability of optional charges and compliance with regulations and state and local law. The tenant also must have legal capacity to enter a lease under state and local law. Responsibility for utilities, appliances and optional services must correspond to those provided on the on the Request For Tenancy Approval.

The family and owner must submit a standard form of lease used in the locality by the owner and that is generally used for other unassisted tenants in the premises. The terms and conditions of the lease must be consistent with state and local law.

The lease must specify:

The names of the owner and tenant, and

The address of the unit rented (including apartment number, if any), and

The amount of the monthly rent to owner, and

The utilities and appliances to be supplied by the owner, and

The utilities and appliances to be supplied by the family.

The HUD prescribed tenancy addendum must be included in the lease word-for-word before the lease is executed.

Effective September 15, 2000, the owner's lease must include the Lead Warning Statement and disclosure information required by 24 CFR 35.92(b).

The lease must provide that drug-related criminal activity engaged in by the tenant, any household member, or any guest on or near the premises, or any person under the tenant's control on the premises is grounds to terminate tenancy.

The lease must also provide that owner may evict family when the owner determines that:

Any household member is illegally using a drug; or

A pattern of illegal use of drug by any household member interferes with the health, safety or right to peaceful enjoyment of the premises by other residents.

Attachment nj010m01

The lease must provide that the following types of criminal activity by a "covered person" are grounds to terminate tenancy:

Any criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises by other residents (including property management staff residing on the premises);

Any criminal activity that threatens the health, safety or right to peaceful enjoyment of their residences by persons residing in the immediate vicinity of the premises; or

Any violent criminal activity on or near the premises by a tenant, household member, or guest; or

Any violent criminal activity on the premises by any other person under the tenant's control.

The lease must provide that the owner may terminate tenancy if a tenant is:

Fleeing to avoid prosecution or custody or confinement after conviction for a crime, or attempt to commit a crime, that is a felony under the laws of the place from which the individual flees (high misdemeanor in NJ); or

Violating a condition of probation or parole imposed under Federal or State law.

House Rules of the owner may be attached to the lease as an addendum, provided they are approved by the HACC to ensure they do not violate any fair housing provisions and do not conflict with the tenancy addendum.

Actions Before Lease Term

All of the following must always be completed before the beginning of the initial term of the lease for a unit:

The HACC has inspected the unit and has determined that the unit satisfies the HQS;

The HACC has determined that the rent charged by the owner is reasonable;

The landlord and the tenant have executed the lease, including the HUD-prescribed tenancy addendum;

The HACC has approved leasing of the unit in accordance with program requirements;

When the gross rent exceeds the applicable payment standard for the family, the HACC must determine that the family share (total family contribution) will not be more than 40% of the family's monthly adjusted income.

D. SEPARATE AGREEMENTS

Separate agreements are not necessarily illegal side agreements. Families and owners will be advised of the prohibition of illegal side payments for additional rent, or for items normally included in the rent of unassisted families, or for items not shown on the approved lease.

The family is not liable under the lease for unpaid charges for items covered by separate agreements and nonpayment of these agreements cannot be cause for eviction.

Owners and families may execute separate agreements for services, appliances (other than range and refrigerator) and other items that are not included in the lease if the agreement is in writing and approved by the HACC.

Any appliances, services or other items, which are routinely provided to unassisted families as part of the lease (such as air conditioning, dishwasher or garage) or are permanently installed in the unit, cannot be put under separate agreement and must be included in the lease. For there to be a separate agreement, the family must have the option of not utilizing the service, appliance or other item.

If the family and owner have come to a written agreement on the amount of allowable charges for a specific item, so long as those charges are reasonable and not a substitute for higher rent, they will be allowed.

All agreements for special items or services must be attached to the lease approved by the HACC. If agreements are entered into at a later date, they must be approved by the HACC and attached to the lease.

The HACC will not approve separate agreements for modifications to the unit for persons with disabilities. The modifications are usually within the dwelling and are critical to the use of the dwelling.

E. INITIAL INSPECTIONS [24 CFR 982.305(a) & (b)]

See "Housing Quality Standards and Inspections" chapter of this Administrative Plan.

F. RENT LIMITATIONS [24 CFR 982.507]

The HACC will make a determination as to the reasonableness of the proposed rent in relation to comparable units available for lease on the private unassisted market, and the rent charged by the owner for a comparable unassisted unit in the building or premises.

By accepting each monthly housing assistance payment from the HACC, the owner certifies that the rent to owner is not more than rent charged by the owner for comparable unassisted units in the premises. The owner is required to provide the HACC with information requested on rents charged by the owner on the premises or elsewhere.

At all times during the tenancy, the rent to owner may not be more than the most current reasonable rent as determined by the HACC.

G. DISAPPROVAL OF PROPOSED RENT [24 CFR 982.502]

In any of the programs, if the proposed gross rent is not reasonable, at the family's request, the HACC will negotiate with the owner to reduce the rent to a reasonable rent. If the rent is not affordable because the family share would be more than 40% of the family's monthly adjusted income, the HACC will negotiate with the owner to reduce the rent to an affordable rent for the family.

At the family's request, the HACC will negotiate with the owner to reduce the rent or include some or all of the utilities in the rent to owner.

If the rent can be approved after negotiations with the owner, the HACC will continue processing the Request for Tenancy Approval and lease. If the revised rent involves a change in the provision of utilities, a new Request for Tenancy Approval must be submitted by the owner.

If the owner does not agree on the rent to owner after the HACC has tried and failed to negotiate a revised rent, the HACC will inform the family and owner that the lease is disapproved.

H. INFORMATION TO OWNERS [24 CFR 982.307(b), 982.54(d)(7)]

In accordance with HUD requirements, the HACC will furnish prospective owners with the family's current address as shown in the HACC's records and, if known to the HACC, the name and address of the landlord at the family's current and prior address.

The HACC will make an exception to this requirement if the family's whereabouts must be protected due to domestic abuse or witness protection.

The HACC will inform owners that it is the responsibility of the landlord to determine the suitability of prospective tenants. Owners will be encouraged to screen applicants for rent payment history, payment of utility bills, eviction history, respecting the rights of other residents, damage to units, drug-related criminal activity or other criminal activity that is a threat to the health, safety or property of others, and compliance with other essential conditions of tenancy.

A statement of the HACC's policy on release of information to prospective landlords will be included in the briefing packet, which is provided to the family.

The HACC will provide documented information regarding tenancy history for the past five years to prospective landlords

The HACC will furnish prospective owners with information about the family's rental history, or any history of drug trafficking.

Attachment nj010m01

The HACC will provide the following information, based on documentation in its possession:

Eviction history

Damage to rental units

Other aspects of tenancy history [specify]

Drug trafficking by family members

The information will be provided for the last five years.

The information will be provided orally.

Only the Executive Director, Director or Assistant Director of Section 8 may provide this information. The HACC's policy on providing information to owners is included in the briefing packet and will apply uniformly to all families and owners.

Attachment nj010m01

I. OWNER DISAPPROVAL [24 CFR 982.306]

See chapter on “Owner Disapproval and Restriction.”

J. CHANGE IN TOTAL TENANT PAYMENT (TTP) PRIOR TO HAP EFFECTIVE DATE

When the family reports changes in factors that will affect the total family share prior to the effective date of the HAP contract at admission, the information will be verified and the total family share will be recalculated. If the family does not report any change, the HACC need not obtain new verifications before signing the HAP contract, even if verifications are more than 60 days old.

K. CONTRACT EXECUTION PROCESS [24 CFR 982.305(c)]

The HACC prepares the Housing Assistance Contract and lease for execution. The family and the owner will execute the lease agreement, and the owner and the HACC will execute the HAP contract. Copies of the documents will be furnished to the parties who signed the respective documents. The HACC will retain a copy of all signed documents.

The HACC makes every effort to execute the HAP contract before the commencement of the lease term. The HAP contract may not be executed more than 60 days after commencement of the lease term and no payments will be made until the contract is executed.

The following HACC representative(s) is/are authorized to execute a contract on behalf of the PHA: Executive Director, Director or Assistant Director of Section 8, Housing Specialists.

Owners must provide the current address of their residence (not a Post Office box). If families lease properties owned by relatives, the owner's current address will be compared to the subsidized unit's address.

Owners must provide an employer identification number or social security number and a copy of their driver's license or other photo identification.

Owners must also submit proof of ownership of the property, such as a grant deed or tax bill, and a copy of the management agreement if the property is managed by a management agent.

The owner must provide a home telephone number and business number if applicable.

Unless their lease was effective prior to June 17, 1998, a family may not lease properties owned by a parent, child, grandparent, grandchild, sister or brother of any family member. The HACC will waive this restriction as a reasonable accommodation for a family member who is a person with a disability.

L. CHANGE IN OWNERSHIP

See "Owner Disapproval and Restriction" chapter.

Chapter 10
HOUSING QUALITY STANDARDS AND INSPECTIONS
[24 CFR 982.401]

INTRODUCTION

Housing Quality Standards (HQS) are the HUD minimum quality standards for tenant-based programs. HQS standards are required both at initial occupancy and during the term of the lease. HQS standards apply to the building and premises, as well as the unit. Newly leased units must pass the HQS inspection before the beginning date of the assisted lease and HAP contract.

The PHA will inspect each unit under contract at least annually. The PHA also has an inspection supervisor perform quality control inspections on the number of files required for file sampling by SEMAP annually to maintain the PHA's required standards and to assure consistency in the PHA's program. This chapter describes the PHA's procedures for performing HQS and other types of inspections, and PHA standards for the timeliness of repairs. It also explains the responsibilities of the owner and family, and the consequences of non-compliance with HQS requirements for both families and owners. The use of the term "HQS" in this Administrative Plan refers to the combination of both HUD and PHA requirements. (See additions to HQS).

A. GUIDELINES/TYPES OF INSPECTIONS [24 CFR 982.401(a), 982.405]

*** The PHA has adopted local requirements of acceptability in addition to those mandated by the HUD Regulations.**

*** All units must meet the minimum standards set forth in the [name of jurisdiction's] Building/Housing Code. In cases of inconsistency between the Code and these HQS, the stricter of the two shall prevail.**

Efforts will be made at all times to encourage owners to provide housing above HQS minimum standards. The PHA will not promote any additional acceptability criteria which is likely to adversely affect the health or safety of participant families, or severely restrict housing choice.

*** All utilities must be in service prior to the [effective date of the HAP contract] [inspection].**

If the utilities are not in service at the time of inspection, the inspector will notify the tenant or owner (whomever is responsible for the utilities according to the RFTA) to have the utilities turned on. [The inspector will schedule a reinspection./The owner and tenant will both certify that the utilities are on.]

*** If the tenant is responsible for supplying the stove and/or the refrigerator, the PHA will allow the stove and refrigerator to be placed in the unit after the unit has passed all other HQS.** [The family must then certify that the appliances are in the unit and working]. **The PHA [will/will not] conduct a reinspection.**

There are five types of inspections the PHA will perform:

1. Initial/Move-in: Conducted upon receipt of Request for Tenancy Approval.
2. Annual: Must be conducted within twelve months of the last annual inspection.
3. Move-Out/Vacate (for pre 10/2/95 contracts where there could be damage claims)
4. Special/Complaint: At request of owner, family or an agency or third-party.
5. Quality Control

B. INITIAL HQS INSPECTION [24 CFR 982.401(a), 982.305(b)(2)]

Timely Initial HQS Inspection

INSTRUCTION: Select if the PHA has up to 1250 budgeted units in its tenant-based program.

The PHA will inspect the unit, determine whether the unit satisfies the HQS and notify the family and owner of the determination within **[specify number no more than 15]** days after the family and the owner have submitted a request for tenancy approval.

The same **[specify number-]** day clock will be suspended during any period when the unit is not available for inspection.

The PHA will include “date unit available for inspection” on the RFTA form. This date will determine whether the PHA will be required to meet the same **[specify number]-**day requirement or whether the PHA will suspend the same **[specify number]-**day period because the unit is not available for inspection until after the same **[specify number]-**day period.

*** For file audit purposes, the PHA will note in each tenant file, the date on which the unit first became available for inspection according to information obtained from the RFTA.**

INSTRUCTION: Select if the PHA has more than 1250 budgeted units in its tenant-based program.

The PHA will inspect the unit, determine whether the unit satisfies the HQS and notify the family and owner of the determination within 15 days unless the **[PHA] [HQS Supervisor/other title]** determines that it is unable to do so in the stated timeframe, in which case the file will be appropriately documented.

*** The PHA will make every reasonable effort to conduct initial HQS inspections for the family and owner in a manner that is time efficient and indicative of good customer service.**

*** The PHA will [periodically] [conduct a quarterly/semiannual] review of the average time required for a family and owner to have a unit inspected from the time the RFTA is submitted by the family and owner to the PHA.**

*** If the PHA determines after a [quarterly/semiannual] review of files that the average time for a family and owner to obtain an initial inspection is longer than 15 days, the PHA will review staffing needs relevant to HQS inspection.**

Attachment nj010m01

The Initial Inspection will be conducted to:

Determine if the unit and property meet the HQS defined in this Plan.

Document the current condition of the unit as to assist in future evaluations whether the condition of the unit exceeds normal wear and tear.

Document the information to be used for determination of rent-reasonableness.

If the unit fails the initial Housing Quality Standards inspection, the **[family and]** owner will be advised to notify the PHA once repairs are completed.

On an initial inspection, the owner will be given up to **[specify number]** days to correct the items noted as Fail, at the inspector's discretion, depending on the amount and complexity of work to be done.

The owner will be allowed up to **[specify number of]** reinspections for repair work to be completed.

If the time period given by the inspector to correct the repairs has elapsed, or the maximum number of failed reinspections has occurred, the family must select another unit.

C. ANNUAL HQS INSPECTIONS [24 CFR 982.405(a)]

The PHA conducts an inspection in accordance with Housing Quality Standards at least annually, [specify number of] days prior to the last annual inspection, so that the inspections are conducted at least annually, as required by SEMAP. Special inspections may be scheduled between anniversary dates.

HQS deficiencies which cause a unit to fail must be corrected by the landlord unless it is a fail for which the tenant is responsible.

The family must allow the PHA to inspect the unit at reasonable times with reasonable notice. [24 CFR 982.551(d)]

***Inspections will be conducted on business days only.**

***Reasonable hours to conduct an inspection are between [insert time] a.m. and [insert time] p.m.**

*** The PHA will notify the family in writing or by phone at least [specify number of] days prior to the inspection.**

Inspection: The family [and owner] [is/are] notified of the date and time of the inspection appointment by mail [or phone]. If the family is unable to be present, they must reschedule the appointment so that the inspection is completed within [specify number of] days.

If the family does not contact the PHA to reschedule the inspection, or if the family misses [specify number of] inspection appointments, the PHA will consider the family to have violated a Family Obligation and their assistance will be terminated in accordance with the termination procedures in the Plan. * The family will be allowed to miss [specify number] appointments without violating a family obligation.

Attachment nj010m01

* **Reinspection:** The family and owner are provided a notice of the inspection appointment by mail. If the family is not at home for the reinspection appointment, a card will be left at the unit and another appointment is automatically scheduled. The appointment letter contains a warning of abatement (in the case of owner responsibility), and a notice of the owner's responsibility to notify the family.

* The family is also notified that it is a Family Obligation to allow the PHA to inspect the unit. If the family was responsible for a breach of HQS identified in the "Denial or Termination of Assistance" chapter of this Administrative Plan, they will be advised of their responsibility to correct.

Time Standards for Repairs

Emergency items which endanger the family's health or safety must be corrected by the owner within 24 hours of notification. (See Emergency Repair Items section.)

For non-emergency items, repairs must be made within 30 days.

For major repairs, the [title] may approve an extension beyond 30 days.

Rent Increases

Rent to owner increases may not be approved if the unit is in a failed condition.

D. SPECIAL/COMPLAINT INSPECTIONS [24 CFR 982.405(c)]

If at any time the family or owner notifies the PHA that the unit does not meet Housing Quality Standards, the PHA will conduct an inspection.

***The PHA may also conduct a special inspection based on information from third parties such as neighbors or public officials.**

The PHA will inspect only the items which were reported, but if the inspector notices additional deficiencies that would cause the unit to fail HQS, the responsible party will be required to make the necessary repairs.

If the annual inspection date is within 120 days of a special inspection, and as long as all items are inspected that are included in an annual inspection, the special inspection will be categorized as annual and all annual procedures will be followed.

E. QUALITY CONTROL INSPECTIONS [24 CFR 982.405(b)]

Quality Control inspections will be performed by the [title(s)] on the number of files required by SEMAP. The purpose of Quality Control inspections is to ascertain that each inspector is conducting accurate and complete inspections, and to ensure that there is consistency among inspectors in application of the HQS.

The sampling of files will include recently completed inspections (within the prior 3 months), a cross-section of neighborhoods, and a cross-section of inspectors.

F. ACCEPTABILITY CRITERIA AND EXCEPTIONS TO HQS [24 CFR 982.401 (a)]

The PHA adheres to the acceptability criteria in the program regulations [**and local codes**] [**with the additions described below**].

* **Local Codes** [24 CFR 982.401(a)(4)]

INSTRUCTION: If you wish to enter local codes, enter them here. The following are samples of additions that other PHAs have added to their plans. Any other reasonable standard may be added as long as it does not unduly restrict the housing stock available to participant families.

Additions

Walls:

- * **In areas where plaster or drywall is sagging, severely cracked or otherwise damaged, it must be repaired or replaced.**
- * **Any exterior or interior surfaces with peeling or chipping paint must be scraped and painted with two coats of unleaded paint or other suitable material.**

Windows:

- * **All window sashes must be in good condition, solid and intact, and fit properly in the window frame. Damaged or deteriorated sashes must be replaced.**
- * **Windows must be weatherstripped as needed to ensure a watertight seal.**
- * **Window screens must be in good condition. (Applies only if screens are present)**
- * **Any room for sleeping must have a window.**

Doors:

- * **All exterior doors must be weather-tight to avoid any air or water infiltration, be lockable, have no holes, have all trim intact, and have a threshold.**
- * **All interior doors must have no holes, have all trim intact, and be openable without the use of a key.**

Floors:

- * **All wood floors must be sanded to a smooth surface and sealed. Any loose or warped boards must be resecured and made level. If they cannot be leveled, they must be replaced.**
- * **All floors must be in a finished state (no plywood).**
- * **All floors should have some type of baseshoe, trim, or sealing for a "finished look." Vinyl baseshoe may be used for kitchens and bathrooms.**

Sinks:

- * **All sinks and commode water lines must have shut off valves, unless faucets are wall mounted.**
- * **All worn or cracked toilet seats and tank lids must be replaced and toilet tank lid must fit properly.**
- * **All sinks must have functioning stoppers.**

Security:

- * **If window security bars or security screens are present on emergency exit window, they must be equipped with a quick release system. The owner is responsible for ensuring that the family is instructed on the use of the quick release system.**
- * **Owners are responsible for providing and replacing old batteries for battery powered units. Tenants will be instructed not to tamper with smoke detectors or remove batteries.**

Bedrooms:

- * **Bedrooms in basements or attics are not allowed unless they meet local code requirements and must have adequate ventilation and emergency exit capability.**
- * **Minimum bedroom ceiling height is 7'6" or local code, whichever is greater. Sloping ceilings may not slope to lower than five feet in the 70 square foot area.**

Attachment nj010m01

Modifications

*** Modifications or adaptations to a unit due to a disability must meet all applicable HQS and building codes.**

Extension for repair items not required by HQS will be granted for modifications/adaptations to the unit if agreed to by the tenant and landlord. PHA will allow execution of the HAP contract if unit meets all requirements and the modifications do not affect the livability of the unit.

G. EMERGENCY REPAIR ITEMS [24 CFR 982.404(a)]

The following items are considered of an emergency nature and must be corrected by the owner or tenant (whoever is responsible) within 24 hours of notice by the inspector:

INSTRUCTION: The following are examples of items that other PHAs have added to their plans.

- * **Lack of security for the unit**
- * **Waterlogged ceiling in imminent danger of falling**
- * **Major plumbing leaks or flooding**
- * **Natural gas leak or fumes**
- * **Electrical problem which could result in shock or fire**
- * **No heat when outside temperature is below [specify number] degrees Fahrenheit and temperature inside unit is below [specify number] degrees Fahrenheit.**
- * **Utilities not in service**
- * **No running hot water**
- * **Broken glass where someone could be injured**
- * **Obstacle which prevents tenant's entrance or exit**
- * **Lack of functioning toilet**

*** In those cases where there is leaking gas or potential of fire or other threat to public safety, and the responsible party cannot be notified or it is impossible to make the repair, proper authorities will be notified by the PHA.**

If the emergency repair item(s) are not corrected in the time period required by the PHA, and the owner is responsible, the housing assistance payment will be abated and the HAP contract will be terminated.

If the emergency repair item(s) are not corrected in the time period required by the PHA, and it is an HQS breach which is a family obligation, the PHA will terminate the assistance to the family.

Smoke Detectors

*** Inoperable smoke detectors are a serious health threat and will be treated by the PHA as an emergency (24 hour) fail item.**

*** If the smoke detector is not operating properly the PHA will contact the owner by phone and request the owner to repair the smoke detector within 24 hours. The PHA will reinspect the unit the following day.**

*** If the PHA determines that the family has purposely disconnected the smoke detector (by removing batteries or other means) , the family will be required to repair the smoke detector within 24 hours and the PHA will reinspect the unit the following day.**

*** The PHA will issue a written warning to any family determined to have purposely disconnected the unit's smoke detector. Warning will state that deliberate disconnection of the unit's smoke detector is a health and fire hazard and is considered a violation of the HQS.**

H. CONSEQUENCES IF OWNER IS RESPONSIBLE (NON-EMERGENCY ITEMS)

[24 CFR 982.405, 982.453]

When it has been determined that a unit on the program fails to meet Housing Quality Standards, and the owner is responsible for completing the necessary repair(s) in the time period specified by the PHA, the assistance payment to the owner will be **[abated/reduced]**.

Abatement

A Notice of Abatement will be sent to the owner, and the abatement will be effective from the day after the date of the failed inspection. The notice is generally for **[specify number of]** days, depending on the nature of the repair(s) needed.

The PHA will inspect abated units within **[specify number of]** days of the owner's notification that the work has been completed.

If the owner makes repairs during the abatement period, payment will resume on the day the unit passes inspection.

*** The PHA will advise owners of their responsibility to notify the tenant of when the reinspection will take place.**

*** The family will be notified of the reinspection date and requested to inform the owner.**

No retroactive payments will be made to the owner for the period of time the rent was abated and the unit did not comply with HQS. *** The notice of abatement states that the tenant is not responsible for the PHA's portion of rent that is abated.**

*** Reduction of Payments**

*** The PHA will [reduce payments/grant an extension] in lieu of abatement in the following cases:**

- * The owner has a good history of HQS compliance.**
 - * The failed items are minor in nature.**
 - * There is an unavoidable delay in completing repairs due to difficulties in obtaining parts or contracting for services.**
 - * The owner makes a good faith effort to make the repairs.**
 - * The repairs are expensive (such as exterior painting or roof repair) and the owner needs time to obtain the funds.**
 - * The repairs must be delayed due to climate conditions.**
- * The [extension/reduction] will be made for a period of time not to exceed [specify number of] days. At the end of that time, [At the PHA's discretion,] if the work is not completed [or substantially completed], the PHA will begin the [abatement/termination of assistance]**

Termination of Contract

If the owner is responsible for repairs, and fails to correct all the deficiencies cited prior to the end of the abatement period, the owner will be sent a HAP Contract Proposed Termination Notice. Prior to the effective date of the termination, the abatement will remain in effect. If repairs are completed before the effective termination date, the termination **[will/may]** be rescinded by the PHA if the tenant chooses to remain in the unit. **[Only one][No more than ___]** Housing Quality Standards inspections will be conducted after the termination notice is issued.

I. DETERMINATION OF RESPONSIBILITY [24 CFR 982.404, 982.54(d)(14)]

Certain HQS deficiencies are considered the responsibility of the family:

- Tenant-paid utilities not in service
- Failure to provide or maintain family-supplied appliances
- Damage to the unit or premises caused by a household member or guest beyond normal wear and tear

*** "Normal wear and tear" is defined as items which could not be charged against the tenant's security deposit under state law or court practice.**

The owner is responsible for all other HQS violations.

The owner is responsible for vermin infestation even if caused by the family's living habits. However, if such infestation is serious and repeated, it may be considered a lease violation and the owner may evict for serious or repeated violation of the lease. The PHA may terminate the family's assistance on that basis.

*** The inspector will make a determination of owner or family responsibility during the inspection. * The owner or tenant may appeal this determination to a mediator within [specify number of] days of the inspection.**

*** If the family is responsible but the owner carries out the repairs, the owner will be encouraged to bill the family for the cost of the repairs and the family's file will be noted.**

J. CONSEQUENCES IF FAMILY IS RESPONSIBLE [24 CFR 982.404(b)]

INSTRUCTION: Timeframe should be the same as that the PHA gives to owners.

If emergency or non-emergency violations of HQS are determined to be the responsibility of the family, the PHA will require the family make any repair(s) or corrections within **[insert same number as for owner fails]** of days. If the repair(s) or correction(s) are not made in this time period, the PHA will terminate assistance to the family, after providing an opportunity for an informal hearing. Extensions in these cases must be approved by **[titles]**. The owner's rent will not be abated for items which are the family's responsibility.

If the tenant is responsible and corrections are not made, the HAP contract will terminate when assistance is terminated.

Chapter 11

OWNER RENTS, RENT REASONABLENESS, AND PAYMENT STANDARDS

[24 CFR 982.502, 982.503, 982.504, 982.505, 982.507]

INTRODUCTION

The policies in this chapter reflect the amendments to the HUD regulations, which were implemented by the Quality Housing and Work Responsibility Act of 1998 for the Section 8 Tenant-Based Assistance Program. These amendments became effective on October 1, 1999, which is referred to as the "merger date". These amendments complete the merging of the Section 8 Certificate and Voucher Programs into one program, called the Housing Choice Voucher Program.

All Section 8 participant families have been transitioned to the Housing Choice Voucher Program on or before October 1, 2001. Rent calculation methods for the Housing Choice Voucher Program are described at 24 CFR 982.505. The rent calculation formula is specific and is not subject to interpretation.

The HACC will determine rent reasonableness in accordance with 24 CFR 982.507(a). It is the HACC's responsibility to ensure that the rents charged by owners are reasonable based upon unassisted comparables in the rental market, using the criteria specified in 24 CFR 982.507(b).

This chapter explains the HACC's procedures for determination of rent-reasonableness, payments to owners, adjustments to the payment standards, and rent adjustments.

A. RENT TO OWNER IN THE HOUSING CHOICE VOUCHER PROGRAM

The rent to owner is limited only by rent reasonableness. The HACC must demonstrate that the rent to owner is reasonable in comparison to rent for other comparable unassisted units.

The only other limitation on rent to owner is the maximum rent standard at initial occupancy (24 CFR 982.508). At the time a family initially receives tenant-based assistance for occupancy of a dwelling unit, whether it is a new admission or a move to a different unit, if the gross rent for the unit exceeds the applicable payment standard for the family, the family share may not exceed 40 percent of the family's monthly adjusted income.

Attachment nj010m01

During the initial term of the lease, the owner may not raise the rent to owner.

B. MAKING PAYMENTS TO OWNERS [24 CFR 982.451]

Once the HAP contract is executed, the HACC begins processing payments to the landlord. A HAP Register will be used as a basis for monitoring the accuracy and timeliness of payments. Changes are made automatically to the HAP Register for the following month. Checks are disbursed by Finance to the owner each month. Checks may not be picked up by owner at the HACC. Checks will only be disbursed on the first of the month. Exceptions may be made with the approval of Executive Director in cases of hardship.

Checks that are not received will not be replaced until a written request has been received from the payee and a stop payment has been put on the check.

Excess Payments

The total of rent paid by the tenant plus the HACC housing assistance payment to the owner may not be more than the rent to owner. The owner must immediately return any excess payment to the HACC.

Owners who do not return excess payments will be subject to penalties as outlined in the "Owner or Family Debts to the HACC" chapter of this Administrative Plan.

Late Payments to Owners

It is a local business practice in Camden County for property managers and owners to charge tenants a reasonable late fee for rents not received by the owner or property manager by the due date, notwithstanding any grace period which is typically 5 days past the first of the month.

Therefore, in keeping with generally accepted practices in the local housing market, the HACC must make housing assistance payments to the owner promptly and in accordance with the HAP contract.

Attachment nj010m01

Proof of "Mailed to" date will be the:

date the HAP Register was run

date of receipt of mailing from the Post Office

Proof of "Received by Owner" will be:

5 calendar days after date of mailing by HACC

To assist the HACC in its outreach efforts to owners, and to provide better customer service, the HACC will offer to make automatic monthly HAP deposits into the bank account of the owner. If the owner agree, to such an arrangement with the HACC, the date the bank shows as the deposit date, will be the official date of record and will be the determining factor in cases involving late payment penalties.

The HACC will not be obligated to pay any late payment penalty if HUD determines that late payment is due to factors beyond the HACC's control, such as a delay in the receipt of program funds from HUD. The HACC will use administrative fee income or the administrative fee reserve as its only source for late payment penalty.

The HACC will not use any program funds for the payment of late fee penalties to the owner.

C. RENT REASONABLENESS DETERMINATIONS [24 CFR 982.507]

The HACC will determine and document on a case-by case basis that the approved rent is reasonable in comparison to rent for other comparable unassisted units in the market. This applies to all programs.

The HACC will not approve a lease until the PHA determines that the initial rent to owner is a reasonable rent. The HACC must re-determine the reasonable rent before any increase in the rent to owner, and if there is a five percent decrease in the published FMR in effect 60 days before the contract anniversary (for the unit size rented by the family) as compared with the FMR in effect one year before the contract anniversary.

The HACC must redetermine rent reasonableness if directed by HUD and based on a need identified by the HACC's auditing system. The HACC may elect to redetermine rent reasonableness at any other time. At all times during the assisted tenancy, the rent to owner may not exceed the reasonable rent as most recently determined or redetermined by the HACC.

The owner will be advised that by accepting each monthly housing assistance payment s/he will be certifying that the rent to owner is not more than rent charged by the owner for comparable unassisted units in the premises.

If requested, the owner must give the HACC information on rents charged by the owner for other units in the premises or elsewhere. The HACC will only request information on the owner's units elsewhere if the HACC has cause to demonstrate that the owner has a tendency to charge higher rents to program participants or if needed for rent reasonableness comparables.

The data for other unassisted units will be gathered from [newspapers, Realtors, professional associations, inquiries of owners, market surveys, and other available sources].

The market areas for rent reasonableness are [zip codes/subdivisions/census tracts/neighborhoods] within the HACC's jurisdiction. Subject units within a defined housing market area will be compared to similar units within the same area.

Attachment nj010m01

The following items will be used for rent reasonableness documentation:

Size (number of Bedrooms/square footage)

Location

Quality

Amenities (bathrooms, dishwasher, air conditioning, etc.)

Housing Services

Age of unit

Unit Type

Maintenance

Utilities

Rent Reasonableness Methodology

The HACC utilizes a rent reasonableness system, which includes and defines the HUD factors listed above. The system has a total point count, which is divided into rating categories.

Information is gathered on rental units in the HACC market area, and each unit is rated, using the HACC's rent reasonableness system. Using an automated method, the average rents are identified for units of like size and type within the same market area. Each defined factor of the items listed above on the unit to be assisted will be compared, using a point adjustment system, to those factors of comparable unassisted units in the database. The average will be adjusted up or down based on the dollar value of all HUD required comparable items in comparison with the total database.

The HACC uses an "appraisal" method and tests the subject unit against selected units in the same area with similar characteristics. Adjustments are made for favorable and unfavorable differences between the subject unit and the comparables. Each of the HUD factors is given a dollar value.

The HACC uses a "standard deviation" method and uses automation to identify the average rent for units of like size and type within the same market area. The average is adjusted up or down based on the dollar value of all HUD required comparable items.

The HACC maintains an automated database, which includes data on unassisted units for use by staff in making rent reasonableness determinations. The data is updated annually and/or on an ongoing basis as needed.

D. PAYMENT STANDARDS FOR THE VOUCHER PROGRAM [24 CFR 982.503]

The Payment Standard is used to calculate the housing assistance payment for a family. In accordance with HUD regulation, and at the HACC's discretion, the Voucher Payment Standard amount is set by the HACC between 90 percent and 110 percent of the HUD published FMR. This is considered the basic range. The HACC reviews the appropriateness of the Payment Standard annually when the FMR is published. In determining whether a change is needed, the HACC will ensure that the Payment Standard is always within the range of 90 percent to 110 percent of the new FMR, unless an exception payment standard has been approved by HUD.

The HACC will establish a single voucher payment standard amount for each FMR area in the HACC jurisdiction. For each FMR area, the HACC will establish payment standard amounts for each "unit size". The HACC may have a higher payment standard within the HACC's jurisdiction if needed to expand housing opportunities outside areas of minority or poverty concentration, as long as the payment standard is within the 90-110% of FMR range.

The HACC may approve a higher payment standard within the basic range, if required as a reasonable accommodation for a family that includes a person with disabilities.

E. ADJUSTMENTS TO PAYMENT STANDARDS [24 CFR 982.503]

Payment Standards may be adjusted, within HUD regulatory limitations, to increase Housing Assistance Payments in order to keep families' rents affordable. The HACC will not raise Payment Standards solely to make "high end" units available to Voucher holders. The HACC may use some or all of the measures below in making its determination whether an adjustment should be made to the Payment Standards.

Assisted Families' Rent Burdens

The HACC will review its voucher payment standard amounts at least annually to determine whether more than 40 percent of families in a particular unit size are paying more than 30% of their annual adjusted income for rent.

If it is determined that particular unit sizes in the HACC's jurisdiction have payment standard amounts that are creating rent burdens for families, the HACC will modify its payment standards for those particular unit sizes.

The HACC will increase its payment standard within the basic range for those particular unit sizes to help reduce the percentage of annual income that participant families in the HACC's jurisdiction are paying.

The HACC will establish a separate voucher payment standard, within the basic range, for designated parts its jurisdiction if it determines that a higher payment standard is needed in these designated areas to provide families with quality housing choices and to give families an opportunity to move outside areas of high poverty and low income.

Quality of Units Selected

The HACC will review the quality of units selected by participant families when making the determination of the percent of income families are paying for housing, to ensure that Payment Standard increases are only made when needed to reach the mid-range of the market.

HACC Decision Point

The HACC will review the average percent of income of families on the program. If more than (percent – 25%) of families are paying more than 30% of monthly adjusted income, the HACC will determine whether there is a difference by voucher size, whether families are renting units larger than their voucher size, and whether families are renting units which exceed HUD's HQS and any additional standards added by the HACC in the Administrative Plan.

If families are paying more than 30% of their income for rent due to the selection of larger bedroom size units or luxury units, the HACC may decline to increase the payment standard. If these are not the primary factors for families paying higher rents, the HACC will continue increasing the payment standard.

Rent to Owner Increases

The HACC may review a sample of the units to determine how often owners are increasing rents and the average percent of increase by bedroom size.

Time to Locate Housing

The HACC may consider the average time period for families to lease up under the Voucher program. If more than 10% of Voucher holders are unable to locate suitable housing within the term of the voucher and the HACC determines that this is due to 20% of rents in the jurisdiction being unaffordable for families even with the presence of a voucher the Payment Standard may be adjusted.

Lowering of the Payment Standard

Lowering of the FMR may require an adjustment of the Payment Standard. Additionally, statistical analysis may reveal that the Payment Standard should be lowered. In any case, the Payment Standard will not be set below 90 percent of the FMR without authorization from HUD.

Attachment nj010m01

Financial Feasibility

Before increasing the Payment Standard, the HACC may review the budget to determine the impact projected subsidy increases would have on funding available for the program and number of families served.

For this purpose, the HACC will compare the number of families who could be served under a higher Payment Standard with the number assisted under current Payment Standards.

File Documentation

A file will be retained by the HACC for at least three years to document the analysis and findings to justify whether or not the Payment Standard was changed.

F. EXCEPTION PAYMENT STANDARDS

If the dwelling unit is located in an exception area, the HACC must use the appropriate payment standard amount established by the HACC for the exception area in accordance with regulation at 24 CFR 982.503(c).

The HACC has received HUD approval to establish a payment standard amount that is higher Lower than the basic range.

HUD has authorized the HACC to establish a payment standard of 110% and for all unit sizes in Camden County HACC jurisdiction]. This is referred to by HUD as the upper range.

To prevent financial hardship for families, and increase housing choice opportunities, the HACC has requested and received approval from the Assistant Secretary of Public and Indian Housing to establish an exception payment standard up to 110% of FMR.

G. OWNER PAYMENT IN THE HOUSING CHOICE VOUCHER PROGRAM
(24 CFR 982.308(g))

The owner is required to notify the HACC, in writing, at least sixty days before any change in the amount of rent to owner is scheduled to go into effect. Any requested change in rent to owner will be subject to rent reasonableness requirements. See 24 CFR 982.503.

Chapter 12

RECERTIFICATIONS

[24 CFR 982.516]

INTRODUCTION

In accordance with HUD requirements, the HACC will reexamine the income and household composition of all families at least annually. Families will be provided accurate annual and interim rent adjustments. Recertifications and interim examinations will be processed in a manner that ensures families are given reasonable notice of rent increases. All annual activities will be coordinated in accordance with HUD regulations. It is a HUD requirement that families report all changes in household composition. This Chapter defines the HACC's policy for conducting annual recertifications and coordinating annual activities. It also explains the interim reporting requirements for families, and the standards for timely reporting.

A. ANNUAL ACTIVITIES [24 CFR 982.516, 982.405]

There are two activities the HACC must conduct on an annual basis. These activities will be coordinated whenever possible:

Recertification of income and family composition

HQS inspection

The HACC produces a monthly listing of units under contract to ensure that timely reviews of housing quality and factors related to total tenant payment/family share can be made.

Reexamination of the family's income and composition must be conducted at least annually.

Annual inspections: See "Housing Quality Standards and Inspections" chapter.

Rent adjustments: See "Owner Rents, Rent Reasonableness and Payment Standards" chapter.

B. ANNUAL RECERTIFICATION/REEXAMINATION [24 CFR 982.516]

Families are required, to be re-certified at least annually.

Moves Between Reexaminations

When families move to another dwelling unit:

An annual re-certification will be scheduled (unless a recertification has occurred in the last sixty days and the anniversary date will be changed.

The anniversary date for the recertification will not be changed.

Income limits are not used as a test for continued eligibility at recertification.

Reexamination Notice to the Family

The HACC will maintain a reexamination tracking system and the household will be notified by mail of the date and time for their interview at least ninety days in advance of the anniversary date. If requested as an accommodation by a person with a disability, the HACC will provide the notice in an accessible format. The HACC will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities. These accommodations will be granted upon verification that they meet the need presented by the disability.

Procedure

The HACC's procedure for conducting annual recertifications will be:

Schedule the date and time of appointments and mail a notification to the family and owner

If family is unavailable on the scheduled date and time, they must contact the HACC at least 24 hours in advance via telephone, in person, or in writing to reschedule the appointment. If they fail to do so, the HACC will automatically schedule a second appointment. Failure to attend the second appointment will result in termination from the program.

Completion of Annual Recertification

The HACC will have all recertifications for families completed before the anniversary date. This includes notifying the family of any changes in rent at least 30 days before the scheduled date of the change in family rent.

Persons with Disabilities

Persons with disabilities who are unable to come to the HACC's office will be granted an accommodation by conducting the interview by mail, upon verification that the accommodation requested meets the need presented by the disability.

Attachment nj010m01

Collection of Information [24 CFR 982.516(f)]

The HACC has established appropriate recertification procedures necessary to ensure that the income data provided by families is complete and accurate.

The HACC will allow the family to complete the Application for Re-certification form. This form will be mailed with the appointment letter.

Requirements to Attend

The following family members will be required to attend the recertification interview:

The head of household

The head of household and spouse or co-head

All adult household members

If the head of household is unable to attend the interview:

The appointment will be rescheduled

Failure to Respond to Notification to Recertify

The written notification must state which family members are required to attend the interview. The family may call to request another appointment date up to five days prior to the interview.

If the family does not appear for the recertification interview, and has not rescheduled or made prior arrangements with the HACC, the HACC will reschedule a second appointment.

If the family fails to appear for the second appointment, and has not rescheduled or made prior arrangements, the HACC will:

Send family notice of termination and offer them an informal hearing

Exceptions to these policies may be made by the Executive Director, Director or Assistant Director of Section 8, if the family is able to document an emergency situation that prevented them from canceling or attending the appointment or if requested as a reasonable accommodation for a person with a disability.

Documents Required From the Family

In the notification letter to the family, the HACC will include instructions for the family to bring the following:

- Documentation of all assets
- Documentation of any deductions/allowances
- Application for Re-Certification form
- Income verifications/all family members

Verification of Information

The HACC will follow the verification procedures and guidelines described in this Plan. Verifications for reexaminations must be less than 90 days old.

Tenant Rent Increases

If tenant rent increases, a thirty day notice is mailed to the family prior to the scheduled effective date of the annual recertification.

If less than thirty days are remaining before the scheduled effective date of the annual recertification, the tenant rent increase will be effective on the first of the month following the thirty day notice.

If there has been a misrepresentation or a material omission by the family, or if the family causes a delay in the reexamination processing, there will be a retroactive increase in rent to the scheduled effective date of the annual recertification.

Tenant Rent Decreases

If tenant rent decreases, it will be effective on the anniversary date.

If the family causes a delay so that the processing of the reexamination is not complete by the anniversary date, rent change will be effective on the first day of the month following completion of the reexamination processing by the HACC.

Families Ineligible for Continued Assistance

If the annual re-examination results in a zero HAP, the family may continue as a program participant for six months from the date of the re-examination effective date. During that period the HAP contract between the HACC and the owner remains in effect. If the family circumstances change during the six-month period and the family again needs assistance, the HACC conducts an interim re-examination and reinstates assistance. At the end of six months, if the subsidy has not been restored, the HAP contract will terminate. The HACC must provide the family and the owners at least 30 days advance notification of the proposed termination and an opportunity to request an informal hearing.

C. REPORTING INTERIM CHANGES [24 CFR 982.516]

Program participants must report all changes in household composition to the HACC between annual reexaminations. This includes additions due to birth, adoption and court-awarded custody. The family must obtain HACC approval prior to all other additions to the household.

If any new family member is added, family income must include any income of the new family member. The HACC will conduct a reexamination to determine such additional income and will make the appropriate adjustments in the housing assistance payment and family unit size.

The U.S. citizenship/eligible immigrant status of additional family members must be declared and verified as required at the first interim or regular recertification after moving into the unit.

Increases in Income

INSTRUCTION: HUD permits PHAs to decide if increases in income and assets must be reported by the family, when increases must be reported, and whether or not interim adjustments will be done when there is an increase in income. Even if the PHA does not do interim adjustments when families have an increase in income, the PHA can still require families to report any increases.

Interim Reexamination Policy

The HACC will conduct interim reexaminations when families have an increase in income.

Families will be required to report all increases in income/assets within 30 days of the increase.

Families will be required to report increases in household income of more than \$75.00 per month.

Decreases in Income

Participants may report a decrease in income and other changes, which would reduce the amount of tenant rent, such as an increase in allowances or deductions. The HACC must calculate the change if a decrease in income is reported.

HACC Errors

If the HACC makes a calculation error at admission to the program or at an annual reexamination, an interim reexamination will be conducted, if necessary, to correct the error, but the family will not be charged retroactively. Families will be given decreases, when applicable, retroactive to when the decrease for the change would have been effective if calculated correctly.

D. OTHER INTERIM REPORTING ISSUES

An interim reexamination does not affect the date of the annual recertification.

An interim reexamination will be scheduled for families with zero income every 30 days.

If there is a change from benefit income to employment income, the HACC will defer the family's rent increase for six months or until the family's next annual re-certification, whichever comes first, in order to encourage families to move to self-sufficiency.

This incentive will only be provided once to any family member.

If the family member leaves the job without good cause after six months and before twelve months, the rent will be calculated retroactively to include the employment income.

This incentive is not provided to persons who work seasonally.

In the following circumstances, the HACC may conduct the interim recertification by mail:

Changes that will not result in a change in tenant rent or voucher size.

Changes in income, that are normal for the family, such as seasonal employment.

As a reasonable accommodation when requested. (See "Statement of Policies and Objectives" chapter)

Any changes reported by participants other than those listed in this section will be noted in the file by the staff person but will not be processed between regularly-scheduled annual recertifications.

E. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS [24 CFR 5.615]

The HACC will not reduce the family share of rent for families whose welfare assistance is reduced due to a "specified welfare benefit reduction," which is a reduction in benefits by the welfare agency specifically because of:

Fraud in connection with the welfare program, or

Non-compliance with a welfare agency requirement to participate in an economic self-sufficiency program.

However, the HACC will reduce the rent if the welfare assistance reduction is a result of:

The expiration of a lifetime time limit on receiving benefits, or

A situation where the family has complied with welfare program requirements but cannot or has not obtained employment, or

Definition of Covered Family

A household that receives benefits for welfare or public assistance from a State or public agency program which requires, as a condition of eligibility to receive assistance, the participation of a family member in an economic self-sufficiency program.

Definition of "Imputed Welfare Income"

The amount of annual income, not actually received by a family, as a result of a specified welfare benefit reduction, that is included in the family's income for purposes of determining rent.

The amount of imputed welfare income is determined by the HACC, based on written information supplied to the HACC by the welfare agency, including:

The amount of the benefit reduction

The term of the benefit reduction

The reason for the reduction

Subsequent changes in the term or amount of the benefit reduction

The family's annual income will include the imputed welfare income, as determined at the family's annual or interim reexamination, during the term of the welfare benefits reduction (as specified by the welfare agency).

The amount of imputed welfare income will be offset by the amount of additional income the family receives that commences after the sanction was imposed. When additional income from other sources is at least equal to the imputed welfare income, the imputed welfare income will be reduced to zero.

If the family was not an assisted resident when the welfare sanction began, imputed welfare income will not be included in annual income.

If the family claims the amount of imputed welfare income has been calculated incorrectly, the Housing Specialist will review the calculation for accuracy. If the imputed welfare income amount is correct, the HACC will provide a written notice to the family that includes:

A brief explanation of how the amount of imputed welfare income was determined;

A statement that the family may request an informal hearing if they do not agree with the HACC determination.

Verification Before Denying a Request to Reduce Rent

The HACC will obtain written verification from the welfare agency stating that the family's benefits have been reduced due to fraud or noncompliance with welfare agency economic self-sufficiency or work activities requirements *before* denying the family's request for rent reduction.

The HACC will rely on the welfare agency's written notice to the HACC regarding welfare sanctions.

Cooperation Agreements [24 CFR 5.613]

The HACC will execute a Memorandum of Understanding with the local welfare agency under which the welfare agency agrees:

To target public assistance benefits and services to participants in the HACC's Self-Sufficiency program;

To provide written verification to the HACC concerning welfare benefits for applicant and participant families, and specified reduction in welfare benefits for a family member, listing: amount of reduction; reason for reduction; term of reduction, and subsequent redetermination.

The HACC will rely on the welfare agency's written notice regarding the amount of specified benefit reduction.

The HACC will execute Memorandum of Understanding with the local welfare agency to ensure timely and accurate verification of noncompliance.

The HACC has taken a proactive approach to culminating an effective working relationship between the HACC and the local welfare agency for the purpose of targeting economic self-sufficiency programs throughout the community that are available to Section 8 tenant-based assistance families.

The HACC and the local welfare agency have mutually agreed to exchange information regarding any economic self-sufficiency and/or other appropriate programs or services that would benefit Section 8 tenant-based assistance families.

Family Dispute of Amount of Imputed Welfare Income

If the family disputes the amount of imputed income and the HACC denies the family's request to modify the amount, the HACC will provide the tenant with a notice of denial, which will include:

An explanation for the HACC's determination of the amount of imputed welfare income

A statement that the tenant may request an informal hearing.

A statement that the grievance information received from the welfare agency cannot be disputed at the informal hearing, and the issue to be examined at the informal hearing will be the HACC's determination of the amount of imputed welfare income, not the welfare agency's determination to sanction the welfare benefits.

Attachment nj010m01

F. NOTIFICATION OF RESULTS OF RECERTIFICATIONS [HUD Notice PIH 98-6]

The HUD Form 50058 will be completed and transmitted as required by HUD.

The Notice of Rent Change is mailed to the owner and the tenant. Signatures are not required by the HACC. If the family disagrees with the rent adjustment, they may request an informal hearing.

G. TIMELY REPORTING OF CHANGES IN INCOME (AND ASSETS)
[24 CFR 982.516(c)]

Standard for Timely Reporting of Changes

The HACC requires that families report interim changes to the HACC within 30 days of when the change occurs. Any information, document or signature needed from the family, which is needed to verify the change must be provided within 5 days of the change.

An exception will be made for TANF recipients who obtain employment. In such cases, families will have to report within 10 days of receipt of the Notice of Action from TANF that shows the full adjustment for employment income.

If the change is not reported within the required time period, or if the family fails to provide documentation or signatures, it will be considered untimely reporting.

Procedures when the Change is Reported in a Timely Manner

The HACC will notify the family and the owner of any change in the Housing Assistance Payment to be effective according to the following guidelines:

Increases in the Tenant Rent are effective on the first of the month following at least thirty days' notice.

Decreases in the Tenant Rent are effective the first of the month following that in which the change is reported. However, no rent reductions will be processed until all the facts have been verified, even if a retroactive adjustment results.

The change may be implemented based on documentation provided by the family, pending third-party written verification.

The change will not be made until the third party verification is received.

Procedures when the Change is Not Reported by the Family in a Timely Manner

If the family does not report the change as described under Timely Reporting, the family will have caused an unreasonable delay in the interim reexamination processing and the following guidelines will apply:

Increase in Tenant Rent will be effective retroactive to the date it would have been effective had it been reported on a timely basis. The family will be liable for any overpaid housing assistance and may be required to sign a Repayment Agreement or make a lump sum payment.

Decrease in Tenant Rent will be effective on the first of the month following the month that the change was reported.

Procedures when the Change is Not Processed by the HACC in a Timely Manner

"Processed in a timely manner", means that the change goes into effect on the date it should when the family reports the change in a timely manner. If the change cannot be made effective on that date, the change is not processed by the HACC in a timely manner.

In this case, an increase will be effective after the required thirty days' notice prior to the first of the month after completion of processing by the HACC.

If the change resulted in a decrease, the overpayment by the family will be calculated retroactively to the date it should have been effective, and the family will be credited for the amount.

H. CHANGES IN VOUCHER SIZE AS A RESULT OF FAMILY COMPOSITION CHANGES [24 CFR 982.516(c)]

(See "Subsidy Standards" chapter.)

I. CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES [24 CFR 5.518]

Under the Noncitizens Rule, "mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members.

The Noncitizens Rule was implemented on or after November 29, 1996, and mixed families may receive prorated assistance only.

The Noncitizens Rule was implemented prior to November 29, 1996, and "mixed" families who were participants as of June 19, 1995, shall continue receiving full assistance if they meet all of the following criteria:

The head of household or spouse is a U.S. citizen or has eligible immigrant status; AND

All members of the family other than the head, the spouse, parents of the head or the spouse, and children of the head or spouse are citizens or eligible immigrants. The family may change the head of household to qualify under this provision.

J. MISREPRESENTATION OF FAMILY CIRCUMSTANCES

If any participant deliberately misrepresents the information on which eligibility or tenant rent is established, the HACC may terminate assistance and may refer the family file/record to the proper authorities for appropriate disposition. (See Program Integrity Addendum.)

Chapter 13

MOVES WITH CONTINUED ASSISTANCE/PORTABILITY

[24 CFR 982.314, 982.353, 982.355(a)]

INTRODUCTION

HUD regulations permit families to move with continued assistance to another unit within the HACC's jurisdiction, or to a unit outside of the HACC's jurisdiction under portability procedures. The regulations also allow the HACC the discretion to develop policies which define any limitations or restrictions on moves. This chapter defines the procedures for moves, both within and outside of, the HACC's jurisdiction, and the policies for restriction and limitations on moves.

A. ALLOWABLE MOVES

A family may move to a new unit with continued assistance if:

The assisted lease for the old unit has terminated because the HACC has terminated the HAP contract for owner breach, or the lease was terminated by mutual agreement of the owner and the family.

The owner has given the family a notice to vacate, or has commenced an action to evict the tenant, or has obtained a court judgment or other process allowing the owner to evict the family (unless assistance to the family will be terminated).

Attachment nj010m01

The family has given proper notice of lease termination (and if the family has a right to terminate the lease on notice to owner).

B. RESTRICTIONS ON MOVES [24 CFR 982.314, 982.552(a)]

Families will not be permitted to move within the HACC's jurisdiction during the initial year of assisted occupancy.

Families will not be permitted to move outside the HACC's jurisdiction under portability procedures during the initial year of assisted occupancy.

Families will not be permitted to move more than once in a 12-month period.

The HACC will deny permission to move if there is insufficient funding for continued assistance.

The HACC will deny permission to move if:

The family has violated a family obligation.

The family owes the HACC money.

The family has moved or been issued a voucher within the last twelve months.

The Executive Director, Director of Assistant Director of Section 8 may make exceptions to these restrictions if there is an emergency reason for the move over which the participant has no control.

C. PROCEDURE FOR MOVES [24 CFR 982.314]

Issuance of Voucher

Subject to the restrictions on moves, if the family has not been recertified within the last 120 days, the HACC will issue the voucher to move after conducting the re-certification as soon as the family requests the move.

If the family does not locate a new unit, they may remain in the current unit so long as the owner permits.

The annual recertification date will be changed to coincide with the new lease-up date.

Notice Requirements

Briefing sessions emphasize the family's responsibility to give the owner and the HACC proper written notice of any intent to move.

The family must give the owner the required 60 days written notice of intent to vacate specified in the lease and must give a copy to the HACC simultaneously.

Time of Contract Change

A move within the same building or project, or between buildings owned by the same owner, will be processed like any other move except that there will be no overlapping assistance.

In a move, assistance stops at the old unit at the end of the month in which the tenant ceased to occupy, unless proper notice was given to end a lease midmonth. Assistance will start on the new unit on the effective date of the lease and contract. Assistance payments may overlap for the month in which the family moves.

D. PORTABILITY [24 CFR 982.353]

Portability applies to families moving out of or into the HACC's jurisdiction within the United States and its territories.

E. OUTGOING PORTABILITY [24 CFR 982.353, 982.355]

Within the limitations of the regulations and this policy, a participant family has the right to receive tenant-based voucher assistance to lease a unit outside the HACC's jurisdiction, anywhere in the United States, in the jurisdiction of a HACC with a tenant-based program. When a family requests to move outside of the HACC's jurisdiction, the request must specify the area to which the family wants to move.

If there is more than one HACC in the area in which the family has selected a unit, the HACC will choose the receiving PHA.

Restrictions on Portability

Applicants

If neither the head or spouse had a domicile (legal residence) in the HACC's jurisdiction at the date of their initial application for assistance, the family will not be permitted to exercise portability upon initial issuance of a voucher, unless the HACC approves such move. [NOTE: legal domicile is defined by local government.]

For a portable family that was not already receiving assistance in the HACC's based program, the HACC must determine whether the family is eligible for admission under the receiving HACC's program.

Attachment nj010m01

Participants

After an applicant has leased-up in the jurisdiction of the initial housing agency, they cannot exercise portability during the first year of assisted occupancy, except in the following circumstances.

The receiving and initial HACC agree to allow the move.

The family's move relates to an opportunity for education, job training or employment

The HACC will not permit families to exercise portability:

If the family is in violation of a family obligation.

If the family owes money to the HACC.

If the family has moved out of its assisted unit in violation of the lease.

Receiving PHA's will be required to submit hearing determinations to the HACC within 30 days.

F. INCOMING PORTABILITY [24 CFR 982.354, 982.355]

Absorption or Administration

The HACC will accept a family with a valid voucher from another jurisdiction and administer or absorb the voucher. If administering, the family will be issued a "portable" voucher by the PHA. The term of the voucher will not expire before the expiration date of any initial PHA voucher. The family must submit a request for tenancy approval for an eligible unit to the receiving PHA during the term of the receiving PHA voucher. The receiving PHA may grant extensions in accordance with this Administrative Plan. However, if the family decides not to lease-up in the HACC's jurisdiction, they must contact the initial PHA to request an extension.

Incoming portable families whose vouchers are being administered will not be absorbed as long as there are eligible applicants on the Waiting List.

The HACC will absorb incoming vouchers in cases where the initial PHA absorbs an equal number of the HACC's outgoing vouchers.

The HACC may absorb vouchers if such absorption does not exceed 10% of households assisted.

The HACC will absorb all incoming portable families provided that there is funding available.

When the HACC does not absorb the incoming voucher, it will administer the initial PHA's voucher and the receiving PHA's policies will prevail.

For admission to the program a family must be income eligible in the area where the family initially leases a unit with assistance under the program.

The receiving PHA does not redetermine eligibility for a portable family that was already receiving assistance in the initial PHA Section 8 tenant-based program.

The HACC will issue a "portability voucher" according to its own Subsidy Standards. If the family has a change in family composition, which would change the voucher size, the HACC will change to the proper size based on its own Subsidy Standards.

Attachment nj010m01

Income and Total Tenant Payment of Incoming Portables [982.353(d)]

As the receiving PHA, the HACC will conduct a recertification interview but only verify the information provided if the documents are missing or are over 90 days old, whichever is applicable, or there has been a change in the family's circumstances.

If the HACC conducts a recertification of the family it will not cause a delay in the issuance of a voucher.

If the family's income is such that a \$0 subsidy amount is determined prior to lease-up in the HACC's jurisdiction, the HACC will refuse to enter into a contract on behalf of the family at \$0 assistance.

Requests for Tenancy Approval

A briefing will be mandatory for all portability families.

When the family submits a Request for Tenancy Approval, it will be processed using the HACC's policies. If the family does not submit a Request for Tenancy Approval or does not execute a lease, the initial PHA will be notified within 60 days by the HACC.

If the family leases up successfully, the HACC will notify the initial PHA within 60 days, and the billing process will commence.

The HACC will notify the initial PHA if the family fails to submit a request for tenancy approval for an eligible unit within the term of the voucher.

If the HACC denies assistance to the family, the HACC will notify the initial PHA within 30 days and the family will be offered a review or hearing.

The HACC will notify the family of its responsibility to contact the initial PHA if the family wishes to move outside the HACC's jurisdiction under continued portability.

Regular Program Functions

The HACC will perform all program functions applicable the tenant-based assistance program, such as:

Annual reexaminations of family income and composition;

Annual inspection of the unit; and

Interim examinations when requested or deemed necessary by the HACC

Terminations

The HACC will notify the initial PHA in writing of any termination of assistance within 10 days of the termination. If an informal hearing is required and requested by the family, the hearing will be conducted by the HACC using the regular hearing procedures included in this Plan. A copy of the hearing decision will be furnished to the initial PHA.

The initial PHA will be responsible for collecting amounts owed by the family for claims paid and for monitoring repayment. If the initial PHA notifies the HACC that the family is in arrears or the family has refused to sign a payment agreement, the HACC will terminate assistance to the family.

Required Documents

As the receiving HACC, the HACC will require the documents listed on the HUD Portability Billing Form from the initial PHA.

Billing Procedures

As the receiving HACC, the HACC will bill the initial PHA monthly for housing assistance payments. The billing cycle for other amounts, including administrative fees and special claims will be monthly unless requested otherwise by the initial PHA.

The HACC will bill 100% of the housing assistance payment, 100% of special claims and 80% of the administrative fee (at the initial PHA's rate) for each "portability" voucher leased as of the first day of the month.

The HACC will notify the initial PHA of changes in subsidy amounts and will expect the initial PHA to notify the HACC of changes in the administrative fee amount to be billed.

Chapter 14

CONTRACT TERMINATIONS

[24 CFR 982.311, 982.314]

HUD regulations specify the reasons for which the HACC can terminate a family's assistance and the ways in which such terminations must take place. They also dictate the circumstances under which an owner may terminate the tenancy of an assisted family. This chapter presents the policies that govern voluntary and involuntary terminations of assistance, and termination of tenancy by the owner. It is presented in three parts.

PART I: GROUNDS FOR TERMINATION OF ASSISTANCE

14-I.A. OVERVIEW

HUD **requires** the HACC to terminate assistance for certain offenses and when the family no longer requires assistance. HUD **permits** the HACC to terminate assistance for certain other actions family members take or fail to take. In addition, a family made decide to stop receiving HCV assistance at any time by notifying the HACC.

14-I.B. FAMILY NO LONGER REQUIRES ASSISTANCE [24 CFR 982.455]

As a family's income increases, the amount of HACC subsidy goes down. If the amount of HCV assistance provided by the HACCF drops to zero and remains at zero for 180 consecutive calendar days, the family's assistance terminates automatically.

HACC Policy

If a participating family receiving zero assistance experiences a change in circumstances that would cause the HAP payment to rise above zero, the family must notify the HACC of the changed circumstances and request an interim reexamination before the expiration of the 180-day period.

14-I.C. FAMILY CHOOSES TO TERMINATE ASSISTANCE

The family may request that the HACC terminate the family's assistance at any time.

HACC Policy

The request to terminate assistance should be made in writing and signed by the head of household, spouse, or co-head.

14-I.D. MANDATORY TERMINATION OF ASSISTANCE

HUD requires the HACC to terminate assistance in the following circumstances.

Eviction [24 CFR 982.552(b)(2)]

The HACC must terminate assistance whenever a family is evicted from a unit assisted under the HCV program for a serious or repeated violation of the lease and/or HAP contract.

HACC Policy

A family will be considered *evicted* if the family moves after a legal eviction order has issued, whether or not physical enforcement of the order was necessary.

If a family moves after the owner has given the family an eviction notice for serious or repeated lease violations but before a legal eviction order has been issued, termination of assistance is not mandatory. However, the HACC will determine whether the family has committed serious or repeated violations of the lease based on available evidence and may terminate assistance or take any of the alternative measures described in Section 14.II.C.

Serious and repeated lease violations will include, but not be limited to, nonpayments of rent, disturbance of neighbors, destruction of property, or living or housekeeping habits that cause damage to the unit or premises and criminal activity. Generally, the criteria to be used is whether the reason for the eviction was through no fault of the tenant or guests.

Failure to Provide Cause [24 CFR 982.552(b)(3)]

The HACC must terminate assistance if any family member fails to sign and submit any consent form they are required to sign for reexamination.

Failure to Document Citizenship [24 CFR 982.552(b)(4) and [24 CFR 5.514(c)]

The HACC must terminate assistance if (1) family fails to submit required documentation within the required timeframe concerning any family member's citizenship or immigration status; (2) a family submits evidence of citizenship and eligible immigration status in a timely manner, but United States Citizenship and Immigration Services (USCIS) primary and secondary verification does not verify eligible immigration status of the family; or (3) a family member, as determined by the HACC, has knowingly permitted another individual who is not eligible for assistance to reside (on a permanent basis) in the unit.

Failure to Provide Social Security Documentation [24 CFR 5.218(c)]

The HACC must terminate assistance if a participant family fails to provide the documentation or certification required for any family member who obtains a social security number, joins the family, or reaches 6 years of age.

Methamphetamine Manufacture or Production [24 CFR 983.553(b)(1)(ii)]

The HACC must terminate assistance if any household member has ever been convicted of the manufacture or production of methamphetamine on the premises of federally-assisted housing.

14-I.E. MANDATORY POLICIES AND OTHER AUTHORIZED TERMINATIONS

Mandatory Policies [24 CFR 982.553(b) and 982.551(1)]

HUD requires the HACC to establish policies that permit the HACC to terminate assistance if the HACC determines that:

- Any household member is currently engaged in any illegal use of a drug, or has a pattern of illegal drug use that interferes with the health, safety, or right to peaceful enjoyment of the premises by other resident;
- Any household member's abuse or pattern of abuse of alcohol that threaten the health, safety, or right to peaceful enjoyment of the premises by other residents;
- Any household member has violated the family's obligation not to engage in any drug-related criminal activity;
- Any household member has violated the family's obligation not to engage in an criminal, fraud, theft by deception or violent criminal activity.

Use of Illegal Drugs and Alcohol Abuse

HACC Policy

The HACC will terminate a family's assistance if any household member is currently engaged in any illegal use of a drug, or has a pattern of illegal drug use that interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.

The HACC will terminate assistance if any household member's abuse or pattern of abuse of alcohol when it threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.

Currently engages in is defined as any use of illegal drugs during the previous six months.

The HACC will consider all credible evidence, including but not limited to, any record of arrest, convictions, or eviction of household members related to the use of illegal drugs or abuse of alcohol.

Drug-Related and Violent Criminal Activity [24 CFR 5.100]

Drug means a controlled substance as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802).

Drug-related criminal activity is defined by HUD as the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug.

Violent criminal activity means any criminal activity that has one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

Criminal activity means any activity that is unlawful. Examples, theft by deception, program fraud, forgery, etc.

HACC Policy

The HACC will terminate a family's assistance if any household member has violated the family's obligation not to engage in any drug-related or violent criminal activity during participation in the HCV Program.

The HACC will consider all credible evidence, including but not limited to, any record of arrests and/or convictions of household members related to drug related, criminal activity, violent or non-violent criminal activities.

OTHER AUTHORIZED REASONS FOR TERMINATION OF ASSISTANCE

[24 CFR 982.552(c)]

HUD permits the HACC to terminate assistance under a number of other circumstances. It is left to the discretion of the HACC whether such circumstances in general warrant consideration for the termination of assistance.

HACC Policy

The HACC **will not** terminate a family's assistance because of the family's failure to meet its obligations under the Family Self-Sufficiency or Welfare to Work voucher programs.

The HACC **will** terminate a family's assistance if:

The family has failed to comply with any family obligations under the program.

Any family member that has been evicted from federal-assisted housing in the last five years.

Any PHA that has terminated assistance under the program for any member of the family.

Any family member that has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.

The family currently owes rent or other amounts to any HACC in connection with the HCV, Certificate, Moderate Rehabilitation or public housing programs.

Attachment nj010m01

The family has not reimbursed any PHA for amounts the PHA has paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.

The family has breach the terms of a repayment agreement entered into with the HACC.

A family member has engaged in or threatened violent or abusive behavior toward HACC personnel.

Abusive or violent behavior towards HACC personnel includes, verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior.

Threatening refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

Family Absent from the Unit [24 CFR 982.312]

The family may be absent from the unit for brief periods. However, the family may not be absent from the unit for a period of more than 190 consecutive calendar days for any reason. Absence in this context means that no member of the family is residing in the unit.

HACC Policy

If the family is absent from the unit for more than 190 consecutive calendar days, the family's assistance will be terminated. Notice of termination will be sent to the family.

PART II: APPROACH TO TERMINATION OF ASSISTANCE

14-II.A. OVERVIEW

The HACC is required to by regulation to terminate a family's assistance if certain program rules are violated. For other types of offenses, the regulations give the HACC the discretion to either terminate the family's assistance or to take another action. This part discusses the various actions the HACC may choose to take when it has discretion, and outlines the criteria the HACC will use to make its decision about whether or not to terminate assistance.

14.II.B. METHOD OF TERMINATION [24 CFR 982.552(a)(3)]

The way in which the HACC terminates assistance depends upon individual circumstances. HUD permits the HACC to terminate assistance by:

- Terminating housing assistance payments under a current HAP contract,
- Refusing to approve a request for tenancy or to enter into a new HAP contract, or
- Refusing to process a request for or to provide assistance under portability procedures.

14.II.C. ALTERNATIVES TO TERMINATION OF ASSISTANCE

Change in Household Composition

As a condition of continued assistance, the HACC may require that any household member who participated in or was responsible for an offense no longer resides in the unit [24 CFR 982.552(c)(2)(ii)].

HACC Policy

As a condition of continued assistance, the head of household must certify that the culpable family member has vacated the unit and will not be permitted to visit or to stay as a guest in the assisted unit. The family must present evidence of the former family members's current address upon HACC request.

Repayment of Family Debts

If a family owes amounts to the HACC and/or the Owner, as a condition of continued assistance, the HACC will require the family to repay the full amount or to enter into a repayment agreement, within 30 days of receiving notice from the HACC of the amount owed.

Start here

A. CONTRACT TERMINATION [24 CFR 982.311]

The term of the HAP contract is the same as the term of the lease. The contract between the owner and the HACC may be terminated by the HACC, or by the owner or tenant terminating the lease.

No future subsidy payments on behalf of the family will be made by the HACC to the owner after the month in which the contract is terminated. The owner must reimburse the HACC for any subsidies paid by the HACC for any period after the contract termination date.

If the family continues to occupy the unit after the Section 8 contract is terminated, the family is responsible for the total amount of rent due to the owner. The owner will have no right to claim compensation from the HACC for vacancy loss under the provisions of certificate HAP contracts effective before October 2, 1995.

After a contract termination, if the family meets the criteria for a move with continued assistance, the family may lease-up in another unit. The contract for the new unit may begin during the month in which the family moved from the old unit.

B. TERMINATION BY THE FAMILY: MOVES [24 CFR 982.314(c)(2)]

Family termination of the lease must be in accordance with the terms of the lease.

C. TERMINATION OF TENANCY BY THE OWNER: EVICTIONS
[24 CFR 982.310, 982.455]

If the owner wishes to terminate the lease, the owner must provide proper notice as stated in the lease.

During the term of the lease, the owner may not terminate the tenancy except for the grounds stated in the HUD regulations.

During the term of the lease the owner may only evict for:

Serious or repeated violations of the lease, including but not limited to failure to pay rent or other amounts due under the lease, or repeated violation of the terms and conditions of the lease;

Violations of Federal, state or local law that imposes obligations on the tenant in connection with the occupancy or use of the premises; or criminal activity by the tenant, any member of the household, a guest or another person under the tenant's control that threatens the health, safety or right to peaceful enjoyment of the premises by the other residents, or persons residing in the immediate vicinity of the premises or any drug-related criminal activity on or near the premises.

Other good cause.

During the initial term of the lease, the owner may not terminate the tenancy for "other good cause" unless the owner is terminating the tenancy because of something the family did or failed to do (see 982.310)

Evidence of Criminal Activity

The owner may terminate tenancy and evict by judicial action a family for criminal activity by a covered person if the owner determines they have engaged in the criminal activity:

Regardless of arrest or conviction

Without satisfying the standard of proof used for a criminal conviction

Termination of Tenancy Decisions

If the law and regulation permit the owner to take an action but don't require action to be taken, the owner can decide whether to take the action. Relevant circumstances for consideration include:

- The seriousness of the offense
- The effect on the community
- The extent of participation by household members
- The effect on uninvolved household members
- The demand for assisted housing by families who will adhere to responsibilities
- The extent to which leaseholder has shown personal responsibility and taken all reasonable steps to prevent or mitigate the offending action
- The effect on the integrity of the program

Exclusion of culpable household member

The owner may require a tenant to exclude a household member in order to continue to reside in the assisted unit.

Consideration of Rehabilitation

When determining whether to terminate the tenancy for illegal drug use or alcohol abuse, the owner may consider whether the member:

- Is no longer participating
- Has successfully completed a supervised drug or alcohol rehab program
- Has otherwise been successfully rehabilitated

The owner may require the tenant to submit evidence of any of the three (above).

Attachment nj010m01

Actions of termination by the owner must be consistent with the fair housing and equal opportunities as stated in 24 CFR 5.105.

The owner must provide the tenant a written notice specifying the grounds for termination of tenancy, at or before the commencement of the eviction action. The notice may be included in, or may be combined with, any owner eviction notice to the tenant.

The owner eviction notice means a notice to vacate, or a complaint, or other initial pleading used under State or local law to commence an eviction action.

The HACC requires that the owner specify the section of the lease that has been violated and cite some or all of the ways in which the tenant has violated that section as documentation for the HACC's decision regarding termination of assistance.

Housing assistance payments are paid to the owner under the terms of the HAP contract. If the owner has begun eviction and the family continues to reside in the unit, the HACC must continue to make housing assistance payments to the owner until the owner has obtained a court judgment or other process allowing the owner to evict the tenant.

The HACC will continue housing assistance payments until the family moves or is evicted from the unit.

If the action is finalized in court, the owner must provide the HACC with the documentation, including notice of the lock-out date.

The HACC must continue making housing assistance payments to the owner in accordance with the contract as long as the tenant continues to occupy the unit and the contract is not violated. By endorsing the monthly check from the HACC, the owner certifies that the tenant is still in the unit, the rent is reasonable and s/he is in compliance with the contract.

If an eviction is not due to a serious or repeated violation of the lease, and if the HACC has no other grounds for termination of assistance, the HACC may issue a new voucher so that the family can move with continued assistance.

D. TERMINATION OF THE CONTRACT BY HACC

[24 CFR 982.404(a), 982.453, 982.454, 982.552(a)(3)]

The term of the HAP contract terminates when the lease terminates, when the HACC terminates program assistance for the family, and when the owner has breached the HAP contract. (See "Owner Disapproval and Restriction" chapter)

The HACC may also terminate the contract if:

The HACC terminates assistance to the family.

The family is required to move from a unit when the unit does not meet the HQS space standards because of an increase in family size or a change in family composition.

Funding is no longer available under the ACC.

The contract will terminate automatically if 180 days have passed since the last housing assistance payment to the owner.

Notice of Termination

When the HACC terminates the HAP contract under the violation of HQS space standards, the HACC will provide the owner and family written notice of termination of the contract, and the HAP contract terminates at the end of the calendar month that follows the calendar month in which the HACC gives such notice to the owner.

Chapter 15
DENIAL OR TERMINATION OF ASSISTANCE

[24 CFR 5.902, 5.902, 5.903, 5.905, 982.4, 982.54, 982.552, 982.553]

INTRODUCTION

The HACC may deny or terminate assistance for a family because of the family's action or failure to act. The HACC will provide families with a written description of the family obligations under the program, the grounds under which the HACC can deny or terminate assistance, and the HACC's informal hearing procedures. This chapter describes when the HACC is required to deny or terminate assistance, and the HACC's policies for the denial of a new commitment of assistance and the grounds for termination of assistance under an outstanding HAP contract.

A. GROUNDS FOR DENIAL/TERMINATION [24 CFR 982.54, 982.552, 982.553]

If denial or termination is based upon behavior resulting from a disability, the HACC will delay the denial or termination in order to determine if there is an accommodation that would negate the behavior resulting from the disability.

Form of Denial/Termination

Denial of assistance for an applicant may include any or all of the following:

- Denial for placement on the HACC waiting list
- Denying or withdrawing a voucher
- Refusing to enter into a HAP contract or approve a tenancy
- Refusing to process or provide assistance under portability procedures

Termination of assistance for a participant may include any or all of the following:

- Refusing to enter into a HAP contract or approve a tenancy
- Terminating housing assistance payments under an outstanding HAP contract
- Refusing to process or provide assistance under portability procedures

Mandatory Denial and Termination [24 CFR 982.54 (d), 982.552(b), 982.553(a), 982.553(b)]

The HACC must deny assistance to applicants, and terminate assistance for participants if the family is under contract and 180 days (or 12 months, depending on the HAP contract used) have elapsed since the HACC's last housing assistance payment was made. (See "Contract Terminations" chapter.)

The HACC must permanently deny assistance to applicants, and terminate the assistance of persons convicted of manufacturing or producing methamphetamine on the premises of federally assisted housing.

The HACC must deny admission to the program for applicants, and terminate assistance for program participants if the HACC determines that any household member is currently engaging in illegal use of a drug. See section B of this chapter for the HACC's established standards.

The HACC deny admission to the program for applicants, and terminate assistance for program participants if the HACC determines that it has reasonable cause to believe that a household member's 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. See Section B of this chapter for the HACC's established standards.

The HACC must deny admission to an applicant if the HACC determines that any member of the household is subject to a lifetime registration requirement under a State sex offender registration program. See section B of this chapter for the HACC's established standards regarding criminal background investigation and determining whether a member of the household is subject to a lifetime registration requirement under a State sex offender registration program.

The HACC must terminate program assistance for a family evicted from housing assisted under the program for serious violation of the lease.

The HACC must deny admission to the program for an applicant or terminate program assistance for a participant if any member of the family fails to sign and submit consent forms for obtaining information in accordance with Part 5, subparts B and F.

The HACC must deny admission or terminate assistance when required under the regulations to establish citizenship or eligible immigration status.

Grounds for Denial or Termination of Assistance [24 CFR 982.552(c)]

The HACC will deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following reasons:

If any family member violates any family obligation under the program as listed in 24 CFR 982.551.

If any family member has violated the family obligation under 24 CFR 982.551 not to engage in any drug-related criminal activity.

If any family member has violated the family obligation under 24 CFR 982.551 not to engage in any violent criminal activity.

Any member of the family has been evicted from federally assisted housing in the last five years.

If any HACC has ever terminated assistance under the program for any member of the family.

If any member of the family commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.

The family currently owes rent or other amounts to the HACC or to another HACC in connection with Section 8 or public housing assistance under the 1937 Act.

The family has not reimbursed any HACC 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.

The family breaches an agreement with a HACC to pay amounts owed to a HACC, or amounts paid to an owner by a HACC. The HACC at its discretion may offer the family the opportunity to enter into a repayment agreement. The HACC will prescribe the terms of the agreement. (See "Repayment Agreements" chapter.)

The family participating in an FSS program fails to comply, without good cause, with the family's FSS contract of participation.

If the family fails to fulfill its obligation under the Section 8 welfare-to-work voucher program.

Attachment nj010m01

The family has engaged in or threatened abusive or violent behavior toward HACC personnel.

Abusive or violent behavior towards HACC personnel" includes verbal as well as physical abuse or violence. Use of expletives that are generally considered insulting, racial epithets, or other language, written or oral, that is customarily used to insult or intimidate, may be cause for termination or denial.

Threatening" refers to oral or written threats or physical gestures that communicate an intent to abuse or commit violence.

Actual physical abuse or violence will always be cause for termination.

If any member of the family engages in, or has engaged in drug or alcohol abuse that interferes with the health, safety or peaceful enjoyment of other residents.

See section B of this chapter.

If any member of the family commits drug-related criminal activity, or violent criminal activity. (See Section B of this chapter and 982.553 of the regulations)

Refer to "Eligibility for Admission" chapter, "Other Criteria for Admission" section for further information.

**B. SCREENING AND TERMINATION FOR DRUG ABUSE AND OTHER
CRIMINAL ACTIVITY**

Purpose

All federally assisted housing is intended to provide a place to live and raise families, not a place to commit crime, to use or sell drugs or terrorize neighbors. It is the intention of Housing Authority of the City of Camden to fully endorse and implement a policy designed to:

Help create and maintain a safe and drug-free community

Keep our program participants free from threats to their personal and family safety

Support parental efforts to instill values of personal responsibility and hard work

Help maintain an environment where children can live safely, learn and grow up to be productive citizens

Assist families in their vocational/educational goals in the pursuit of self-sufficiency

Administration

All screening and termination of assistance procedures shall be administered fairly and in such a way as not to violate rights to privacy or discriminate on the basis of race, color, nationality, religion, familial status, disability, sex or other legally protected groups.

To the maximum extent possible, the HACC will involve other community and governmental entities in the promotion and enforcement of this policy.

This policy will be posted on the HACC's bulletin board and copies made readily available to applicants and participants upon request.

Screening of Applicants

In an effort to prevent future drug related and other criminal activity, as well as other patterns of behavior that pose a threat to the health, safety or right to peaceful enjoyment of the premises by other residents, and as required by 24 CFR 982, Subpart L and CFR Part 5, Subpart J, the HACC will endeavor to screen applicants as thoroughly and fairly as possible for drug-related and violent criminal behavior.

Such screening will apply to any member of the household who is 18 years of age or older.

HUD Definitions

Covered person, for purposes of 24 CFR Part 982 and this chapter, means a tenant, any member of the tenant's household, a guest or another person under the tenant's control.

Drug means a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

Drug-related criminal activity means the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug.

Guest, for purposes of this chapter and 24 CFR part 5, subpart A and 24 CFR Part 982, means a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant. The requirements of part 982 apply to a guest as so defined.

Household, for the purposes of 24 CFR Part 982 and this chapter, means the family and HACC-approved live-in aide.

Other person under the tenant's control, for the purposes of the definition of *covered person* and for 24 CFR Parts 5 and 982 and for this chapter, means that the person, although not staying as a guest (as defined in this chapter) in the unit, is, or was at the time of the activity in question, on the premises because of an invitation from the tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant. Absent evidence to the contrary, a person temporarily and infrequently on the premises solely for legitimate commercial purposes is not *under the tenant's control*.

Violent criminal activity means any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

Standard for Violation

The HACC will deny participation in the program to applicants and terminate assistance to participants in cases where the HACC determines there is reasonable cause to believe that a household member is illegally using a drug or if the person abuses alcohol in a way that may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents, including cases where the HACC determines that there is a pattern of illegal use of a drug or a pattern of alcohol abuse.

The HACC will consider the use of a controlled substance or alcohol to be a pattern if there is more than one incident during the previous 12 months.

“Engaged in or engaging in” violent criminal activity means any act within the past 5 years by an applicant or participant or household member which involved criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage, which resulted in the arrest and/or conviction of the applicant, participant, or household member..

The activity is being engaged in by any family member.

The existence of the above-referenced behavior by any household member, regardless of the applicant or participant’s knowledge of the behavior, shall be grounds for denial or termination of assistance.

In evaluating evidence of negative past behavior, the HACC will give fair consideration to the seriousness of the activity with respect to how it would affect other residents, and/or likelihood of favorable conduct in the future which could be supported by evidence of rehabilitation.

Drug Related and Violent Criminal Activity

Ineligibility for admission if Evicted for Drug-Related Activity: Persons evicted from federally assisted housing because of drug-related criminal activity are ineligible for admission to the Section 8 program for a five-year period beginning on the date of such eviction.

However, the household may be admitted if, after considering the individual circumstances of the household, the HACC determines that:

The evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program approved by the HACC.

The circumstances leading to eviction no longer exist because:

The criminal household member has died.

The criminal household member is imprisoned.

Applicants will be denied assistance if they have been:

arrested/convicted/evicted from Federally assisted housing for violent criminal activity within the last five years prior to the date of the certification interview.

Denial of Assistance for Sex Offenders

The HACC will deny admission if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program. In screening applicants, the HACC will perform criminal history background checks to determine whether any household member is subject to a lifetime sex offender registration requirement.

Termination of Assistance for Participants

Termination of Assistance for Drug-related Criminal Activity or Violent Criminal Activity:
Under the family obligations listed at 24 CFR 982.551, the members of the household must not engage in drug-related criminal activity or violent criminal activity or other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. HUD regulations at 24 CFR 982.553(b) require the HACC to establish standards for termination of assistance when this family obligation is violated. The Housing Authority of the City of Camden has established the following standards for termination of assistance for the family when a household member has violated the family obligation to refrain from participating in drug-related or violent criminal activity.

Assistance will be terminated for participants who have been:

arrested/convicted/evicted from a unit assisted under any Federally assisted housing program for drug-related or violent criminal activity during participation in the program, and within the last five years prior to the date of the notice to terminate assistance.

If any member of the household violates the family obligations by engaging in drug-related or violent criminal activity, the HACC will terminate assistance.

In appropriate cases, the HACC may permit the family to continue receiving assistance provided that family members determined to have engaged in the proscribed activities will not reside in the unit. If the violating member is a minor, the HACC may consider individual circumstances with the advice of Juvenile Court officials.

The HACC will waive the requirement regarding drug-related criminal activity if:

The person demonstrates successful completion of a credible rehabilitation program approved by the HACC, or

The circumstances leading to the violation no longer exist because the person who engaged in drug-related criminal activity or violent criminal activity is no longer in the household due to death or incarceration.

Terminating Assistance for Alcohol Abuse by Household Members

Under the family obligations listed at 24 CFR 982.551, the members of the household must not abuse alcohol in a way that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. Assistance will be terminated due to violation of a family obligation if the HACC determines that a member of the household has demonstrated a pattern of alcohol abuse that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises.

Assistance will be terminated if a household member is arrested/convicted/incarcerated for any alcohol-related criminal activity on or near the premises within any 12 month period.

In appropriate cases, the HACC may permit the family to continue receiving assistance provided that household members determined to have engaged in the proscribed activities will not reside in the unit. If the violating member is a minor, the HACC may consider individual circumstances with the advice of Juvenile Court officials.

Notice of Termination of Assistance

In any case where the HACC decides to terminate assistance to the family, the HACC must give the family written notice, which states:

- The reason(s) for the proposed termination,
- The effective date of the proposed termination,
- The family's right, if they disagree, to request an Informal Hearing to be held before termination of assistance.
- The timeframe by which a request for an informal hearing must be received by the HACC.

The HACC will simultaneously provide written notice of the contract termination to the owner so that it will coincide with the Termination of Assistance. The Notice to the owner will not include any details regarding the reason for termination of assistance.

Required Evidence

Preponderance of evidence is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. The intent is not to prove criminal liability, but to establish that the act(s) occurred. Preponderance of evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

Credible evidence may be obtained from police and/or court records. Testimony from neighbors, when combined with other factual evidence can be considered credible evidence. Other credible evidence includes documentation of drug raids or arrest warrants.

The HACC will terminate assistance for criminal activity by a household member, as described in this chapter, if the HACC 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 for such activity.

The HACC will pursue fact-finding efforts as needed to obtain credible evidence.

The HACC may terminate assistance for criminal activity by a household member under this section if the HACC has determined that the household member has engaged in the criminal activity, regardless of whether the household member has been arrested or convicted for such activity.

Confidentiality of Criminal Records

The HACC will ensure that any criminal record received is maintained confidentially, not misused or improperly disseminated, and destroyed once the purpose for which it was requested is accomplished.

All criminal reports, while needed, will be housed in a locked file with access limited to individuals responsible for screening and determining eligibility for initial and continued assistance and to upper level Section 8 management.

Misuse of the above information by any employee will be grounds for termination of employment.

If the family is determined eligible for initial or continued assistance, the criminal report shall be shredded as soon as the information is no longer needed for eligibility or continued assistance determination.

If the family's assistance is denied or terminated, the criminal record information shall be shredded immediately upon completion of the review or hearing procedures and a final decision has been made.

The HACC will document in the family's file the circumstances of the criminal report and the date the report was destroyed.

C. FAMILY OBLIGATIONS [24 CFR 982.551]

The family must supply any information that the HACC or HUD determines is necessary in the administration of the program, including submission of required evidence of citizenship or eligible immigration status (as provided by 24 CFR 982.551). "Information" includes any requested certification, release or other documentation.

The family must supply any information requested by the HACC or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition in accordance with HUD requirements.

The family must disclose and verify Social Security Numbers (as provided by 24 CFR 5.216) and must sign and submit consent forms for obtaining information in accordance with 24 CFR 5.230.

All information supplied by the family must be true and complete.

The family is responsible for an HQS breach caused by the family as described in 982.404(b). The family must allow the HACC to inspect the unit at reasonable times and after reasonable notice.

The family may not commit any serious or repeated violations of the lease.

The family must notify the owner and, at the same time, notify the HACC before the family moves out of the unit or terminates the lease upon notice to the owner.

The family must promptly give the HACC a copy of any owner eviction notice.

The family must use the assisted unit for residence by the family. The unit must be the family's only residence.

The composition of the assisted family residing in the unit must be approved by the HACC. The family must promptly inform the HACC of the birth, adoption or court-awarded custody of a child. The family must request HACC approval to add any other family member as an occupant of the unit.

The family must promptly notify the HACC if any family member no longer resides in the unit. If the HACC has given approval, a foster child or a live-in aide may reside in the unit. If the family does not request approval or HACC approval is denied, the family may not allow a foster child or live-in aide to reside with the assisted family.

Attachment nj010m01

Members of the household may engage in legal profit-making activities in the unit, but only if such activities are incidental to primary use of the unit as a residence by members of the family. The family must not sublease or let the unit.

The family must not assign the lease or transfer the unit.

The family must supply any information or certification requested by the HACC to verify that the family is living in the unit, or relating to family absence from the unit, including any HACC-requested information or certification on the purposes of family absences. The family must cooperate with the HACC for this purpose. The family must promptly notify the HACC of absence from the unit.

The family must not own or have any interest in the unit.

The members of the family must not commit fraud, bribery or any other corrupt or criminal act in connection with any Federal housing program.

The household members may not engage in drug-related criminal activity or violent criminal activity or other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. The members of the household must not abuse alcohol in a way that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. An assisted family, or members of the family, may not receive Section 8 tenant-based assistance while receiving another housing subsidy, for the same unit or for a different unit, under any duplicative (as determined by HUD or in accordance with HUD requirements) federal, State or local housing assistance program.

Housing Authority Discretion [24 CFR 982.552(c)]

In deciding whether to deny or terminate assistance because of action or failure to act by members of the family, the HACC has discretion to consider all of the circumstances in each case, including the seriousness of the case. The HACC will use its discretion in reviewing the extent of participation or culpability of individual family members and the length of time since the violation occurred. The HACC may also review the family's more recent history and record of compliance, and the effects that denial or termination of assistance may have on other family members who were not involved in the action or failure to act.

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

Enforcing Family Obligations

Explanations and Terms

The term "promptly" when used with the family obligations always means "within five days." Denial or termination of assistance is always optional except where this Plan or the regulations state otherwise.

HQS Breach

The HACC will determine if an HQS breach as identified in 24 CFR 982.404 (b) is the responsibility of the family. Families may be given extensions to cure HQS breaches by Director or Assistant Director of Section 8.

Attachment nj010m01

Lease Violations

The following criteria will be used to decide if a serious or repeated violation of the lease will result in termination of assistance:

If the owner terminates tenancy through court action for serious or repeated violation of the lease.

If the owner notifies the family of termination of tenancy assistance for serious or repeated lease violations, and the family moves from the unit prior to the completion of court action, and the HACC determines that the cause is a serious or repeated violation of the lease based on available evidence.

If the owner notifies the family of termination of tenancy assistance for serious or repeated lease violations, and the family moves from the unit prior to the completion of court action, and

If there are police reports, neighborhood complaints or other third party information, that has been verified by the HACC.

Nonpayment of rent is considered a serious violation of the lease.

Notification of Eviction

If the family requests assistance to move and they did not notify the HACC of an eviction within five days of receiving the Notice of Lease Termination, the move will be denied.

Attachment nj010m01

Proposed Additions to the Family

The HACC will deny a family's request to add additional family members who are:

Persons who have been evicted from public housing.

Persons who have previously violated a family obligation listed in 24 CFR 982.551 of the HUD regulations.

Persons who have been part of a family whose assistance has been terminated under the Certificate or Voucher program.

Persons who commit drug-related criminal activity or violent criminal activity.

Persons who do not meet the HACC's definition of family.

Persons who commit fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.

Persons who currently owe rent or other amounts to the HACC or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.

Persons who have engaged in or threatened abusive or violent behavior toward HACC personnel.

Attachment nj010m01

Family Member Moves Out

Families are required to notify the HACC if any family member leaves the assisted household. When the family notifies the HACC, they must furnish the following information:

The date the family member moved out.

The new address, if known, of the family member.

A statement as to whether the family member is temporarily or permanently absent.

Limitation on Profit-Making Activity in Unit

If the business activity area results in the inability of the family to use any of the critical living areas, such as a bedroom utilized for a business, which is not available for sleeping, it will be considered a violation.

If the HACC determines that the use of the unit as a business is not incidental to its use as a dwelling unit, it will be considered a program violation.

If the HACC determines the business is not legal, it will be considered a program violation.

Interest in Unit

The owner may not reside in the assisted unit regardless of whether (s)he is a member of the assisted family, unless the family owns the mobile home and rents the pad.

Fraud

In each case, the HACC will consider which family members were involved, the circumstances, and any hardship that might be caused to innocent members.

In the event of false citizenship claims: (See section below)

D. PROCEDURES FOR NON-CITIZENS [24 CFR 5.514, 5.516, 5.518]

Denial or Termination due to Ineligible Immigrant Status

Applicant or participant families in which all members are neither U.S. citizens nor eligible immigrants are not eligible for assistance and must have their assistance terminated. The HACC must offer the family an opportunity for a hearing. (See "Eligibility for Admission" chapter, section on Citizenship/Eligible Immigration Status.)

Assistance may not be terminated while verification of the participant family's eligible immigration status is pending.

False or Incomplete Information

When the HACC has clear, concrete, or substantial documentation (such as a permanent resident card or information from another agency) that contradicts the declaration of citizenship made by an applicant or participant, an investigation will be conducted and the individual will be given an opportunity to present relevant information.

If the individual is unable to verify their citizenship, the HACC will not give him/her an opportunity to provide a new declaration as an eligible immigrant or an opportunity to elect not to contend their status.

The HACC will then verify eligible status, deny, terminate, or prorate as applicable.

The HACC will deny or terminate assistance based on the submission of false information or misrepresentation.

Procedure for Denial or Termination

If the family (or any member) claimed eligible immigrant status and the INS primary and secondary verifications failed to document the status, the family may make an appeal to the INS and request a hearing with the HACC either after the INS appeal or in lieu of the INS appeal.

After the HACC has made a determination of ineligibility, the family will be notified of the determination and the reasons and informed of the option for prorated assistance (if applicable).

E. ZERO (\$0) ASSISTANCE TENANCIES [24 CFR 982.455 (a)]

The family may remain in the unit at \$0 assistance for up to 180 days after the last HAP payment. If the family is still in the unit after 180 days, the assistance will be terminated. If, within the 180 day timeframe, an owner rent increase or a decrease in the Total Tenant Payment causes the family to be eligible for a housing assistance payment, the HACC will resume assistance payments for the family.

In order for a family to move to another unit during the 180 days, the rent for the new unit would have to be high enough to necessitate a housing assistance payment.

F. OPTION NOT TO TERMINATE FOR MISREPRESENTATION

[24 CFR 982.551, 982.552(c)]

If the family has misrepresented any facts that caused the HACC to overpay assistance, the HACC may choose not to terminate and may offer to continue assistance provided that the family executes a Repayment Agreement and makes payments in accordance with the agreement or reimburses the HACC in full within 180 calendar days].

G. MISREPRESENTATION IN COLLUSION WITH OWNER

[24 CFR 982.551, 982.552 (c)]

If the family intentionally, willingly, and knowingly commits fraud or is involved in any other illegal scheme with the owner, the HACC will deny or terminate assistance.

In making this determination, the HACC will carefully consider the possibility of overt or implied intimidation of the family by the owner and the family's understanding of the events.

H. MISSED APPOINTMENTS AND DEADLINES [24 CFR 982.551, 982.552 (c)]

It is a Family Obligation to supply information, documentation, and certification as needed for the HACC to fulfill its responsibilities. The HACC schedules appointments and sets deadlines in order to obtain the required information. The Obligations also require that the family allow the HACC to inspect the unit, and appointments are made for this purpose.

An applicant or participant who fails to keep an appointment, or to supply information required by a deadline without notifying the HACC, may be sent a Notice of Denial or Termination of Assistance for failure to provide required information, or for failure to allow the HACC to inspect the unit.

The family will be given information about the requirement to keep appointments and the number of times appointments will be rescheduled, as specified in this Plan.

Appointments will be scheduled and time requirements will be imposed for the following events and circumstances:

- Eligibility for Admissions
- Verification Procedures
- Certificate/Voucher Issuance and Briefings
- Housing Quality Standards and Inspections
- Recertifications
- Appeals

Acceptable reasons for missing appointments or failing to provide information by deadlines are:

- Medical emergency
- Incarceration
- Family emergency

Procedure when Appointments are Missed or Information not Provided

For most purposes in this Plan, the family will be given two opportunities before being issued a notice of termination or denial for breach of a family obligation.

After issuance of the termination notice, if the family offers to correct the breach within the time allowed to request a hearing:

- The termination will be rescinded after the family cures the breach.

- The notice will not be rescinded even if the family offers to cure the breach.

- The notice will be rescinded if the family offers to cure and the family does not have a history of non-compliance.

Chapter 16

OWNER DISAPPROVAL AND RESTRICTION

[24 CFR 982.54, 982.306, 982.453]

INTRODUCTION

It is the policy of the HACC to recruit owners to participate in the voucher program. The HACC will provide owners with prompt and professional service in order to maintain an adequate supply of available housing throughout the jurisdiction of the HACC. The regulations define when the HACC must disallow an owner participation in the program, and they provide the HACC discretion to disapprove or otherwise restrict the participation of owners in certain categories. This chapter describes the criteria for owner disapproval, and the various penalties for owner violations.

A. DISAPPROVAL OF OWNER [24 CFR 982.306, 982.54(d)(8)]

The owner does not have a right to participate in the program. For purposes of this section, "owner" includes a principal or other interested party.

The HACC will disapprove the owner for the following reasons:

HUD has informed the HACC that the owner has been disbarred, suspended, or subject to a limited denial of participation under 24 CFR part 24.

Attachment nj010m01

HUD has informed the HACC that the Federal government has instituted an administrative or judicial action against the owner for violation of the Fair Housing Act or other Federal equal opportunity requirements and such action is pending.

HUD has informed the HACC that a court or administrative agency has determined that the has owner violated the Fair Housing Act or other Federal equal opportunity requirements.

Unless their lease was effective prior to June 17, 1998, the owner may not be a parent, child, grandparent, grandchild, sister or brother of any family member. The HACC will waive this restriction as a reasonable accommodation for a family member who is a person with a disability.

In cases where the owner and tenant bear the same last name, the HACC may, at its discretion, require the family and or owner to certify whether they are related to each other in any way.

Attachment nj010m01

The owner has violated obligations under a housing assistance payments contract under Section 8 of the 1937 Act (42 U.S.C. 1437f).

The owner has committed fraud, bribery or any other corrupt act in connection with any Federal housing program.

The owner has engaged in drug-related criminal activity or any violent criminal activity.

The owner has a history or practice of non-compliance with the HQS for units leased under the tenant-based programs or with applicable housing standards for units leased with project-based Section 8 assistance or leased under any other Federal housing program.

The owner has a history or practice of renting units that fail to meet State or local housing codes.

The owner has a history or practice of failing to terminate tenancy of tenants of units assisted under Section 8 or any other federally assisted housing program for activity by the tenant, any member of the household, a guest or another person under the control of any member of the household that:

Threatens the right to peaceful enjoyment of the premises by other residents;

Threatens the health or safety of other residents, of employees of the HACC, or of owner employees or other persons engaged in management of the housing.

Threatens the health or safety of, or the right to peaceful enjoyment of their residences, by persons residing in the immediate vicinity of the premises; or

Is drug-related criminal activity or violent criminal activity;

The owner has not paid State or local real estate taxes, fines or assessments.

The owner has failed to comply with regulations, the mortgage or note, or the regulatory agreement for projects with mortgages insured by HUD or loans made by HUD.

B. OWNER RESTRICTIONS AND PENALTIES [24 CFR 982.453]

If an owner has committed fraud or abuse or is guilty of frequent or serious contract violations, the HACC will restrict the owner from future participation in the program for a period of time commensurate with the seriousness of the offense. The HACC may also terminate some or all contracts with the owner.

Before imposing any penalty against an owner the HACC will review all relevant factors pertaining to the case, and will consider such factors as the owner's record of compliance and the number of violations.

See Program Integrity Addendum for guidance as to how owner fraud will be handled.

C. CHANGE IN OWNERSHIP

A change in ownership does require execution of a new contract and lease.

The HACC may approve the assignment of the HAP contract at the old owner's request. The HACC may approve the assignment, since they are a party to the contract. The HACC may deny approval of assignment of the contract, for any of the reasons listed in Section A. of this chapter.

The HACC will process a change of ownership only upon the written request of the new owner and only if accompanied by a copy of the escrow statement or other document showing the transfer of title, recorded deed and the employee identification number or social security number of the new owner.

The HACC must receive a written request by the old owner in order to change the HAP payee and/or the address to which payment is to be sent.

If the new owner does not want an assignment of the contract, the HACC will terminate the HAP contract with the old owner, since they are no longer the owner. The new owner may offer the family a new assisted lease. The family may elect to enter into the new lease or move to another unit.

Chapter 17
CLAIMS, MOVE-OUT AND CLOSE-OUT INSPECTIONS
(For HAP Contracts Effective Before October 2, 1995)

INFORMATION

This chapter has been removed.

The Quality Housing and Work Responsibility Act of 1998 provided that families assisted under the pre-merger certificate program would be transferred to the Housing Choice Voucher Program no later than the second annual reexamination on or after the merger date (October 1, 1999). Families assisted under the pre-merger voucher program were transferred to the Housing Choice Voucher Program as of October 1, 1999. Under pre-merger voucher contracts, owner claims against the HACC were limited to the amount the owner was allowed to collect as the family's security deposit. This meant that the amount the owner could collect from the HACC was zero.

Under the Housing Choice Voucher Program, the HACC is not responsible for owner claims against the family. If the security deposit is not sufficient to cover amounts the family owes under the lease, the owner may collect the balance from the family.

Chapter 18
OWNER OR FAMILY DEBTS TO THE HACC
[24 CFR 982.552]

INTRODUCTION

This chapter describes the HACC's policies for the recovery of monies, which have been overpaid for families, and to owners. It describes the methods that will be utilized for collection of monies and the guidelines for different types of debts. It is the HACC's policy to meet the informational needs of owners and families, and to communicate the program rules in order to avoid owner and family debts. Before a debt is assessed against a family or owner, the file must contain documentation to support the HACC's claim that the debt is owed. The file must further contain written documentation of the method of calculation, in a clear format for review by the owner, the family or other interested parties.

When families or owners owe money to the HACC, the HACC will make every effort to collect it. The HACC will use a variety of collection tools to recover debts including, but not limited to:

- Requests for lump sum payments
- Civil suits
- Payment agreements
- Abatements
- Reductions in HAP to owner
- Collection agencies
- Credit bureaus
- Income tax set-off programs

A. PAYMENT AGREEMENT FOR FAMILIES [24 CFR 982.552 (c)(v-vii)]

A Payment Agreement as used in this Plan is a document entered into between the HACC and a person who owes a debt to the HACC. It is similar to a promissory note, but contains more details regarding the nature of the debt, the terms of payment, any special provisions of the agreement, and the remedies available to the HACC upon default of the agreement.

The HACC will prescribe the terms of the payment agreement, including determining whether to enter into a payment agreement with the family based on the circumstances surrounding the debt to the HACC.

There are some circumstances in which the HACC will not enter into a payment agreement.

They are:

If the family already has a Payment Agreement in place.

If the HACC determines that the family committed program fraud.

If the HACC determines that the debt amount is larger than can be paid back by the family within one year, within 12 months.

The maximum amount for which the HACC will enter into a payment agreement with a family is \$1,000.00.

The maximum length of time the HACC will enter into a payment agreement with a family is one year.

The minimum monthly amount of monthly payment for any payment agreement is \$83.00.

Payment Schedule for Monies Owed to the HACCC

Initial Payment Due

<u>(% of Total Amount)</u>	<u>Amount Owed</u>	<u>Maximum Term</u>
[__% to __%]	0 - \$500	3 - 6 months
[__% to __%]	\$501 - \$1,000	6 - 10 months
[__% to __%]	\$1,001 - \$2,500	12 - 18 months

B. DEBTS OWED FOR CLAIMS [24 CFR 792.103, 982.552 (c)(v-vii)]

If a family owes money to the HACC for claims paid to an owner:

The HACC will require the family to pay the amount in full.

The HACC will review the circumstances resulting in the overpayment and decide whether the family must pay the full amount.

THE HACC will enter into a Payment Agreement.

Late Payments

A payment will be considered to be in arrears if:

The payment has not been received by the close of the business day on which the payment was due. If the due date is on a weekend or holiday, the due date will be at the close of the next business day.

The payment is not received by the close of the business day three days after the due date.

If the family's payment agreement is in arrears, and the family has not contacted or made arrangements with the HACC, the HACC will:

Require the family to pay the balance in full

Pursue civil collection of the balance due

Terminate the housing assistance

Grant an extension of ten days

Attachment nj010m01

If the family requests a move to another unit and has a payment agreement in place for the payment of an owner claim, and the payment agreement is not in arrears:

The family will be permitted to move.

The family will be required to pay the balance in full prior to the issuance of a voucher.

If the family requests a move to another unit and is in arrears on a payment agreement for the payment of an owner claim:

The family will be required to pay the balance in full, or be terminated from the program.

If the family pays the past due amount, they will be permitted to move.

C. DEBTS DUE TO MISREPRESENTATIONS/NON-REPORTING OF INFORMATION [24 CFR 982.163]

HUD's definition of program fraud and abuse is a single act or pattern of actions that:
Constitutes false statement, omission, or concealment of a substantive fact, made with intent to deceive or mislead, and that results in payment of Section 8 program funds in violation of Section 8 program requirements.

Family Error/Late Reporting

Families who owe money to the HACC due to the family's failure to report increases in income will be required to repay in accordance with the guidelines in the Payment Agreement Section of this Chapter.

Families who owe money to the HACC due to the family's failure to report increases in income will be required to repay in accordance with the payment procedures for program fraud, below. Families who owe money to the HACC due to the family's failure to report increases in income will be required to pay in a lump sum within 365 days. If the family pays the amount in full within this time period, the HACC will continue assistance to the family.

Program Fraud

Families who owe money to the HACC due to program fraud will be required to repay in accordance with the guidelines in the Payment Agreement Section of this Chapter.

Families who owe money to the HACC due to program fraud will be required to pay in accordance with the payment procedures for program fraud, below.

Families who owe money to the HACC due to program fraud will be required to pay the amount in full within 365 days. If the full amount is paid within this time period, and the family is still eligible, the HACC will continue assistance to the family.

If a family owes an amount, which equals or exceeds \$1,000 as a result of program fraud, the case will be referred to the Inspector General. Where appropriate, the HACC will refer the case for criminal prosecution.

Payment Procedures for Program Fraud

Families who commit program fraud or untimely reporting of increases in income will be subject to the following procedures:

The duration of the agreement will not exceed the duration of the violation.

The maximum time period for a Payment Agreement will be 12 months.

The family will be required to pre-pay (10%) of the amount owed prior to or upon execution of the Payment Agreement.

The minimum monthly payment will be \$83.00.

The amount of the monthly payment will be determined in accordance with the family's current income.

D. DEBTS DUE TO MINIMUM RENT TEMPORARY HARDSHIP

If the family owes the HACC money for rent arrears incurred during the minimum rent period, the HACC will calculate the total amount owed and divide it by 12 to arrive at a reasonable payback amount that, the family will be required to pay to the HACC monthly in addition to the family's regular monthly rent payment to the owner. The family will be required to pay the increased amount until the arrears are paid in full to the HACC.

Minimum rent arrears that are less than \$100.00 will be required to be paid in full the first month following the end of the minimum rent period.

The minimum monthly amount for a payment agreement incurred for minimum rent arrears is \$50.00.

The HACC will not enter into a payment agreement that will take more than 12 months to pay off.

If the family goes into default on the payment agreement for back rent incurred during a minimum rent period, the HACC will reevaluate the family's financial situation and determine whether the family has the ability to pay the increased rent amount and if not, restructure the existing payment agreement.

E. GUIDELINES FOR PAYMENT AGREEMENTS [24 CFR 982.552(c)(v-vii)]

Payment agreements will be executed between the HACC and the head of household/co-head only.

The payment agreement must be executed by the Director or Assistant Director of Section 8.

Payments may only be made by money order or cashier's check.

The agreement will be in default when a payment is delinquent by the 30th of the month.

The family's assistance will be terminated unless the HACC receives the balance of the payment agreement in full within 10 business days of the termination notice.

A payment agreement will be considered to be in default when it is in arrears for 30 days.

Monthly payments may be decreased in cases of family hardship and if requested with reasonable notice from the family, verification of the hardship, and the approval of the Director or Assistant Director.

No move will be approved until the debt is paid in full unless the move is the result of the following causes, and the payment agreement is current:

Family size exceeds the HQS maximum occupancy standards

The HAP contract is terminated due to owner non-compliance or opt-out

A natural disaster

Attachment nj010m01

Additional Monies Owed: If the family already has a payment agreement in place and incurs an additional debt to the HACC:

The HACC will not enter into more than one payment agreement with the family.
Additional amounts owed by the family will be added to the existing payment agreement.
If a payment agreement is in arrears more than 30 days, any new debts must be paid in full.

F. OWNER DEBTS TO THE PHA [24 CFR 982.453(b)]

If the HACC determines that the owner has retained housing assistance or claim payments the owner is not entitled to, the HACC may reclaim the amounts from future housing assistance or claim payments owed the owner for any units under contract.

If future housing assistance or claim payments are insufficient to reclaim the amounts owed, the HACC will:

- Require the owner to pay the amount in full within 30 days.

- Enter into a payment agreement with the owner for the amount owed.

- Pursue collections through the local court system.

- Restrict the owner from future participation.

G. WRITING OFF DEBTS

Debts will be written off if:

- The debtor's whereabouts are unknown and the debt is more than 5 years old.

- A determination is made that the debtor is judgment proof.

- The debtor is deceased.

- The debtor is confined to an institution indefinitely or for more than 2 years.

- The amount is less than \$500.00 and the debtor cannot be located.

Chapter 19

COMPLAINTS AND APPEALS

INTRODUCTION

The informal hearing requirements defined in HUD regulation are applicable to participating families who disagree with an action, decision, or inaction of the HACC. This chapter describes the policies, procedures and standards to be used when families disagree with a HACC decision. The procedures and requirements are explained for preference denial meetings, informal reviews and hearings. It is the policy of the HACC to ensure that all families have the benefit of all protections due to them under the law.

A. COMPLAINTS TO THE HACC

The HACC will respond promptly to complaints from families, owners, employees, and members of the public. All complaints will be documented. The HACC does not require that complaints other than HQS violations be put in writing. HQS complaints may be reported by telephone.

The HACC hearing procedures will be provided to families in the briefing packet.

Categories of Complaints

Complaints from families: If a family disagrees with an action or inaction of the HACC or owner.

Attachment nj010m01

Complaints from families will be referred to the Assistant Director of Section 8 . If a complaint is not resolved, it will be referred to the Director of Section 8.

Complaints from owners: If an owner disagrees with an action or inaction of the HACC or a family.

Complaints from owners will be referred to the Assistant Director of Section 8

Complaints from staff: If a staff person reports an owner or family either violating or not complying with program rules, the complaint will be referred to the Director of Section 8.

Complaints from the general public: Complaints or referrals from persons in the community in regard to the HACC, a family or an owner.

Complaints from the general public will be referred to the Assistant Director of Section 8.

If a complaint is not resolved, it will be referred to Director of Section 8.

B. PREFERENCE DENIALS

When the HACC denies a preference to an applicant, the family will be notified in writing of the specific reason for the denial and offered the opportunity for a meeting with HACC staff to discuss the reasons for the denial and to dispute the HACC's decision.

The person who conducts the meeting will be:

The Section 8 Supervisor or their designee.

Any officer or employee of the HACC including the person who made the decision.

Any officer or employee of the HACC except the person who made or approved the decision or a subordinate of those persons.

An employee of the HACC who is at or above the level of Director, but not the employee who made the decision.

C. INFORMAL REVIEW PROCEDURES FOR APPLICANTS

[24 CFR 982.54(d)(12), 982.554]

Reviews are provided for applicants who are denied assistance before the effective date of the HAP contract. The exception is that when an applicant is denied assistance for citizenship or eligible immigrant status, the applicant is entitled to an informal hearing.

When the HACC determines that an applicant is ineligible for the program, the family must be notified of their ineligibility in writing. The notice must contain:

The reason(s) they are ineligible,

The procedure for requesting a review if the applicant does not agree with the decision and

The time limit for requesting a review.

When denying admission for criminal activity as shown by a criminal record, the HACC will provide the subject of the record and the applicant with a copy of the criminal record upon which the decision to deny was based.

The HACC must provide applicants with the opportunity for an informal review of decisions denying:

Qualification for preference

Listing on the PHA's waiting list

Issuance of a voucher

Participation in the program

Assistance under portability procedures

Attachment nj010m01

Informal reviews are not required for established policies and procedures and HACC determinations such as:

- Discretionary administrative determinations by the HACC
- General policy issues or class grievances
- A determination of the family unit size under the HACC subsidy standards
- Refusal to extend or suspend a voucher
- A HACC determination not to grant approval of the tenancy
- Determination that unit is not in compliance with HQS
- Determination that unit is not in accordance with HQS due to family size or composition
- Procedure for Review

A request for an informal review must be received in writing by the close of the business day, no later than 10 days from the date of the HACC's notification of denial of assistance. The informal review will be scheduled within 20 days from the date the request is received.

The informal review may not be conducted by the person who made or approved the decision under review, nor a subordinate of such person.

The review may be conducted by:

- A staff person who is at the Assistant Director or Director of Section 8 level or above
- A commissioner
- An individual from outside the HACC

Attachment nj010m01

The applicant will be given the option of presenting oral or written objections to the decision. Both the HACC and the family may present evidence and witnesses. The family may use an attorney or other representative to assist them at their own expense.

The review may be conducted by mail and/or telephone if acceptable to both parties.

A notice of the review findings will be provided in writing to the applicant within **10** days after the review. It shall include the decision of the review officer, and an explanation of the reasons for the decision.

All requests for a review, supporting documentation, and a copy of the final decision will be retained in the family's file.

D. INFORMAL HEARING PROCEDURES [24 CFR 982.555(a f), 982.54(d)(13)]

When the HACC makes a decision regarding the eligibility and/or the amount of assistance, applicants and participants must be notified in writing. The HACC will give the family prompt notice of such determinations which will include:

- The proposed action or decision of the HACC
- The date the proposed action or decision will take place
- The family's right to an explanation of the basis for the HACC's decision
- The procedures for requesting a hearing if the family disputes the action or decision
- The time limit for requesting the hearing

When terminating assistance for criminal activity as shown by a criminal record, the HACC will provide the subject of the record and the tenant/participant with a copy of the criminal record upon which the decision to terminate was based.

The HACC must provide participants with the opportunity for an informal hearing for decisions related to any of the following HACC determinations:

- Determination of the family's annual or adjusted income and the computation of the housing assistance payment
- Appropriate utility allowance used from schedule
- Family unit size determination under HACC subsidy standards
- Determination to terminate assistance for any reason
- Determination to terminate a family's FSS contract, withhold supportive services, or propose forfeiture of the family's escrow account

Attachment nj010m01

The HACC must always provide the opportunity for an informal hearing before termination of assistance.

Informal hearings are not required for established policies and procedures and HACC determinations such as:

- Discretionary administrative determinations by the HACC

- General policy issues or class grievances

- Establishment of the HACC schedule of utility allowances for families in the program

- A HACC determination not to approve an extension or suspension of a voucher term

- A HACC determination not to approve a unit or lease

- A HACC determination that an assisted unit is not in compliance with HQS (HACC must provide hearing for family breach of HQS because that is a family obligation determination)

- A HACC determination that the unit is not in accordance with HQS because of the family size

- A HACC determination to exercise or not exercise any right or remedy against the owner under a HAP contract

Notification of Hearing

It is the HACC's objective to resolve disputes at the lowest level possible, and to make every effort to avoid the most severe remedies. However, if this is not possible, the HACC will ensure that applicants and participants will receive all of the protections and rights afforded by the law and the regulations.

When the HACC receives a request for an informal hearing, a hearing shall be scheduled within **15** days. The notification of hearing will contain:

The date and time of the hearing

The location where the hearing will be held

The family's right to bring evidence, witnesses, legal or other representation at the family's expense

The right to view any documents or evidence in the possession of the PHA upon which the HACC based the proposed action and, at the family's expense, to obtain a copy of such documents prior to the hearing. Requests for such documents or evidence must be received no later than 5 days before the hearing date.

A notice to the family that the HACC will request a copy of any documents or evidence the family will use at the hearing. Requests for such documents or evidence must be received no later than 5] days before the hearing date.

The HACC's Hearing Procedures

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

If the family does not appear at the scheduled time, and did not make arrangements in advance, the HACC will automatically reschedule the hearing.

If a family does not appear at a scheduled hearing and has not rescheduled the hearing in advance, the family must contact the HACC within 2 hours, excluding weekends and holidays.

The HACC will reschedule the hearing only if the family can show good cause for the failure to appear.

Attachment nj010m01

Families have the right to:

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

If the family requests copies of documents relevant to the hearing, the HACC will make the copies for the family and assess a charge of .50 per copy. In no case will the family be allowed to remove the file from the HACC's office.

In addition to other rights contained in this Chapter, the HACC has a right to:

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

Attachment nj010m01

The informal hearing shall be conducted by the Hearing Officer appointed by the HACC who is neither the person who made or approved the decision, nor a subordinate of that person. The HACC appoints hearing officers who:

Are HACC commissioners/Are HACC management

Are managers from other departments in the government of the jurisdiction

Are managers from other HACC's

Are professional mediators or arbitrators, employed by the county Bar Association/a mediation, dispute resolution, or arbitration service/other.

The hearing shall concern only the issues for which the family has received the opportunity for hearing. Evidence presented at the hearing may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

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

The family must request an audio recording of the hearing, if desired, [number of] days prior to the hearing date.

The Hearing Officer may ask the family for additional information and/or might adjourn the hearing in order to reconvene at a later date, before reaching a decision.

If the family misses an appointment or deadline ordered by the Hearing Officer, the action of the HACC shall take effect and another hearing will not be granted.

The Hearing Officer will determine whether the action, inaction or decision of the HACC is legal in accordance with HUD regulations and this Administrative Plan based upon the evidence and testimony provided at the hearing. Factual determinations relating to the individual circumstances of the family will be based on a preponderance of the evidence presented at the hearing.

Attachment nj010m01

A notice of the hearing findings shall be provided in writing to the HACC and the family within 15] days and shall include:

A clear summary of the decision and reasons for the decision;

If the decision involves money owed, the amount owed and documentation of the calculation of monies owed;

The date the decision goes into effect.

The HACC is not bound by hearing decisions:

Which concern matters in which the HACC is not required to provide an opportunity for a hearing

Which conflict with or contradict to HUD regulations or requirements;

Which conflict with or contradict Federal, State or local laws; or

Which exceed the authority of the person conducting the hearing.

The HACC shall send a letter to the participant if it determines the HACC is not bound by the Hearing Officer's determination within 15 days. The letter shall include the HACC's reasons for the decision.

All requests for a hearing, supporting documentation, and a copy of the final decision will be retained in the family's file.

E. HEARING AND APPEAL PROVISIONS FOR "RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS" [24 CFR Part 5, Subpart E]

Assistance to the family may not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decision on the INS appeal.

Assistance to a family may not be terminated or denied while the HACC hearing is pending but assistance to an applicant may be delayed pending the HACC hearing.

INS Determination of Ineligibility

If a family member claims to be an eligible immigrant and the INS SAVE system and manual search do not verify the claim, the HACC notifies the applicant or participant within ten days of their right to appeal to the INS within thirty days or to request an informal hearing with the HACC either in lieu of or subsequent to the INS appeal.

If the family appeals to the INS, they must give the HACC a copy of the appeal and proof of mailing or the HACC may proceed to deny or terminate. The time period to request an appeal may be extended by the HACC for good cause.

The request for a HACC hearing must be made within fourteen days of receipt of the notice offering the hearing or, if an appeal was made to the INS, within fourteen days of receipt of that notice.

After receipt of a request for an informal hearing, the hearing is conducted as described in this chapter for both applicants and participants. If the hearing officer decides that the individual is not eligible, and there are no other eligible family members the HACC will:

- Deny the applicant family

- Defer termination if the family is a participant and qualifies for deferral

- Terminate the participant if the family does not qualify for deferral

If there are eligible members in the family, the HACC will offer to prorate assistance or give the family the option to remove the ineligible members.

Attachment nj010m01

All other complaints related to eligible citizen/immigrant status:

If any family member fails to provide documentation or certification as required by the regulation, that member is treated as ineligible. If all family members fail to provide, the family will be denied or terminated for failure to provide.

Participants whose termination is carried out after temporary deferral may not request a hearing since they had an opportunity for a hearing prior to the termination.

Participants whose assistance is pro-rated (either based on their statement that some members are ineligible or due to failure to verify eligible immigration status for some members after exercising their appeal and hearing rights described above) are entitled to a hearing based on the right to a hearing regarding determinations of tenant rent and Total Tenant Payment.

Families denied or terminated for fraud in connection with the non-citizens rule are entitled to a review or hearing in the same way as terminations for any other type of fraud.

F. MITIGATING CIRCUMSTANCES FOR APPLICANTS/PARTICIPANTS WITH DISABILITIES [24 CFR 982.204, 982.552(c)]

When applicants are denied placement on the waiting list, or the HACC is terminating assistance, the family will be informed that presence of a disability may be considered as a mitigating circumstance during the informal review process.

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

Reserved

Chapter 20

SPECIAL HOUSING TYPES

[24 CFR 982.601]

INTRODUCTION

The HACC will permit the use of any special housing types in its program.

The HACC will only permit the use of [state which special housing types] in its program when not requested and needed as a reasonable accommodation for persons with disabilities.

The HACC will permit the use of [any special housing types/state which housing types] in its program only if the applicant/participate can demonstrate that it is needed as a reasonable accommodation for a person with a disability. Acceptable demonstration will include documentation from one or more knowledgeable professionals who are familiar with the applicant/participant and or the type of special housing requested as accommodation.

Attachment nj010m01

The HACC will not set aside any program funding for special housing types, or for a special housing type. * A family may choose whether to rent housing that qualifies as a special housing type or to rent other eligible housing in accordance with requirements of the program.

Verification of Need for Reasonable Accommodation

Acceptable documentation as verification of the need for reasonable accommodation would be a letter to the HACC describing how the special housing type requested provides the accommodation of which the person is in need. The request and documentation will be reviewed by Director of Assistant Director of Section 8 and a written response stating approval or disapproval will be sent to the applicant/participant within 15 days of receipt of the request.

A copy of the HACC's response with supporting documentation will be maintained in the applicant/participant's file. The requested housing type must be approvable by all other HUD standards and HQS requirements in accordance with 24 CFR 982 Section M - Special Housing Types.

SINGLE ROOM OCCUPANCY [24 CFR 982.602]

HUD has determined that there is not a demand for SROs in this area. Therefore, a single person may not reside in an SRO housing unit.

There are no SROs in the HACC's jurisdiction.

The HACC will use a separate lease and housing assistance payment contract for each assisted person residing in a SRO. [24 CFR 982.603]

SRO Rent and Housing Assistance Payment [24 CFR 982.604]

Pre-merger Regular Certificate Program

The payment standard for SRO housing is 75 percent of the zero bedroom FMR.

Voucher Program

The HACC SRO payment standard is 75 percent of the zero bedroom payment standard schedule. For a person residing in an exception area the payment standard is 75 percent of the HUD-approved zero bedroom exception payment standard amount. While an assisted person resides in SRO housing, the SRO payment standard must be used to calculate the housing assistance payment.

Utility Allowance

The utility allowance for an assisted person residing in SRO housing is 75 percent of the zero bedroom utility allowance.

Housing Quality Standards

The HACC will ensure that all SRO units approved for the program are in compliance with all of the Housing Quality Standards for SROs as regulated in 24 CFR 982.605.

B. CONGREGATE HOUSING [24 CFR 982.606]

An elderly person or a person with disabilities may reside in a congregate housing unit.

The HACC may approve a family member or live-in aide to reside with the elderly person or person with disabilities.

The HACC will approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

Congregate Housing Lease and HAP Contract [24 CFR 982.607]

For congregate housing there will be a separate lease and HAP contract for each assisted family.

Unless there is a live-in aide, the payment standard for a family that resides in a congregate housing unit is the zero-bedroom payment standard on the HACC payment standard schedule.

However, if there are two or more rooms in the unit (not including kitchen or sanitary facilities), the payment standard for a family that resides in a congregate housing unit is the one bedroom payment standard amount.

If there is a live-in aide, the live-in aide will be counted in determining the family unit size.

Housing Quality Standards

The HACC will ensure that all congregate housing units approved for the program are in compliance with all of the Housing Quality Standards for congregate housing as regulated in 24 CFR 982.609.

C. GROUP HOMES [24 CFR 982.610, 982.612]

A group home must be licensed, certified, or otherwise approved in writing by the State, or the State's licensing department.

An elderly person or a person with disabilities may reside in a State-approved group home. If approved by the HACC, a live-in aide may reside with a person with disabilities.

The HACC must approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities. Except for a live-in aide, all residents of a group home must be elderly persons or persons with disabilities.

The HACC will not approve assistance for a person to live in a group home if file documentation indicates that the person is in need of continual medical or nursing care.

No more than twelve persons may reside in a group home. This limit covers all persons who reside in the unit, including assisted and unassisted residents and any live-in aide.

Group Home Lease and HAP Contract [24 CFR 982.611]

There will be a separate HAP contract and lease for each assisted person living in a group home. For a group home the term "pro-rata portion" means that which is derived by dividing the number of persons in the assisted household by the total number of residents (assisted and unassisted) residing in the group home. The number of persons in the assisted household equals one assisted person plus any HACC-approved live-in Aide.

Group Home Rent and HAP Contract [24 CFR 982.613]

The rent to owner for an assisted person may not exceed the pro-rata portion of the reasonable rent for the group home.

The reasonable rent for a group home is determined in accordance with 982.503. In determining reasonable rent the HACC will consider whether sanitary facilities, and facilities for food preparation and service, are common facilities or private.

Maximum Subsidy

Unless there is a live-in aide, the family unit size is **one bedroom**. If there is a live-in aide, the live-in aide will be counted in determining the family unit size.

The payment standard for a person who resides in a group home is the lower of the payment standard for the family unit size; or the pro-rata portion of the payment standard amount on the HACC payment standard schedule for the group home size.

Utility Allowance

The utility allowance for each assisted person residing in a group home is the pro-rata portion of the utility allowance for the group home unit size.

Housing Quality Standards

The HACC will ensure that all group home units approved for the program are in compliance with all of the Housing Quality Standards for group homes as regulated in 24 CFR 982.614.

D. SHARED HOUSING [24 CFR 982.615]

Occupancy

An assisted family may reside in shared housing. In shared housing, an assisted family may share a unit with another resident or residents of a unit. The unit may be a house or an apartment.

The HACC may approve a live-in aide to reside with a family in order to care for a person with a disability. The HA CC must approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

Other persons who are assisted or not assisted under the tenant-based program may reside in a shared housing unit. The owner of a shared housing unit may reside in the unit.

A resident owner may enter into a HAP contract with the HACC. However, housing assistance may not be paid on behalf of an owner. The HACC will not approve assistance for a person or family that is related by blood or marriage to a resident owner.

There will be a separate housing assistance payment contract and lease for each assisted family residing in a shared housing unit.

Rent and HAP Contract

For shared housing, the term "pro-rata portion" means the ratio derived by dividing the number of bedrooms in the private space available for occupancy by a family by the total number of bedrooms in the unit. For example, for a family entitled to occupy three bedrooms in a five bedroom unit, the ratio would be 3/5.

The rent to owner to owner for the family may not exceed the pro-rata portion of the reasonable rent for the shared housing dwelling unit. The reasonable rent must be in accordance with the guidelines set in the "Owner Rents, Rent Reasonableness, and Payment Standards" chapter.

Maximum Subsidy

For a family that resides in a shared housing unit the payment standard is the lower of the payment standard amount on the HACC payment standard schedule for the family unit size or the pro-rata portion of the payment standard amount on the HACC payment standard for the shared housing unit size.

If the HACC approves a live-in aide, the live-in aide will be counted in determining the family unit size.

Utility Allowance

The utility allowance for an assisted family living in shared housing is the pro-rata portion of the utility allowance for the shared housing unit.

Housing Quality Standards

The HACC will ensure that all shared housing units approved for the program are in compliance with all of the Housing Quality Standards for shared housing as regulated in 24 CFR 982.618.

E. COOPERATIVE HOUSING [24 CFR 982.619]

The HACC will approve a family living in cooperative housing if it is determined that assistance under the program will help maintain affordability of the cooperative unit for low-income families. The HACC will not approve assistance for a family in cooperative housing until the HACC has also determined that the cooperative has adopted requirements to maintain continued affordability for low-income families after transfer of a cooperative member's interest in a cooperative unit (such as a sale of the resident's share in a cooperative corporation).

The reasonable rent in cooperative housing is determined in accordance with "Owner Rents, Rent Reasonableness, and Payment Standards" chapter. For cooperative housing, the rent to owner is the monthly carrying charge under the occupancy agreement/lease between the member and the cooperative.

The carrying charge consists of the amount assessed to the member by the cooperative for occupancy of the housing. It includes the member's share of the cooperative's debt service, operating expenses, and necessary payments to cooperative reserve funds. However, the carrying charge does not include down-payments or other payments to purchase the cooperative unit, or to amortize a loan to the family for this purpose. Gross rent is the carrying charge plus any utility.

For a cooperative, rent adjustments are applied to the carrying charge as determined in "Owner Rents, Rent Reasonableness, and Payment Standards" chapter.

The lease and other appropriate documents will stipulate that the monthly carrying charge is subject to Section 8 limitations on rent to owner. The housing assistance payment will be determined in accordance with the guidelines in "Owner Rents, Rent Reasonableness, and Payment Standards" chapter.

The HACC may approve a live-in aide to reside with the family to care for a person with disabilities. The HACC will approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities. If the HACC approves a live-in aide, the live-in aide will be counted when determining the family unit size.

Housing Quality Standards

The HACC will ensure that all cooperative housing units approved for the program are in compliance with all of the Housing Quality Standards outlined in the "Housing Quality Standards and Inspections" chapter, and regulated by 24 CFR 982.401.

F. MANUFACTURED HOMES [24 CFR 982.620]

The HACC will permit a family to lease a manufactured home and space with assistance under the program. The PHA **will not** provide assistance for a family that owns the manufactured home and leases only the space.

The HACC may approve a live-in aide to reside with a family to care for a person with disabilities. The HACC will approve a live-in aide if needed as a reasonable accommodation so that the program is accessible to and usable by persons with disabilities. If the HACC approves a live-in aide, the live-in aide must be counted when determining the family unit size.

Housing Quality Standards [24 CFR 982.621]

A manufactured home must meet all the HQS requirements outlined in the "Housing Quality Standards and Inspections" chapter and regulated by 24 CFR 982.401. In addition the manufactured home also must meet the following requirements:

A manufactured home must be placed on the site in a stable manner, and must be free from hazards such as sliding or wind damage.

A manufactured home must be securely anchored by a tie-down device that distributes and transfers the loads imposed by the unit to appropriate ground anchors to resist wind overturning and sliding.

Reasonable Rent

During the assisted tenancy, the rent to owner for the manufactured home space may not exceed a reasonable rent as determined by the HACC.

The HACC will not approve a lease for a manufactured home space until the HACC has determined that the initial rent to owner for the space is a reasonable rent. At least annually during the assisted tenancy, the HACC will redetermine that the rent is reasonable.

The HACC will determine whether the rent to owner for a manufactured home space is a reasonable rent in comparison to rents for other comparable manufactured home spaces. The HACC will consider the size and location of the space and any services and maintenance provided by the owner in accordance with the lease.

By accepting each monthly housing assistance payment from the HACC, the owner of the manufactured home space certifies that the rent to owner for the space is not more than rent charged by the owner for unassisted rental of comparable spaces in the same manufactured home park or elsewhere. If requested by the HACC, the owner must provide the HACC information on rents for other manufactured home space.

Housing Assistance Payments for Manufactured Home Space [24 CFR 982.623]

HAP for the Voucher Tenancy

There is a separate FMR for a family renting a manufactured home space. The payment standard is used to calculate the monthly housing assistance payment for a family. The FMR for rental of a manufactured home space is generally 40 percent of the published FMR for a two-bedroom unit.

Subsidy Calculation for the Voucher Program

During the term of a voucher tenancy, the amount of the monthly housing assistance payment for a family will equal the lesser of:

The payment standard minus the total tenant payment; or

The rent paid for rental of the real property on which the manufactured home owned by the family is located (the space rent) minus the total tenant payment.

The space rent is the sum of the following as determined by the HACC:

Rent to owner for the manufactured home space;

Owner maintenance and management charges for the space;

The utility allowance for tenant paid utilities.

Attachment nj010m01

Utility Allowance Schedule for Manufactured Home Space Rental [24 CFR 982.624]

The HACC will establish utility allowances for manufactured home space rental. For the first twelve months of the initial lease term only, the allowances will include a reasonable amount for utility hook-up charges payable by the family, if the family actually incurs the expenses because of a move.

Allowances for utility hook-up charges do not apply to a family that leases a manufactured home space in place.

Utility allowances for manufactured home space will not be applied to cover the costs of digging a well or installation of a septic system.

G. HOMEOWNERSHIP [24 CFR 982.625]

General

The homeownership option is used to assist a family residing in a home purchased and owned by one or more members of the family.

The HACC must approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

The HACC may make homeownership available to all who qualify, or restrict homeownership to families or purposes defined by the HACC. The HACC may also limit the number of families assisted with homeownership.

The HACC may provide homeownership assistance in the form of monthly payments, or as a downpayment assistance grant. The HACC may choose to offer either or both forms, or may choose not to offer homeownership assistance. If the HACC offers both forms of assistance, the family chooses which form to receive.

The HACC must offer either form of assistance if necessary as a reasonable accommodation. However, the HACC may determine that homeownership assistance is not a reasonable accommodation if the HACC has otherwise opted not to implement a homeownership program.

A family may receive only one form of homeownership assistance. A family that includes a person who was an adult member of a family that previously received either form of homeownership assistance may not receive the other form from any HACC.

The HACC will offer monthly homeownership assistance payments to qualified families according to the policies contained in this chapter.

The HACC will offer downpayment assistance grants to qualified families according to the policies contained in this chapter.

Families selected to receive homeownership assistance may choose either monthly assistance payments or a downpayment assistance grant.

Monthly Homeownership Assistance Payments

The HACC will offer the monthly homeownership assistance option to all applicant and participant families who meet the eligibility requirements listed below.

The HACC will offer monthly homeownership assistance only to participating families who:

Are currently enrolled in the Family Self-Sufficiency (FSS) Program and in compliance with the FSS contract.

Are graduates of the HACC's Family Self-Sufficiency FSS program.

Attachment nj010m01

The HACC will offer monthly homeownership assistance to applicant families who:

Are currently enrolled and participating in a self-sufficiency program operated by a Federal, State or local agency.

Contain at least 1 adult family member who has been fully employed for at least 2 years.

Currently in all family obligations.

The HACC will limit monthly homeownership assistance to a maximum of 50 families at any given time.

Monthly Homeownership Assistance: Eligibility Requirements [24 CFR 982.627]

The family must meet all of the requirements listed below before the commencement of homeownership assistance.

The family must be eligible for the Housing Choice Voucher program.

The family must qualify as a first-time homeowner, or may be a co-operative member.

The family must meet the Federal minimum income requirement. The family must have a gross annual income equal to the Federal minimum wage multiplied by 2000, based on the income of adult family members who will own the home.

For disabled families, the minimum income requirement is equal to the current SSI monthly payment for an individual living alone, multiplied by 12.

For elderly or disabled families, welfare assistance payments for adult family members who will own the home will be included in determining whether the family meets the minimum income requirement.

The HACC may establish a higher income standard for disabled families and/or for non-disabled families. However, a family that meets the federal minimum income requirement (but not the HACC's requirement) will be considered to meet the minimum income requirement if it can demonstrate that it has been pre-qualified or pre-approved for financing.

In order to reflect local homeownership costs, the HACC has established a minimum income standard.

The HACC has established a minimum income standard of ()for disabled families.

Attachment nj010m01

The family must meet the Federal minimum employment requirement.

At least one adult family member who will own the home must be currently employed full time and must have been continuously employed for one year prior to homeownership assistance.

HUD regulations define “full time employment” as not less than an average of 30 hours per week.

A family member will be considered to have been continuously employed even if that family member has experienced a break in employment, provided that the break in employment:

did not exceed 30 calendar days; and

did not occur within the 9 month period immediately prior to the family’s request to utilize the homeownership option; and

has been the only break in employment within the past 12 calendar months.

The Federal minimum employment requirement does not apply to elderly or disabled families.

Any family member who was an adult member of a family that previously defaulted on a mortgage obtained through the homeownership option is barred from receiving future homeownership assistance.

The HACC will impose the following additional initial requirements:

The family has had no family-caused violations of HUD’s Housing Quality standards within the last 1 year period.

The family is not within the initial 1-year period of a HAP Contract.

The family does not owe money to the HACC.

The family has not committed any serious or repeated violations of a HACC-assisted lease within the past 2 years].

Homeownership Counseling Requirements [24 CFR 982.630]

When the family has been determined eligible, they must attend and complete homeownership counseling sessions. These counseling sessions will be conducted by a HUD-approved housing counseling agency. Such counseling shall be consistent with HUD-approved housing counseling.

The following topics will be included in the homeownership counseling sessions:

Home maintenance (including care of the grounds);

Budgeting and money management;

Credit counseling;

How to negotiate the purchase price of a home;

How to obtain homeownership financing and loan preapprovals, including a description of types of financing that may be available, and the pros and cons of different types of financing;

How to find a home, including information about homeownership opportunities, schools, and transportation in the PHA jurisdiction;

Advantages of purchasing a home in an area that does not have a high concentration of low-income families and how to locate homes in such areas;

Information about RESPA, state and Federal truth-in-lending laws, and how to identify and avoid loans with oppressive terms and conditions;

Eligible Units [24 CFR 982.628]

The unit must meet all of the following requirements:

The unit must meet HUD's "Eligible Housing" requirements. The unit may not be any of the following:

A public housing or Indian housing unit;

A unit receiving Section 8 project-based assistance;

A nursing home, board and care home, or facility providing continual psychiatric, medical or nursing services;

A college or other school dormitory;

On the grounds of penal, reformatory, medical, mental, or similar public or private institutions.

The unit was already existing or under construction at the time the family was determined eligible for homeownership assistance.

The unit is a one-unit property or a single dwelling unit in a cooperative or condominium.

The unit has been inspected by the HACC and by an independent inspector designated by the family.

The unit meets HUD Housing Quality Standards.

The unit may be a home where the family will not own fee title to the real property (such as a manufactured home), if the home has a permanent foundation and the family has the right to occupy the site for at least 40 years.

The HACC must not approve the seller of the unit if the HACC has been informed that the seller is debarred, suspended, or subject to a limited denial of participation. The HACC may disapprove the seller for any reason provided for disapproval of an owner in the voucher program.

HACC Search and Purchase Requirements [24 CFR 982.629]

The HACC has established the maximum time that will be allowed for a family to locate and purchase a home.

The family's deadline date for locating a home to purchase will be 6 months from the date the family's eligibility for the homeownership option is determined.

The family must obtain financing for the home within 6 months of the date eligibility for the homeownership program is determined.

The family must purchase the home within 6 months of the date eligibility for the homeownership program is determined.

The HACC will require periodic reports on the family's progress in finding and purchasing a home. Such reports will be provided by the family at intervals of 45 days.

If the family is unable to purchase a home within the maximum time limit, the HACC will issue the family a voucher to lease a unit.

Inspection and Contract [24 CFR 982.631]

The unit must meet Housing Quality Standards, and must also be inspected by an independent professional inspector selected and paid by the family.

The independent inspection must cover major building systems and components. The inspector must be qualified to identify physical defects and report on property conditions, including major building systems and components. These systems and components include, but are not limited to:

Foundation and structure;

Housing interior and exterior;

Roofing;

Plumbing, electrical and heating systems.

The HACC may disapprove the unit for homeownership assistance because of information in the report.

The family must enter into a contract of sale with the seller of the unit. A copy of the contract must be given to the HACC. The contract of sale must specify the price and terms of sale, and provide that the purchaser will arrange for a pre-purchase independent inspection of the home. The contract must also:

Provide that the purchaser is not obligated to buy the unit unless the inspection is satisfactory;

Attachment nj010m01

Provide that the purchaser is not obligated to pay for necessary repairs; and

Contain the seller's certification that he or she has not been debarred, suspended or subject to a limited denial of participation.

Financing [24 CFR 982.632]

The family is responsible for securing financing.

Attachment nj010m01

The HACC will prohibit the following forms of financing:

- balloon payment mortgages
- variable interest rate loans
- seller financing
- seller financing on a case-by-case basis

The HACC will require a minimum cash down payment of \$1,000 to be paid from the family's own resources.

Continued Assistance [24 CFR 982.633]

Homeownership assistance may only be paid while the family is residing in the home. The family or lender is not required to refund homeownership assistance for the month when the family moves out.

The family must comply with the following obligations:

The family must comply with the terms of the mortgage securing debt incurred to purchase the home, or any refinancing of such debt.

The family may not convey or transfer ownership of the home, except for purposes of financing, refinancing, or pending settlement of the estate of a deceased family member. Use and occupancy of the home are subject to CFR 982.551 (h) and (i).

The family must supply information to the HACC or HUD as specified in CFR 982.551(b). The family must further supply any information required by the HACC or HUD concerning mortgage financing or refinancing, sale or transfer of any interest in the home, or homeownership expenses.

The family must notify the HACC before moving out of the home.

The family must notify the HACC if the family defaults on the mortgage used to purchase the home.

No family member may have any ownership interest in any other residential property.

The family must attend and complete ongoing homeownership counseling.

The home must pass a HUD Housing Quality Standards inspection yearly.

Before commencement of homeownership assistance, the family must execute a statement in which the family agrees to comply with all family obligations under the homeownership option.

Maximum Term of Homeownership Assistance [24 CFR 982.634]

Except in the case of elderly or disabled families, the maximum term of homeownership assistance is:

15 years, if the initial mortgage term is 20 years or longer, or

10 years in all other cases.

The elderly exception only applies if the family qualified as elderly at the start of homeownership assistance. The disabled exception applies if, at any time during receipt of homeownership assistance, the family qualifies as disabled.

If the family ceases to qualify as elderly or disabled during the course of homeownership assistance, the maximum term becomes applicable from the date assistance commenced. However, such a family must be afforded at least 6 months of homeownership assistance after the maximum term becomes applicable.

If the family receives homeownership assistance for different homes, or from different HAs, the total is subject to the maximum term limitations.

Homeownership Assistance Payments and Homeownership Expenses [24 CFR 982.635]

The monthly homeownership assistance payment is the lower of: the voucher payment standard minus the total tenant payment, or the monthly homeownership expenses minus the total tenant payment.

In determining the amount of the homeownership assistance payment, the HACC will use the same payment standard schedule, payment standard amounts, and subsidy standards as those described in this plan for the Housing Choice Voucher program.

The HACC will pay the homeownership assistance payment to a lender on behalf of the family/to the family or to the lender at the discretion of the HACC.

Some homeownership expenses are allowances or standards determined by the HACC in accordance with HUD regulations. These allowances are used in determining expenses for all homeownership families and are not based on the condition of the home.

Attachment nj010m01

Homeownership expenses include:

- Principal and interest on mortgage debt.
- Mortgage insurance premium.
- Taxes and insurance.
- The HACC utility allowance used for the voucher program.
- The HACC allowance for routine maintenance costs
- The HACC allowance for major repairs and
- Principal and interest on debt for improvements.

If the home is a cooperative or condominium, expenses also include operating expenses or maintenance fees assessed by the homeowner association.

Portability [24 CFR 982.636, 982.353(b) and (c), 982.552, 982.553]

Subject to the restrictions on portability included in HUD regulations and in Chapter 13 of this plan, the family may exercise portability if the receiving HACC is administering a voucher homeownership program and accepting new homeownership families.

The receiving HACC may absorb the family into its voucher program, or bill the initial HACC. The receiving HACC arranges for housing counseling and the receiving HACC's homeownership policies apply.

Moving With Continued Assistance [24 CFR 982.637]

A family receiving homeownership assistance may move with continued tenant-based assistance. The family may move with voucher rental assistance or with voucher homeownership assistance. Continued tenant-based assistance for a new unit cannot begin so long as any family member holds title to the prior home.

The HACC prohibits more than one move by the family during any one year period.

The HACC will deny permission to move with continued rental or homeownership assistance if the HACC determines that it does not have sufficient funding to provide continued assistance.

The HACC will require the family to complete additional homeownership counseling prior to moving to a new unit with continued assistance under the homeownership option.

Denial or Termination of Assistance [24 CFR 982.638]

Termination of homeownership assistance is governed by the policies for the Housing Choice Voucher program contained in chapter 15 of the Administrative Plan. However, the provisions of CFR 982.551 (c) through (j) are not applicable to homeownership.

The HACC will terminate homeownership assistance if the family is dispossessed from the home due to a judgment or order of foreclosure.

The HACC will permit such a family to move with continued voucher rental assistance. However, rental assistance will be denied if the family defaulted on an FHA-insured mortgage, and the family fails to demonstrate that:

The family has conveyed, or will convey, title to the home as required by HUD, and

The family has moved, or will move, within the period required by HUD.

The HACC will not permit such a family to move with voucher rental assistance.

The HACC will terminate homeownership assistance if the family violates any of the family obligations contained in this section.

The HACC will terminate homeownership assistance if the family violates any of the following family obligations:

Transfer or conveyance of ownership of the home;

Providing requested information to the HACC or HUD;

Notifying the HACC before moving out of the home;

Downpayment Assistance Grants (24 CFR 982.643)

Most of the regulations governing monthly homeownership assistance apply to downpayment assistance grants. However, families receiving downpayment assistance are not subject to the regulations concerning continued assistance, family obligations, the maximum term of assistance, amount and distribution of payments, or moves with continued assistance.

Eligibility for downpayment assistance is limited to current participants in the voucher program.

The maximum downpayment assistance grant is the HACC payment standard minus the family's TTP, multiplied by 12.

Downpayment assistance must be applied to the downpayment for purchase of the home. The HACC may allow the grant to be applied to reasonable and customary closing costs as defined by the HACC. If the family purchases a home with FHA mortgage insurance, closing costs are subject to FHA requirements.

Attachment nj010m01

The downpayment assistance grant must be applied to the downpayment for the home and the following closing costs:

Loan origination fees

Credit report fees

Escrow fees

Title insurance fees

Recording fees

Appraisal reports

Survey fees

Pilot Program for Homeownership Assistance for Disabled Families [CFR 982.642]

The HACC has the option of offering assistance under the pilot program instead of, or in addition to, the homeownership assistance described in this section. Most of the regulations governing homeownership assistance apply to the pilot program.

Eligibility: the family must meet the definition of "disabled family." The family is not required to meet the low-income requirement, but annual income cannot exceed 99% of the area median. The family must not be a current homeowner. The family need not meet the definition of "first-time homeowner."

Homeownership Assistance Payments: Payments are calculated as described in this section. A low-income family receives the full assistance payment. A family whose annual income is between 81% and 89% of area median receives 66% of the assistance payment. A family whose annual income is between 90% and 99% of area median receives 33% of the assistance payment. The HACC must make payments to the lender.

Mortgage Defaults: The HACC may permit the family to move with continued homeownership assistance if the default is due to catastrophic medical reasons or to the impact of a federally declared disaster.

The HACC will offer homeownership assistance under the pilot program for disabled families.

To the extent applicable, the HACC's policies for homeownership assistance apply to families participating in the pilot program

CHAPTER 21

PROGRAM ADMINISTRATION

INTRODUCTION

This chapter discusses administrative policies and practices that are relevant to the activities covered in this plan. The policies are discussed in seven parts as described below:

Part I: Administrative Fee Reserve. This part describes the HACC's policies with the oversight of expenditures from its administrative fee reserve.

Part II: Setting Program Standards and Schedules. This part describes what Payment standards are, and how they are updated, as well as how utility allowances are established is revised.

Part III: Informal Reviews and Hearings. This part outlines the requirements and for informal hearings regarding citizenship status.

Part IV: Owner or Family Debts to the HACC. This part describes policies for

Recovery of monies that the HACC has overpaid on behalf of families, or to owners, and describes the circumstances under which the HACC will offer repayment agreements to owners and families. Also discussed are the consequences for failure to make payments in accordance with a repayment agreement.

Part V: Section 8 Management Assessment Program (SEMAP). This part describes what the SEMAP scores represent, how they are established, and how those scores affect the HACC.

Part VI: Record-Keeping. All aspects of the program involve certain types of record-keeping. This part outlines the privacy rights of applicants and participants and record retention policies the HACC will follow.

Part VII: Reporting and Record Keeping for Children with Environmental Intervention Blood Lead Level. This part describes the HACC's responsibilities for reporting, data collection, and record keeping relative to children with environmental intervention blood lead levels that are less than six years of age, and are receiving HCV assistance.

GLOSSARY

A. ACRONYMS USED IN SUBSIDIZED HOUSING

AAF	Annual Adjustment Factor. A factor published by HUD in the Federal Register which is used to compute annual rent adjustment.
ACC	Annual Contributions Contract
BR	Bedroom
CDBG	Community Development Block Grant
CFR	Code of Federal Regulations. Commonly referred to as "the regulations". The CFR is the compilation of Federal rules which are first published in the Federal Register and define and implement a statute.
CPI	Consumer Price Index. CPI is published monthly by the Department of Labor as an inflation indicator.
ELI	Extremely low income
FDIC	Federal Deposit Insurance Corporation

Attachment nj010m01

FHA	Federal Housing Administration
FICA	Federal Insurance Contributions Act - Social Security taxes
FmHA	Farmers Home Administration
FMR	Fair Market Rent
FY	Fiscal Year
FYE	Fiscal Year End
GAO	Government Accounting Office
GFC	Gross Family Contribution. Note: Has been replaced by the term Total Tenant Payment (TTP).
GR	Gross Rent
HAP	Housing Assistance Payment
HAP Plan	Housing Assistance Plan

Attachment nj010m01

HCDA	Housing and Community Development Act
HQS	Housing Quality Standards
HUD	The Department of Housing and Urban Development or its designee.
HURRA	Housing and Urban/Rural Recovery Act of 1983; resulted in most of the 1984 HUD regulation changes to definition of income, allowances, rent calculations
IG	Inspector General
IGR	Independent Group Residence
IPA	Independent Public Accountant
IRA	Individual Retirement Account
MSA	Metropolitan Statistical Area established by the U.S. Census Bureau
PHA	Public Housing Agency
PMSA	A Primary Metropolitan Statistical Area established by the U.S. Census Bureau
PS	Payment Standard
QC	Quality Control
RFAT	Request for Approval of Tenancy
RFP	Request for Proposals
RRP	Rental Rehabilitation Program
SRO	Single Room Occupancy
SSMA	Standard Statistical Metropolitan Area. Has been replaced by MSA, Metropolitan Statistical Area.
TR	Tenant Rent
TTP	Total Tenant Payment
UA	Utility Allowance
URP	Utility Reimbursement Payment

B. GLOSSARY OF TERMS IN SUBSIDIZED HOUSING

1937 ACT. The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.)

ADMINISTRATIVE PLAN. The HUD required written policy of the PHA governing its administration of the Section 8 tenant-based programs. The Administrative Plan and any revisions must be approved by the PHA's board and a copy submitted to HUD as a supporting document to the PHA Plan.

ABSORPTION. In portability, the point at which a receiving PHA stops billing the initial PHA for assistance on behalf of a portability family. The receiving PHA uses funds available under the receiving PHA consolidated ACC.

ACC RESERVE ACCOUNT (FORMERLY "PROJECT RESERVE"). Account established by HUD from amounts by which the maximum payment to the PHA under the consolidated ACC (during a PHA fiscal year) exceeds the amount actually approved and paid. This account is used as the source of additional payments for the program.

ADA. Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)

ADJUSTED INCOME. Annual income, less allowable HUD deductions.

ADMINISTRATIVE FEE. Fee paid by HUD to the PHA for administration of the program.

ADMINISTRATIVE FEE RESERVE (Formerly "Operating reserve"). Account established by PHA from excess administrative fee income. The administrative fee reserve must be used for housing purposes.

ADMISSION. The effective date of the first HAP contract for a family (first day of initial lease term) in a tenant-based program. This is the point when the family becomes a participant in the program.

ANNUAL BUDGET AUTHORITY. The maximum annual payment by HUD to a PHA for a funding increment.

ANNUAL CONTRIBUTIONS CONTRACT (ACC). A written contract between HUD and a PHA. Under the contract HUD agrees to provide funding for operation of the program, and the PHA agrees to comply with HUD requirements for the program

ANNUAL INCOME. The anticipated total Annual Income of an eligible family from all sources for the 12-month period following the date of determination of income, computed in accordance with the regulations.

ANNUAL INCOME AFTER ALLOWANCES. The Annual Income (described above) less the HUD-approved allowances.

Attachment nj010m01

APPLICANT. (or applicant family). A family that has applied for admission to a program, but is not yet a participant in the program.

"AS-PAID" STATES. States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs.

ASSETS. (See Net Family Assets.)

ASSISTED TENANT. A tenant who pays less than the market rent as defined in the regulations. Includes tenants receiving rent supplement, Rental Assistance Payments, or Section 8 assistance and all other 236 and 221 (d)(3) BMIR tenants, except those paying the 236 market rent or 120% of the BMIR rent, respectively.

BUDGET AUTHORITY. An amount authorized and appropriated by the Congress for payment to PHAs under the program. For each funding increment in a PHA program, budget authority is the maximum amount that may be paid by HUD to the PHA over the ACC term of the funding increment.

CERTIFICATE. A Certificate issued by the PHA under the Section 8 pre-merger certificate program, declaring a family to be eligible for participation in this program and stating the terms and conditions for such participation. Will no longer be issued after October 1, 1999.

CERTIFICATE PROGRAM. Pre-merger rental certificate program.

CHILD CARE EXPENSES. Amounts paid by the family for the care of minors under 13 years of age where such care is necessary to enable a family member to be employed or for a household member to further his/her education.

CO-HEAD. An individual in the household who is equally responsible for the lease with the Head of Household. (A family never has a Co-head and a Spouse and; a Co-head is never a Dependent).

COMMON SPACE. In shared housing: Space available for use by the assisted family and other occupants of the unit.

CONGREGATE HOUSING. Housing for elderly persons or persons with disabilities that meets the HQS for congregate housing.

CONSOLIDATED ANNUAL CONTRIBUTIONS CONTRACT. (Consolidated ACC). See 24 CFR 982.151.

Attachment nj010m01

CONTIGUOUS MSA. In portability, an MSA that shares a common boundary with the MSA in which the jurisdiction of the initial PHA is located.

CONTINUOUSLY ASSISTED. An applicant is continuously assisted under the 1937 Housing Act if the family is already receiving assistance under any 1937 Housing Act program when the family is admitted to the voucher program.

CONTRACT. (See Housing Assistance Payments Contract.)

COOPERATIVE. (term includes mutual housing). Housing owned by a nonprofit corporation or association, and where a member of the corporation or association has the right to reside in a particular apartment, and to participate in management of the housing. A special housing type: See 24 CFR 982.619.

COVERED FAMILIES. Statutory term for families who are required to participate in a welfare agency economic self-sufficiency program and who may be subject to a welfare benefit sanction for noncompliance with this obligation. Includes families who receive welfare assistance or other public assistance under a program for which Federal, State or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for the assistance.

DEPENDENT. A member of the family household (excluding foster children) other than the family head or spouse, who is under 18 years of age or is a Disabled Person or Handicapped Person, or is a full-time student 18 years of age or over.

DISABILITY ASSISTANCE EXPENSE. Anticipated costs for care attendants and auxiliary apparatus for disabled family members which enable a family member (including the disabled family member) to work.

DISABLED FAMILY. A family whose head, spouse, or sole member is a person with disabilities; or two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides.

DISABLED PERSON. See Person with Disabilities.

DISPLACED PERSON/FAMILY. A person or family displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized under federal disaster relief laws.

DOMICILE. The legal residence of the household head or spouse as determined in accordance with State and local law.

DRUG-RELATED CRIMINAL ACTIVITY. The illegal manufacture, sale, distribution, use, or the possession with intent to manufacture, sell distribute or use, of a controlled substance (as defined in Section 102 of the Controlled Substance Act (21 U.S.C. 802).

DRUG TRAFFICKING. The illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute or use, of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

ECONOMIC SELF-SUFFICIENCY PROGRAM. Any program designed to encourage, assist, train or facilitate the economic independence of assisted families, or to provide work for such families. Can include job training, employment counseling, work placement, basic skills training, education, English proficiency, Workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as treatment for drug abuse or mental health treatment). Includes any work activities as defined in the Social Security Act (42 U.S.C. 607(d)). Also see 24 CFR 5.603 (c).

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

ELDERLY HOUSEHOLD. A family whose head or spouse or whose sole member is at least 62 years of age; may include two or more elderly persons living together or one or more such persons living with another person who is determined to be essential to his/her care and wellbeing.

ELDERLY PERSON. A person who is at least 62 years old.

ELIGIBILITY INCOME. May 10, 1984, regulations deleted Eligibility Income, per se, because Annual Income is now for eligibility determination to compare to income limits.

ELIGIBLE FAMILY (Family) A family is defined by the PHA in the administrative Plan, which is approved by HUD.

EXCEPTIONAL MEDICAL OR OTHER EXPENSES. Prior to the regulation change in 1982, this meant medical and/or unusual expenses as defined in Part 889 which exceeded 25% of the Annual Income. It is no longer used.

EXCEPTION RENT. In the pre-merger certificate program, an initial rent (contract rent plus any utility allowance) in excess of the published FMR. See FMR/Exception rent.

EXCESS MEDICAL EXPENSES. Any medical expenses incurred by elderly or disabled families only in excess of 3% of Annual Income which are not reimbursable from any other source.

EXTREMELY LOW-INCOME FAMILY. A family whose annual income does not exceed 30 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income ceilings higher or lower than 30% of medical income for an area if HUD finds such variations are necessary due to unusually high or low family incomes.

FAIR HOUSING ACT. Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601 et seq.)

FAIR MARKET RENT (FMR). The rent including the cost of utilities (except telephone) that would be required to be paid in the housing market area to obtain privately owned existing decent, safe and sanitary rental housing of modest (non-luxury) nature with suitable amenities. Fair market rents for existing housing are established by HUD for housing units of varying sizes (number of bedrooms) and are published in the *Federal Register*.

FAMILY. "Family" includes but is not limited to:

A family with or without children (the temporary absence of a child from the home due to placement in foster care shall not be considered in determining family composition and family size);

An elderly family;

A near-elderly family;

A displaced family

The remaining member of a tenant family; and

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

("Family" can be further defined by the PHA).

FAMILY OF VETERAN OR SERVICE PERSON. A family is a "family of veteran or service person" when:

The veteran or service person (a) is either the head of household or is related to the head of the household; or (b) is deceased and was related to the head of the household, and was a family member at the time of death.

The veteran or service person, unless deceased, is living with the family or is only temporarily absent unless s/he was (a) formerly the head of the household and is permanently absent because of hospitalization, separation, or desertion, or is divorced; provided, the family contains one or more persons for whose support s/he is legally responsible and the spouse has not remarried; or (b) not the head of the household but is permanently hospitalized; provided, that s/he was a family member at the time of hospitalization and there remain in the family at least two related persons.

FAMILY RENT TO OWNER. In the voucher program, the portion of the rent to owner paid by the family.

FAMILY SELF-SUFFICIENCY PROGRAM (FSS PROGRAM). The program established by a PHA to promote self-sufficiency of assisted families, including the provision of supportive services.

FAMILY SHARE. The amount calculated by subtracting the housing assistance payment from the gross rent.

FAMILY UNIT SIZE. The appropriate number of bedrooms for a family, as determined by the PHA under the PHA's subsidy standards.

FMR/EXCEPTION RENT. The fair market rent published by HUD headquarters. In the pre-merger certificate program the initial contract rent for a dwelling unit plus any utility allowance could not exceed the FMR/exception rent limit (for the dwelling unit or for the family unit size). In the voucher program the PHA adopts a payment standard schedule that is within 90% to 110% of the FMR for each bedroom size.

FOSTER CHILD CARE PAYMENT. Payment to eligible households by state, local, or private agencies appointed by the State, to administer payments for the care of foster children.

FULL-TIME STUDENT. A person who is attending school or vocational training on a full-time basis (carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended).

FUNDING INCREMENT. Each commitment of budget authority by HUD to a PHA under the consolidated annual contributions contract for the PHA program.

GROSS FAMILY CONTRIBUTION. Changed to Total Tenant Payment.

GROSS RENT. The sum of the Rent to Owner and the utility allowance. If there is no utility allowance, Rent to Owner equals Gross Rent.

GROUP HOME. A dwelling unit that is licensed by a State as a group home for the exclusive residential use of two to twelve persons who are elderly or persons with disabilities (including any live-in aide).

HAP CONTRACT. (See Housing Assistance Payments contract.)

HEAD OF HOUSEHOLD. The head of household is the person who assumes legal and financial responsibility for the household and is listed on the application as head.

HOUSING AGENCY. A state, county, municipality or other governmental entity or public body (or agency or instrumentality thereof) authorized to engage in or assist in the development or operation of low-income housing. ("PHA" and "HA" mean the same thing.)

HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974. Act in which the U.S. Housing Act of 1937 (sometimes referred to as the Act) was recodified, and which added the Section 8 Programs.

HOUSING ASSISTANCE PAYMENT. The monthly assistance payment by a PHA. The total assistance payment consists of:

A payment to the owner for rent to owner under the family's lease.

An additional payment to the family if the total assistance payment exceeds the rent to owner. The additional payment is called a "utility reimbursement" payment.

HOUSING ASSISTANCE PAYMENTS CONTRACT. (HAP contract). A written contract between a PHA and an owner in the form prescribed by HUD headquarters, in which the PHA agrees to make housing assistance payments to the owner on behalf of an eligible family.

HOUSING ASSISTANCE PLAN. (1) A Housing Assistance Plan submitted by a local government participating in the Community Development Block Program as part of the block grant application, in accordance with the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD. (2) A Housing Assistance Plan meeting the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD.

HOUSING QUALITY STANDARDS (HQS). The HUD minimum quality standards for housing assisted under the tenant-based programs.

HUD. The Department of Housing and Urban Development.

HUD REQUIREMENTS. HUD requirements for the Section 8 programs. HUD requirements are issued by HUD headquarters as regulations. Federal Register notices or other binding program directives.

IMPUTED ASSET. Asset disposed of for less than Fair Market Value during two years preceding examination or reexamination.

IMPUTED INCOME. HUD passbook rate x total cash value of assets. Calculation used when assets exceed \$5,000.

IMPUTED WELFARE INCOME. An amount of annual income that is not actually received by a family as a result of a specified welfare benefit reduction, but is included in the family's annual income and therefore reflected in the family's rental contribution.

INCOME. Income from all sources of each member of the household as determined in accordance with criteria established by HUD.

INCOME FOR ELIGIBILITY. Annual Income.

INDIAN. Any person recognized as an Indian or Alaska native by an Indian tribe, the federal government, or any State.

INDIAN HOUSING AUTHORITY (IHA). A housing agency established either by exercise of the power of self-government of an Indian Tribe, independent of State law, or by operation of State law providing specifically for housing authorities for Indians.

INITIAL PHA. In portability, the term refers to both:

A PHA that originally selected a family that later decides to move out of the jurisdiction of the selecting PHA; and

A PHA that absorbed a family that later decides to move out of the jurisdiction of the absorbing PHA.

INITIAL PAYMENT STANDARD. The payment standard at the beginning of the HAP contract term.

INITIAL RENT TO OWNER. The rent to owner at the beginning of the HAP contract term.

INTEREST REDUCTION SUBSIDIES. The monthly payments or discounts made by HUD to reduce the debt service payments and, hence, rents required on Section 236 and 221 (d)(3) BMIR projects. Includes monthly interest reduction payments made to mortgagees of Section 236 projects and front-end loan discounts paid on BMIR projects.

JURISDICTION. The area in which the PHA has authority under State and local law to administer the program.

LANDLORD. This term means either the owner of the property or his/her representative or the managing agent or his/her representative, as shall be designated by the owner.

LARGE VERY LOW INCOME FAMILY. Prior to the 1982 regulations, this meant a very low income family which included six or more minors. This term is no longer used.

LEASE. A written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP contract between the owner and the PHA. In cooperative housing, a written agreement between a cooperative and a member of the cooperative. The agreement establishes the conditions for occupancy of the member's family with housing assistance payments to the cooperative under a HAP contract between the cooperative and the PHA.

LEASE ADDENDUM. For pre-merger Certificate, pre-merger OFTO, and pre-merger Voucher tenancies, the lease language required by HUD in the lease between the tenant and the owner.

Attachment nj010m01

LIVE-IN AIDE. A person who resides with an elderly person or disabled person and who is determined to be essential to the care and well-being of the person, is not obligated for the support of the person, and would not be living in the unit except to provide necessary supportive services.

LOCAL PREFERENCE. A preference used by the PHA to select among applicant families.

LOW-INCOME FAMILY. A family whose annual income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income ceilings higher or lower than 80% for areas with unusually high or low income families.

MANUFACTURED HOME. A manufactured structure that is built on a permanent chassis, is designed for use as a principal place of residence, and meets the HQS. A special housing type. See 24 CFR 982.620 and 982.621.

MANUFACTURED HOME SPACE. In manufactured home space rental: A space leased by an owner to a family. A manufactured home owned and occupied by the family is located on the space. See 24 CFR 982.622 to 982.624

MARKET RENT. The rent HUD authorizes the owner of FHA insured/subsidized multi-family housing to collect from families ineligible for assistance. For unsubsidized units in an FHA-insured multi-family project in which a portion of the total units receive project-based rental assistance, under the Rental Supplement or Section 202/Section 8 Programs, the Market Rate Rent is that rent approved by HUD and is the Contract Rent for a Section 8 Certificate holder. For BMIR units, Market Rent varies by whether the project is a rental or cooperative.

MEDICAL EXPENSES. Those total medical expenses, including medical insurance premiums, that are anticipated during the period for which Annual Income is computed, and that are not covered by insurance. (A deduction for elderly or disabled families only.) These allowances are given when calculating adjusted income for medical expenses in excess of 3% of Annual Income.

MERGER DATE. October 1, 1999.

MINOR. A member of the family household (excluding foster children) other than the family head or spouse who is under 18 years of age.

MIXED FAMILY. A family with citizens and eligible immigration status and without citizens and eligible immigration status as defined in 24 CFR 5.504(b)(3)

MONTHLY ADJUSTED INCOME. 1/12 of the Annual Income after Allowances or Adjusted Income.

MONTHLY INCOME. 1/12 of the Annual Income.

MUTUAL HOUSING. Included in the definition of COOPERATIVE.

Attachment nj010m01

NATIONAL. A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.

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

NEGATIVE RENT. Now called Utility Reimbursement. A negative Tenant Rent results in a Utility Reimbursement Payment (URP).

NET FAMILY ASSETS. Value of equity in savings, checking, IRA and Keogh accounts, real property, stocks, bonds, and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles is excluded from the definition.

NET FAMILY CONTRIBUTION. Former name for Tenant Rent.

NON CITIZEN. A person who is neither a citizen nor a national of the United States.

OCCUPANCY STANDARDS. [Now referred to as **Subsidy Standards**] Standards established by a PHA to determine the appropriate number of bedrooms for families of different sizes and compositions.

OVER-FMR TENANCY (OFTO). In the pre-merger Certificate program: A tenancy for which the initial gross rent exceeds the FMR/exception rent limit.

OWNER. Any persons or entity having the legal right to lease or sublease a unit to a participant.

PARTICIPANT. A family that has been admitted to the PHA's program and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the PHA for the family (First day of initial lease term).

PAYMENT STANDARD. The maximum monthly assistance payment for a family assisted in the voucher program (before deducting the total tenant payment by the family).

PERSON WITH DISABILITIES. A person who has a disability as defined in 42 U.S.C 423 or a developmental disability as defined in 42 U.S.C. 6001. Also includes a person who is determined, under HUD regulations, to have a physical or mental impairment that is expected to be of long-continued and indefinite duration, substantially impedes the ability to live independently, and is of such a nature that the ability to live independently could be improved by more suitable housing conditions. For purposes of reasonable accommodation and program accessibility for persons with disabilities, means an "individual with handicaps" as defined in 24 CFR 8.3. Definition does not exclude persons who have AIDS or conditions arising from AIDS, but does not include a person whose disability is based solely on drug or alcohol dependence (for low-income housing eligibility purposes).

Attachment nj010m01

PHA PLAN. The annual plan and the 5-year plan as adopted by the PHA and approved by HUD in accordance with part 903 of this chapter.

PORTABILITY. Renting a dwelling unit with Section 8 tenant-based assistance outside the jurisdiction of the initial PHA.

PREMISES. The building or complex in which the dwelling unit is located, including common areas and grounds.

PRIVATE SPACE. In shared housing: The portion of a contract unit that is for the exclusive use of an assisted family.

PROCESSING ENTITY. Entity responsible for making eligibility determinations and for income reexaminations. In the Section 8 Program, the "processing entity" is the "responsible entity."

PROGRAM. The Section 8 tenant-based assistance program under 24 CFR Part 982.

PROGRAM RECEIPTS. HUD payments to the PHA under the consolidated ACC, and any other amounts received by the PHA in connection with the program.

PUBLIC ASSISTANCE. Welfare or other payments to families or individuals, based on need, which are made under programs funded, separately or jointly, by Federal, state, or local governments.

PUBLIC HOUSING AGENCY (PHA). PHA includes any State, county, municipality or other governmental entity or public body which is authorized to administer the program (or an agency or instrumentality of such an entity), or any of the following:

A consortia of housing agencies, each of which meets the qualifications in paragraph (1) of this definition, that HUD determines has the capacity and capability to efficiently administer the program (in which case, HUD may enter into a consolidated ACC with any legal entity authorized to act as the legal representative of the consortia members):

Any other public or private non-profit entity that was administering a Section 8 tenant-based assistance program pursuant to a contract with the contract administrator of such program (HUD or a PHA) on October 21, 1998; or

For any area outside the jurisdiction of a PHA that is administering a tenant-based program, or where HUD determines that such PHA is not administering the program effectively, a private non-profit entity or a governmental entity or public body that would otherwise lack jurisdiction to administer the program in such area.

REASONABLE RENT. A rent to owner that is not more than rent charged for comparable units in the private unassisted market, and not more than the rent charged for comparable unassisted units in the premises.

Attachment nj010m01

RECEIVING PHA. In portability: A PHA that receives a family selected for participation in the tenant-based program of another PHA. The receiving PHA issues a voucher and provides program assistance to the family.

RECERTIFICATION. Sometimes called reexamination. The process of securing documentation of total family income used to determine the rent the tenant will pay for the next 12 months if there are no additional changes to be reported. There are annual and interim recertifications.

REGULAR TENANCY. In the pre-merger certificate program: A tenancy other than an over-FMR tenancy.

REMAINING MEMBER OF TENANT FAMILY. Person left in assisted housing after other family members have left and become unassisted.

RENT TO OWNER. The total monthly rent payable to the owner under the lease for the unit. Rent to owner covers payment for any housing services, maintenance and utilities that the owner is required to provide and pay for.

RESIDENCY PREFERENCE. A PHA preference for admission of families that reside anywhere in a specified area, including families with a member who works or has been hired to work in the area ("residency preference area").

RESIDENCY PREFERENCE AREA. The specified area where families must reside to qualify for a residency preference.

RESIDENT ASSISTANT. A person who lives in an Independent Group Residence and provides on a daily basis some or all of the necessary services to elderly, handicapped, and disabled individuals receiving Section 8 housing assistance and who is essential to these individuals' care or wellbeing. A Resident Assistant shall not be related by blood, marriage or operation of law to individuals receiving Section 8 assistance nor contribute to a portion of his/her income or resources towards the expenses of these individuals.

RESPONSIBLE ENTITY. For the public housing and Section 8 tenant-based assistance, project-based certificate assistance and moderate rehabilitation program, the responsible entity means the PHA administering the program under an ACC with HUD. For all other Section 8 programs, the responsible entity means the Section 8 owner.

SECRETARY. The Secretary of Housing and Urban Development.

SECTION 8. Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

SECURITY DEPOSIT. A dollar amount which can be applied to unpaid rent, damages or other amounts to the owner under the lease.

Attachment nj010m01

SERVICE PERSON. A person in the active military or naval service (including the active reserve) of the United States.

SHARED HOUSING. A unit occupied by two or more families. The unit consists of both common space for shared use by the occupants of the unit and separate private space for each assisted family. A special housing type.

SINGLE PERSON. A person living alone or intending to live alone.

SPECIAL ADMISSION. Admission of an applicant that is not on the PHA waiting list or without considering the applicant's waiting list position.

SPECIAL HOUSING TYPES. See Subpart M of 24 CFR 982, which states the special regulatory requirements for SRO housing, congregate housing, group homes, shared housing, cooperatives (including mutual housing), and manufactured homes (including manufactured home space rental).

SPECIFIED WELFARE BENEFIT REDUCTION. Those reductions of welfare benefits (for a covered family) that may not result in a reduction of the family rental contribution. A reduction of welfare benefits because of fraud in connection with the welfare program, or because of welfare sanction due to noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.

SPOUSE. The husband or wife of the head of the household.

SUBSIDIZED PROJECT. A multi-family housing project (with the exception of a project owned by a cooperative housing mortgage corporation or association) which receives the benefit of subsidy in the form of:

Below-market interest rates pursuant to Section 221(d)(3) and (5) or interest reduction payments pursuant to Section 236 of the National Housing Act; or

Rent supplement payments under Section 101 of the Housing and Urban Development Act of 1965; or

Direct loans pursuant to Section 202 of the Housing Act of 1959; or

Payments under the Section 23 Housing Assistance Payments Program pursuant to Section 23 of the United States Housing Act of 1937 prior to amendment by the Housing and Community Development Act of 1974;

Payments under the Section 8 Housing Assistance Payments Program pursuant to Section 8 of the United States Housing Act after amendment by the Housing and Community Development Act unless the project is owned by a Public Housing Agency;

A Public Housing Project.

SUBSIDY STANDARDS. Standards established by a PHA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

SUBSTANDARD UNIT. Substandard housing is defined by HUD for use as a federal preference.

SUSPENSION/TOLLING. Stopping the clock on the term of a family's voucher, for such period as determined by the PHA, from the time when the family submits a request for PHA approval to lease a unit, until the time when the PHA approves or denies the request. If the PHA decides to allow extensions or suspensions of the voucher term, the PHA administrative plan must describe how the PHA determines whether to grant extensions or suspensions, and how the PHA determines the length of any extension or suspension.

TENANCY ADDENDUM. For the Housing Choice Voucher Program, the lease language required by HUD in the lease between the tenant and the owner.

TENANT. The person or persons (other than a live-in-aide) who executes the lease as lessee of the dwelling unit.

TENANT RENT. The amount payable monthly by the family as rent to the unit owner (Section 8 owner or PHA in public housing). For a tenancy in the pre-merger certificate program, tenant rent equals the total tenant payment minus any utility allowance.

TOTAL TENANT PAYMENT (TTP). The total amount the HUD rent formula requires the tenant to pay toward gross rent and utility allowance.

UNIT. Residential space for the private use of a family.

UNUSUAL EXPENSES. Prior to the change in the 1982 regulations, this was the term applied to the amounts paid by the family for the care of minors under 13 years of age or for the care of disabled or handicapped family household members, but only where such care was necessary to enable a family member to be gainfully employed.

UTILITIES. Utilities means water, electricity, gas, other heating, refrigeration, cooking fuels, trash collection and sewage services. Telephone service is not included as a utility.

UTILITY ALLOWANCE. If the cost of utilities (except telephone) including range and refrigerator, and other housing services for an assisted unit is not included in the Contract Rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made or approved by a PHA or HUD of a reasonable consumption of such utilities and other services for the unit by an energy conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthy living environment.

UTILITY REIMBURSEMENT. In the voucher program, the portion of the housing assistance payment which exceeds the amount of the rent to owner.

UTILITY REIMBURSEMENT PAYMENT. In the pre-merger certificate program, the amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Tenant Payment for the family occupying the unit.

VACANCY LOSS PAYMENTS. (For pre-merger certificate contracts effective prior to 10/2/95) When a family vacates its unit in violation of its lease, the owner is eligible for 80% of the Contract Rent for a vacancy period of up to one additional month, (beyond the month in which the vacancy occurred) if s/he notifies the PHA as soon as s/he learns of the vacancy, makes an effort to advertise the unit, and does not reject any eligible applicant except for good cause.

VERY LARGE LOWER-INCOME FAMILY. Prior to the change in the 1982 regulations this was described as a lower-income family which included eight or more minors. This term is no longer used.

VERY LOW INCOME FAMILY. A Lower-Income Family whose Annual Income does not exceed 50% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 50% of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes. This is the income limit for the pre-merger certificate and voucher programs.

VETERAN. A person who has served in the active military or naval service of the United States at any time and who shall have been discharged or released therefrom under conditions other than dishonorable.

VIOLENT CRIMINAL ACTIVITY. Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

VOUCHER (rental voucher). A document issued by a PHA to a family selected for admission to the voucher program. This document describes the program and the procedures for PHA approval of a unit selected by the family. The voucher also states the obligations of the family under the program.

VOUCHER HOLDER. A family holding a voucher with an unexpired term (search time).

VOUCHER PROGRAM. The Housing Choice Voucher program.

WAITING LIST. A list of families organized according to HUD regulations and PHA policy who are waiting for subsidy to become available.

WAITING LIST ADMISSION. An admission from the PHA waiting list.

WELFARE ASSISTANCE. Income assistance from Federal or State welfare programs, including assistance provided under TANF and general assistance. Does not include assistance directed solely to meeting housing expenses, nor programs that provide health care, child care or other services for working families. FOR THE FSS PROGRAM (984.103(b)), "welfare assistance" includes only cash maintenance payments from Federal or State programs designed to meet a family's ongoing basic needs, but does not include food stamps, emergency rental and utilities assistance, SSI, SSDI, or Social Security.

WELFARE RENT. This concept is used ONLY for pre-merger Certificate tenants who receive welfare assistance on an "AS-PAID" basis. It is not used for the Housing Voucher Program.

If the agency does NOT apply a ratable reduction, this is the maximum a public assistance agency COULD give a family for shelter and utilities, NOT the amount the family is receiving at the time the certification or recertification is being processed.

If the agency applies a ratable reduction, welfare rent is a percentage of the maximum the agency could allow.

WELFARE-TO-WORK (WTW) FAMILIES. Families assisted by a PHA with voucher funding awarded to the PHA under the HUD welfare-to-work voucher program (including any renewal of such WTW funding for the same purpose).

C. GLOSSARY OF TERMS USED IN THE NONCITIZENS RULE

CHILD. A member of the family other than the family head or spouse who is under 18 years of age.

CITIZEN. A citizen or national of the United States.

EVIDENCE OF CITIZENSHIP OR ELIGIBLE STATUS. The documents which must be submitted to evidence citizenship or eligible immigration status.

HEAD OF HOUSEHOLD. The adult member of the family who is the head of the household for purpose of determining income eligibility and rent.

HUD. Department of Housing and Urban Development.

INS. The U.S. Immigration and Naturalization Service.

MIXED FAMILY. A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status.

NATIONAL. A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.

NONCITIZEN. A person who is neither a citizen nor national of the United States.

PHA. A housing authority who operates Public Housing.

RESPONSIBLE ENTITY. The person or entity responsible for administering the restrictions on providing assistance to noncitizens with ineligible immigration status (the PHA).

SECTION 214. Section 214 restricts HUD from making financial assistance available for noncitizens unless they meet one of the categories of eligible immigration status specified in Section 214 of the Housing and Community Development Act of 1980, as amended (42 U.S.C. 1436a).

SPOUSE. Spouse refers to the marriage partner, either a husband or wife, who is someone you need to divorce in order to dissolve the relationship. It includes the partner in a common-law marriage. It does not cover boyfriends, girlfriends, significant others, or "co-heads." "Co-head" is a term recognized by some HUD programs, but not by public and Indian housing programs.

Attachment nj010m01

Reserved

Admissions and Continued Occupancy - TABLE OF CONTENTS

1.0 FAIR HOUSING.....	1
2.0 REASONABLE ACCOMMODATION	1
2.1 COMMUNICATION	2
2.2 QUESTIONS TO ASK IN GRANTING THE ACCOMMODATION	2
3.0 SERVICES FOR NON-ENGLISH SPEAKING APPLICANTS AND RESIDENTS..	3
4.0 FAMILY OUTREACH	4
5.0 RIGHT TO PRIVACY	4
6.0 REQUIRED POSTINGS.....	4
7.0 TAKING APPLICATIONS.....	5
7.1 QUALITY CONTROL PROCEDURES.....	6
7.2 RESIDENT RECORD MANAGEMENT PROCEDURES.....	6
8.0 ELIGIBILITY FOR ADMISSION	7
8.1 INTRODUCTION.....	7
8.2 ELIGIBILITY CRITERIA	7
8.3 SUITABILITY	10
8.4 GROUNDS FOR DENIAL	12
8.5 INFORMAL REVIEW.....	14
9.0 MANAGING THE WAITING LIST	15
9.1 OPENING AND CLOSING THE WAITING LIST.....	15
9.2 ORGANIZATION OF THE WAITING LIST	15
9.3 FAMILIES NEARING THE TOP OF THE WAITING LIST	15
9.4 PURGING THE WAITING LIST	16
9.5 REMOVAL OF APPLICANTS FROM THE WAITING LIST.....	16
9.6 MISSED APPOINTMENTS	16
9.7 NOTIFICATION OF NEGATIVE ACTIONS	16
9.8 SITE-BASED WAITING LIST	16
10.0 TENANT SELECTION AND ASSIGNMENT PLAN	17
10.1 PREFERENCES	17
10.2 ASSIGNMENT OF BEDROOM SIZES	19
10.3 INCOME TARGETING	20
10.4 DECONCENTRATION POLICY.....	21
10.5 DECONCENTRATION INCENTIVES.....	21

Required Attachment: nj010n01

10.6	OFFER OF A UNIT	21
10.7	REJECTION OF UNIT	22
10.8	ACCEPTANCE OF UNIT	22
11.0	INCOME, EXCLUSIONS FROM INCOME, AND DEDUCTIONS FROM INCOME.....	23
11.1	INCOME	23
11.2	ANNUAL INCOME	27
11.3	DEDUCTIONS FROM ANNUAL INCOME	32
11.4	RECEIPT OF A LETTER ON NOTICE FROM HUD CONCERNING INCOME.....	32
11.5	COOPERATING WITH WELFARE AGENCIES.....	33
12.0	VERIFICATION.....	34
12.1	ACCEPTABLE METHODS OF VERIFICATION	34
12.2	TYPES OF VERIFICATION	34
12.3	VERIFICATION OF CITIZENSHIP OR ELIGIBLE NONCITIZEN STATUS.....	37
12.4	VERIFICATION OF SOCIAL SECURITY NUMBERS	38
12.5	TIMING OF VERIFICATION.....	39
12.6	FREQUENCY OF OBTAINING VERIFICATION	39
12.7	UPFRONT INCOME VERIFICATIONS.....	
13.0	DETERMINATION OF TOTAL TENANT PAYMENT AND TENANT RENT	39
13.1	FAMILY CHOICE	40
13.2	THE INCOME METHOD	41
13.3	MINIMUM RENT.....	41
13.4	THE FLAT RENT AND PROCEDURE FOR MISSED APPOINTMENTS FOR RENT RECERTIFICATION.....	42
13.5	CEILING RENT	43
13.6	RENT FOR FAMILIES UNDER THE NONCITIZEN RULE.....	43
13.7	UTILITY ALLOWANCE	44
13.8	UTILITY REIMBURSEMENTS	45
13.9	PAYING RENT AND INTERVIEW GUIDE AND CHECKLIST.....	44
13.10	PROCEDURES FOR MISSED APPOINTMENTS FOR RENT RECERTIFICATION.....	45
13.11	PROCEDURES FOR FAMILIES WHO REPORT ZERO INCOME.....	45
13.12	POLICY FOR COOPERATING WITH WELFARE AGENCIES.....	46
13.13	POLICY OF DISREGARD OF EARNED INCOME.....	46
13.14	CHANGE IN WORK STATUS.....	47
14.0	CONTINUED OCCUPANCY AND COMMUNITY SERVICE	48
14.1	GENERAL.....	47
14.2	EXEMPTIONS.....	47
14.3	NOTIFICATION OF THE REQUIREMENT.....	48
14.4	VOLUNTEER OPPORTUNITIES.....	48

14.5	THE PROCESS.....	48
14.6	NOTIFICATION OF NON-COMPLIANCE WITH COMMUNITY SERVICE ..	49
14.7	OPPORTUNITY FOR CURE.....	49
14.8	PROHIBITION AGAINST REPLACEMENT OF AGENCY EMPLOYEE.....	50
15.0	RECERTIFICATIONS	51
15.1	GENERAL.....	51
15.2	MISSED APPINTMENTS.....	51
15.3	FLAT RENTS.....	51
15.4	THE FORMULA METHOD.....	53
15.5	EFFECTIVE DATE OF RENT CHANGES FOR ANNUAL REEXAMINATIONS	53
15.6	INTERIM REEXAMINATIONS	53
15.7	SPECIAL REEXAMINATIONS	54
15.8	EFFECTIVE DATE OF RENT CHANGES DUE TO INTERIM OR SPECIAL REEXAMINATIONS ...	55
15.9	INCOME DISCREPANCY PROCEDURES.....	54
16.0	UNIT TRANSFERS.....	56
16.1	OBJECTIVES OF THE TRANSFER POLICY	56
16.2	CATEGORIES OF TRANSFERS	56
16.3	DOCUMENTATION.....	57
16.4	INCENTIVE TRANSFERS.....	56
16.5	PROCESSING TRANSFERS	57
16.6	COST OF THE FAMILY'S MOVE	58
16.7	TENANTS IN GOOD STANDING	59
16.8	TRANSFER REQUESTS	59
16.9	RIGHT OF THE CAMDEN HOUSING AUTHORITY IN TRANSFER POLICY	59
17.0	INSPECTIONS	59
17.1	MOVE-IN INSPECTIONS	60
17.2	ANNUAL INSPECTIONS	60
17.3	PREVENTATIVE MAINTENANCE INSPECTIONS.....	59
17.4	SPECIAL INSPECTIONS.....	60
17.5	HOUSEKEEPING INSPECTIONS	60
17.6	NOTICE OF INSPECTION.....	60
17.7	EMERGENCY INSPECTIONS.....	60
17.8	PRE-MOVE-OUT INSPECTIONS	61
17.9	MOVE-OUT INSPECTIONS.....	60
18.0	PET POLICY.....	60
19.0	REPAYMENT AND WORKERS AGREEMENTS.....	64
20.0	TERMINATION.....	65

Required Attachment: nj010n01

20.1	TERMINATION BY TENANT	65
20.2	TERMINATION BY THE HOUSING AUTHORITY.....	
	.64	
20.3	ABANDONMENT	66
20.4	RETURN OF SECURITY DEPOSIT	67
21.0	ONE STRIKE AND YOU'RE OUT	66
22.0	CRIMINAL, DRUG TREATMENT, AND REGISTERED SEX	
	OFFENDER CLASSIFICATION RECORDS MANAGEMENT POLICY.....	69
23.0	AUTHORIZATION TO RELEASE INFORMATION.....	70
23.1	Authorization forms.....	70
23.2	Public Housing Resident Record Management Procedures.....	70
24.0	CIVIL RIGHTS CERTIFICATION.....	
GLOSSARY.....		72
ACRONYMS		83

ADMISSIONS AND CONTINUED OCCUPANCY POLICY

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

1.0 FAIR HOUSING

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

No person shall, on the grounds of race, color, sex, religion, 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 Camden Housing Authority's programs.

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

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

2.0 REASONABLE ACCOMMODATION

Sometimes people with disabilities may need a reasonable accommodation in order to take full advantage of the Camden Housing Authority housing programs and related services. When such accommodations are granted, they do not confer special treatment or advantage for the person with a disability; rather, they make the program accessible to them in a way that would otherwise not be possible due to their disability. This policy

Required Attachment: nj010n01

clarifies how people can request accommodations and the guidelines the Camden Housing Authority will follow in determining whether it is reasonable to provide a requested accommodation. Because disabilities are not always apparent, the Camden Housing Authority will ensure that all applicants/tenants are aware of the opportunity to request reasonable accommodations.

2.1 COMMUNICATION

Anyone requesting an application will also receive a Request for Reasonable Accommodation form.

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

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

2.2 QUESTIONS TO ASK IN GRANTING THE ACOMMODATION

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

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

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

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

Required Attachment: nj010n01

- C. Is the requested accommodation reasonable? In order to be determined reasonable, the accommodation must meet two criteria:
1. Would the accommodation constitute a fundamental alteration? The Camden Housing Authority's business is housing. If the request would alter the fundamental business that the Camden Housing Authority conducts, that would not be reasonable. For instance, the Camden Housing Authority would deny a request to have the Camden Housing Authority do grocery shopping for a person with disabilities.
 2. Would the requested accommodation create an undue financial hardship or administrative burden? Frequently the requested accommodation costs little or nothing. If the cost would be an undue burden, the Camden Housing Authority may request a meeting with the individual to investigate and consider equally effective alternatives.
- D. Generally the individual knows best what it is they need; however, the Camden Housing Authority retains the right to be shown how the requested accommodation enables the individual to access or use the Camden Housing Authority's programs or services.

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

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

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

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

3.0 SERVICES FOR NON-ENGLISH SPEAKING APPLICANTS AND RESIDENTS

Required Attachment: nj010n01

The Camden Housing Authority will endeavor to have bilingual staff or access to people who speak languages other than English in order to assist non-English speaking families. In addition to English, the Camden Housing Authority will cover Spanish and other languages as necessary.

4.0 FAMILY OUTREACH

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

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

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

5.0 RIGHT TO PRIVACY

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

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

6.0 REQUIRED POSTINGS

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

- A. Statement of Policies and Procedures governing Admission and Continued Occupancy
- B. Notice of the status of the waiting list (opened or closed)

Required Attachment: nj010n01

- C. A listing of all the developments by name, address, number of units, units designed with special accommodations, address of all project offices, office hours, telephone numbers, TDD numbers, and Resident Facilities and operation hours
- D. Income Limits for Admission
- E. Excess Utility Charges
- F. Utility Allowance Schedule
- G. Current Schedule of Routine Maintenance Charges
- H. Dwelling Lease
- I. Grievance Procedure
- J. Fair Housing Poster
- K. Equal Opportunity in Employment Poster
- L. Any current Camden Housing Authority Notices

7.0 TAKING APPLICATIONS

Families wishing to apply for the Public Housing Program will be required to complete an application for housing assistance. Applications will be accepted during regular business hours at 1300 Admiral Wilson Blvd, Camden, NJ 08108 or by mail, if so designated by CHA in its advertisement.

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

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

Applications may be made in person at the Main Office (1300 Admiral Wilson Blvd. Camden, NJ) on Monday through Friday from 8:30 AM to 4:30 PM. Applications will be mailed to interested families upon request.

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

Persons with disabilities who require a reasonable accommodation in completing an application may call the Camden Housing Authority to make special arrangements. A Telecommunication Device for the Deaf (TDD) is available for the deaf. The TDD telephone number is **(Insert the telephone number)**.

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

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

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

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

7.1 QUALITY CONTROL PROCEDURES

1. The Supervisor will randomly select 10% of the total monthly rent certifications from each Tenant Interviewer to verify accuracy.
2. The Supervisor will manually calculate the rent and verify documentation is in the correct format. If any changes and/or corrections need to be made, the Occupancy Supervisor will notify the Tenant Interviewer/Housing Specialist immediately. The Tenant Interviewer/Housing Specialist will be personally informed of any errors and or changes which needs to be made.
3. The Supervisor will then re-check all work again, for accuracy and make any necessary changes

RESIDENT RECORD MANAGEMENT PROCEDURES

Required Attachment: nj010n01

1. The Director/Supervisor will designate one (1) individual to distribute and sign in and out files of our residents and applicants. An alternate staff member will be designated in the event the designated staff member is absence or unavailable.
2. The Tenant Interviewer/Housing Specialist must sign the file out and then return the file back to the designated individual who is responsible for returning and securing the files at the end of each workday.
3. If by 4:00 p.m., the Tenant Interviewer/Housing Specialists fail to return the file, the designated employee will personally retrieve the file and return it to the secured designated file cabinet/room.
4. The designated employee/Supervisor will be responsible for securing and locking all file cabinets and doors where the resident/applicant files are stored.

8.0 ELIGIBILITY FOR ADMISSION

8.1 INTRODUCTION

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

8.2 ELIGIBILITY CRITERIA

A. Family Status

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

Required Attachment: nj010n01

- b. Two or more persons who are at least 62 years of age living together; or
 - c. One or more persons who are at least 62 years of age living with one or more live-in aides.
3. A **near elderly family**, which is:
- a. A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62;
 - b. Two or more persons, who are at least 50 years of age but below the age of 62, living together; or
 - c. One or more persons, who are at least 50 years of age but below the age of 62, living with one or more live-in aides.
4. A **disabled family**, which is:
- a. A family whose head, spouse, or sole member is a person with disabilities;
 - b. Two or more persons with disabilities living together; or
 - c. One or more persons with disabilities living with one or more live-in aides.
 - d. For purposes of qualifying for low-income housing, does not include a person whose disability is based solely on any drug or alcohol dependence.
5. A **displaced family**, which is a family in which each member, or whose sole member, has been displaced by governmental action, or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.
6. A **remaining member of a tenant family**.
7. A **single person** who is not an elderly or displaced person, a person with disabilities, or the remaining member of a tenant family.

B. Income Eligibility

Required Attachment: nj010n01

1. To be eligible for admission to developments or scattered-site units, the family's annual income must be within the low-income limit set by HUD. This means the family income cannot exceed 80 percent of the median income for the area.
2. Income limits apply only at admission and are not applicable for continued occupancy.
3. A family may not be admitted to the public housing program from another assisted housing program (e.g., tenant-based Section 8) or from a public housing program operated by another housing authority without meeting the income requirements of the Camden Housing Authority.
4. If the Camden Housing Authority acquires a property for federal public housing purposes, the families living there must have incomes within the low-income limit in order to be eligible to remain as public housing tenants.
5. Income limit restrictions do not apply to families transferring within our Public Housing Program.
6. The Camden Housing Authority may allow police officers who would not otherwise be eligible for occupancy in public housing to reside in a public housing dwelling unit. Such occupancy must be needed to increase security for public housing residents. Their rent shall at least equal the cost of operating the public housing unit.

C. Citizenship/Eligibility Status

1. To be eligible each 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)).
2. Family eligibility for assistance.
 - a. A family shall not be eligible for assistance unless every member of the family residing in the unit is determined to have eligible status, with the exception noted below.
 - b. Despite the ineligibility of one or more family members, a mixed family may be eligible for one of three types of assistance: (See Section 13.6 for calculating rents under the non-citizen rule).

Required Attachment: nj010n01

- c. A family without any eligible members and receiving assistance on June 19, 1995 may be eligible for temporary deferral of termination of assistance.

D. Social Security Number Documentation

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

E. Signing Consent Forms

1. In order to be eligible, each member of the family who is at least 18 years of age, and each family head and spouse regardless of age, shall sign one or more consent forms.
2. The consent form must contain, at a minimum, the following:
 - a. A provision authorizing HUD or the Camden Housing Authority to obtain from State Wage Information Collection Agencies (SWICAs) any information or materials necessary to complete or verify the application for participation or for eligibility for continued occupancy;
 - b. A provision authorizing HUD or the Camden Housing Authority to verify with previous or current employers income information pertinent to the family's eligibility for or level of assistance;
 - c. A provision authorizing HUD to request income information from the IRS and the SSA for the sole purpose of verifying income information pertinent to the family's eligibility or level of benefits; and
 - d. A statement that the authorization to release the information requested by the consent form expires 15 months after the date the consent form is signed.

F. Each applicant must provide a money order in the amount of \$30.00 to be submitted with their application. This fee will be for the cost of the screening of the applicant as described in Section 8.3.

8.3 SUITABILITY

- A. Applicant families will be evaluated to determine whether, based on their recent behavior, such behavior could reasonably be expected to result in noncompliance

Required Attachment: nj010n01

with the public housing lease. The Camden Housing Authority will look at past conduct as an indicator of future conduct. Emphasis will be placed on whether a family's admission could reasonably be expected to have a detrimental effect on the development environment, other tenants, Camden Housing Authority employees, or other people residing in the immediate vicinity of the property. Otherwise eligible families will be denied admission if they fail to meet the suitability criteria.

B. The Camden Housing Authority will consider objective and reasonable aspects of the family's background, including the following:

1. History of meeting financial obligations, especially rent;
2. Ability to maintain (or with assistance would have the ability to maintain) their housing in a decent and safe condition based on living or housekeeping habits and whether such habits could adversely affect the health, safety, or welfare of other tenants;
3. History of criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well being of other tenants or staff or cause damage to the property;
4. History of disturbing neighbors or destruction of property;
5. Having committed fraud in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from; and
6. History of abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment by others.

C. The Camden Housing Authority will ask applicants to provide information demonstrating their ability to comply with the essential elements of the lease. The Camden Housing Authority will verify the information provided. Such verification may include but may not be limited to the following:

1. A credit check of the head, spouse and co-head;
2. A rental history check of all adult family members;
3. A criminal background check on all adult household members, including

Required Attachment: nj010n01

live-in aides. This check will be made through State or local law enforcement or court records in those cases where the household member has lived in the local jurisdiction for the last three years. Where the individual has lived outside the local area, the Camden Housing Authority may contact law enforcement agencies where the individual had lived or request a check through the FBI's National Crime Information Center (NCIC);

4. A home visit. The home visit provides the opportunity for the family to demonstrate their ability to maintain their home in a safe and sanitary manner. This inspection considers cleanliness and care of rooms, appliances, and appurtenances. The inspection may also consider any evidence of criminal activity; and
5. A check of the State's lifetime sex offender registration program for each adult household member, including live-in aides. No individual registered with this program will be admitted to public housing.

8.4 GROUNDNS FOR DENIAL

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

- A. Do not meet any one or more of the eligibility criteria;
- B. Do not supply information or documentation required by the application process;
- C. Have failed to respond to a written request for information or a request to declare their continued interest in the program;
- D. Have a history of not meeting financial obligations, especially rent;
- E. Do not have the ability to maintain (with assistance) their housing in a decent and safe condition where such habits could adversely affect the health, safety, or welfare of other tenants;
- F. Have a history of criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well being of other tenants or staff or cause damage to the property;
- G. Have a history of disturbing neighbors or destruction of property;
- H. Currently owes rent or other amounts to any housing authority in connection with their public housing or Section 8 programs;

- I. Have committed fraud, bribery or any other corruption in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from;
- J. Were evicted from assisted or private housing within 5 years of the projected date of admission because of drug-related criminal activity involving the personal use or possession for personal use.
 - 1. The person demonstrates to the Camden Housing Authority's satisfaction that the person is no longer engaging in drug-related criminal activity or abuse of alcohol;
 - 2. Has successfully completed a supervised drug or alcohol rehabilitation program;
 - 3. Has otherwise been rehabilitated successfully; or
 - 4. Is participating in a supervised drug or alcohol rehabilitation program.
- K. Were evicted from assisted housing or private housing within five years of the projected date of admission because of drug-related criminal activity involving the illegal manufacture, sale, distribution, or possession with the intent to manufacture, sell, distribute a controlled substance as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802;
- L. Are illegally using a controlled substance or are abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. The Camden Housing Authority may waive this requirement if:
 - 1. The person demonstrates to the Camden Housing Authority's satisfaction that the person is no longer engaging in drug-related criminal activity or abuse of alcohol;
 - 2. Has successfully completed a supervised drug or alcohol rehabilitation program;
 - 3. Has otherwise been rehabilitated successfully; or
 - 4. Is participating in a supervised drug or alcohol rehabilitation program.
- M. Have engaged in or threatened abusive or violent behavior towards any Camden Housing Authority staff member or resident;

- N. Have a household member who has ever been evicted from public housing or private housing;
- O. Have a family household member who has been terminated under the certificate or voucher program;
- P. **Denied for Life:** If any family member has been convicted of manufacturing or producing methamphetamine (speed) in a public housing development or in a Section 8 assisted property;
- Q. **Denied for Life:** Has a lifetime registration under a State sex offender registration program.

8.5 ***INFORMAL REVIEW***

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

The informal review may be conducted by any person designated by the Camden Housing Authority, other than a person who made or approved the decision under review or subordinate of this person. The applicant must be given the opportunity to present written or oral objections to the Camden Housing Authority's decision. The Camden Housing Authority must notify the applicant of the final decision within 14 calendar days after the informal review, including a brief statement of the reasons for the final decision.

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

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

Required Attachment: nj010n01

- C. If the family is choosing to exercise their right to a lawyer or other representative and such person(s) wish to review documents prior to the date of actual hearing, the request for such must be received in writing and no less than 72 hours before the said scheduled hearing date. Upon receipt of the request, the Camden Housing Authority will schedule a date and time for such review.

9.0 MANAGING THE WAITING LIST

9.1 OPENING AND CLOSING THE WAITING LIST

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

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

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

9.2 ORGANIZATION OF THE WAITING LIST

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

- A. The application will be a permanent file;
- B. All applications will be maintained in order of bedroom size, preference, and then in order of date and time of application; and
- C. Any significant contact between the Camden Housing Authority and the applicant will be documented in the applicant file.

9.3 FAMILIES NEARING THE TOP OF THE WAITING LIST

When a family appears to be within three (3) months of being offered a unit, the family will be invited to an interview and the verification process will begin. It is at this point in time that the family's waiting list preference will be verified. If the family no longer

Required Attachment: nj010n01

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 Camden Housing Authority must notify the family in writing of this determination and give the family the opportunity for an informal review.

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

9.4 PURGING THE WAITING LIST

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

9.5 REMOVAL OF APPLICANTS FROM THE WAITING LIST

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

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

9.6 MISSED APPOINTMENTS

All applicants who fail to keep a scheduled appointment with the Camden Housing Authority will be sent a notice of termination of the process for eligibility.

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

9.7 NOTIFICATION OF NEGATIVE ACTIONS

Required Attachment: nj010n01

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

9.8 SITE-BASED WAITING LIST

- A. Every applicant will be given information on the sites, to include location, occupancy type, number of units, size of units amenities and average waiting time for each unit unit size.
- B. The adoption of any site-based waiting will not violate any court orders, settlement agreements or be inconsistent with any pending civil rights complaints.
- C. The marketing of any of the waiting lists will be done so in such a manner as to attract applicants regardless of race, ethnicity or disability.
- D. HACC will also do annual reviews of its site based waiting list policy(s) to ensure compliance with civil rights laws and certifications.
- E. HACC will also perform random testing of the implementation of any and all of its site-based waiting list policies every 3 years.

10.0 TENANT SELECTION AND ASSIGNMENT PLAN

10.1 PREFERENCES

The Camden Housing Authority will select families based on the following preferences within each bedroom size category:

- A. People that live or work in Camden at the time they submit their application.
- B. Families who are involuntarily displaced.

Required Attachment: nj010n01

- C. Families currently living in substandard housing.
- D. Families who are currently paying more than 50% of their income for rent, including utilities.
- E. Families where the head of household is working more than 20 hours a week or who are elderly or disabled.
- F. Families where the head of household is enrolled in job training program.
- G. Victims of Domestic Violence.
- H. Veterans of military Service
- I. Homeless
- J. All other applicants.

Based on the above preferences, an applicant shall receive one point for each preference they possess. Applicants shall be admitted with the most preference points.

The date and time of application will be noted and utilized to determine the sequence within the above prescribed preferences.

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

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

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

10.2 ASSIGNMENT OF BEDROOM SIZES

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

Number of Bedrooms	Number of Persons	
	Minimum	Maximum
0	1	1
1	1	2
2	2	4
3	3	6
4	4	8

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

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

In addition, the following considerations will be taken in determining bedroom size:

- A. Children of the same sex will share a bedroom.
- B. Children of the opposite sex, both under the age of five will share a bedroom.
- C. Adults and children over the age of six may be required to share a bedroom.
- D. Foster – adults and/or foster - children will not be required to share a bedroom with family members.
- E. Live-in aides will get a separate bedroom if a unit is available to accommodate this and/or at the discretion of CHA.

Exceptions to normal bedroom size standards include the following:

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

10.3 INCOME TARGETING

The Camden Housing Authority shall follow the statutory requirement of income targeting, as detailed below:

- A. Not less than 40 percent of the families admitted to a PHA’s public housing program during the PHA fiscal year from the PHA waiting list shall be extremely low income families. This is called the “basic targeting requirement”.
- B. To the extent provided in 24 CFR 960.22 (b) (2), admission of extremely low income families to the PHA’s Section 8 voucher program (exceeding 75 percent minimum targeting requirement for the PHA’s voucher program) during the same fiscal year is credited against the basic targeting requirement.
- C. The fiscal year credit for voucher program admissions that exceed the minimum voucher program targeting requirement shall not exceed the lower of:
 - 1. Ten percent of public housing waiting list admissions during the PHA fiscal year;
 - 2. Ten percent of waiting of waiting list admission to the PHA’s Section 8 tenant-based assistance program during the PHA fiscal year; or
 - 3. The number of qualifying low income families who commence occupancy during the fiscal year of PHA public housing units located in census tracts

Required Attachment: nj010n01

with a poverty rate of 30 percent or more. For this purpose, qualifying low income family means a low income family other than an extremely low income family.

- D. Family annual income is used for both determination of income eligibility and for PHA income targeting.
- E. The PHA must comply with HUD-prescribed reporting requirements that will permit HUD to maintain the data, as determined by HUD, necessary to monitor compliance with income eligibility and targeting requirement.

10.4 DECONCENTRATION POLICY

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

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

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

10.5 DECONCENTRATION INCENTIVES

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

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

10.6 OFFER OF A UNIT

When the Camden Housing Authority discovers that a unit will become available, we will contact the first family on the waiting list who has the highest priority for this type of unit

Required Attachment: nj010n01

or development and whose income category would help to meet the deconcentration goal and/or the income targeting goal.

The Camden Housing Authority will contact the family first by telephone to make the unit offer. If the family cannot be reached by telephone, the family will be notified of a unit offer via first class mail. The family will be given five (5) business days from the date the letter was mailed to contact the Camden Housing Authority regarding the offer.

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

10.7 REJECTION OF UNIT

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

If the Camden Housing Authority did not skip over other families on the waiting list to reach this family, and the family rejects the unit, the family will be removed from the waiting list, but will maintain the right to reapply at a future date should HACC advertise it is opening its waiting list for applicants. The family also retain the right to an informal review of the decision to be removed from the waiting list.

10.8 ACCEPTANCE OF UNIT

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

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

The applicant will be provided a copy of the lease, the grievance procedure, utility allowances, utility charges, the current schedule of routine maintenance charges, and a request for reasonable accommodation form. These documents will be explained in detail. The applicant will sign a certification that they have received these documents and

Required Attachment: nj010n01

that they have reviewed them with Housing Authority personnel. The certification will be filed in the tenant's file.

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

The family will pay a security deposit at the time of lease signing. The security deposit will be equal to one month's rent or \$100, whichever is greater.

In the case of a move within public housing, the security deposit for the first unit will be transferred to the second unit. In the event there are costs attributable to the family for bringing the first unit into condition for re-renting, the family shall be billed for these charges.

11.0 INCOME, EXCLUSIONS FROM INCOME, AND DEDUCTIONS FROM INCOME

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

11.1 INCOME

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

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

If it is not feasible to anticipate a level of income over a 12-month period (e.g. seasonal or cyclic income), or the Camden Housing Authority believes that past income is the best available indicator of expected future income, the Camden Housing Authority may annualize the income anticipated for a shorter period, subject to a redetermination at the end of the shorter period.

Annual income includes, but is not limited to:

- A. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services.
- B. The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession is included in income, except to the extent the withdrawal is a reimbursement of cash or assets invested in the operation by the family.
- C. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from an investment is included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income includes the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD.
- D. The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount. (However, deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts are excluded.)
- E. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay. (However, lump sum additions such as insurance payments from worker's compensation are excluded.)
- F. Welfare assistance.
 - 1. If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the

Required Attachment: nj010n01

welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income consists of:

- a. The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
- b. The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this requirement is the amount resulting from one application of the percentage.

2. Imputed welfare income

- a. A family's annual income includes the amount of imputed welfare income (because of a specified welfare benefits reduction, as specified in notice to the Camden Housing Authority by the welfare agency) plus the total amount of other annual income.
- b. At the request of the Camden Housing Authority, the welfare agency will inform the Camden Housing Authority in writing of the amount and term of any specified welfare benefit reduction for a family member, and the reason for such reduction, and will also inform the Camden Housing Authority of any subsequent changes in the term or amount of such specified welfare benefit reduction. The Camden Housing Authority will use this information to determine the amount of imputed welfare income for a family.
- c. A family's annual income includes imputed welfare income in family annual income, as determined at an interim or regular reexamination of family income and composition, during the term of the welfare benefits reduction (as specified in information provided to the Camden Housing Authority by the welfare agency).
- d. The amount of the imputed welfare income is offset by the amount of additional income a family receives that commences after the time the sanction was imposed. When such additional income from other sources is at least equal to the imputed welfare income, the imputed welfare income is reduced to zero.
- e. The Camden Housing Authority will not include imputed welfare income in annual income if the family was not an assisted resident

at the time of the sanction.

- f. If a resident is not satisfied that the Camden Housing Authority has calculated the amount of imputed welfare income in accordance with HUD requirements, and if the Camden Housing Authority denies the family's request to modify such amount, then the Camden Housing Authority shall give the resident written notice of such denial, with a brief explanation of the basis for the Camden Housing Authority's determination of the amount of imputed welfare income. The Camden Housing Authority's notice shall also state that if the resident does not agree with the determination, the resident may grieve the decision in accordance with our grievance policy. The resident is not required to pay an escrow deposit for the portion of the resident's rent attributable to the imputed welfare income in order to obtain a grievance hearing.

3. Relations with welfare agencies

- a. The Camden Housing Authority will ask welfare agencies to inform it of any specified welfare benefits reduction for a family member, the reason for such reduction, the term of any such reduction, and any subsequent welfare agency determination affecting the amount or term of a specified welfare benefits reduction. If the welfare agency determines a specified welfare benefits reduction for a family member, and gives the Camden Housing Authority written notice of such reduction, the family's annual incomes shall include the imputed welfare income because of the specified welfare benefits reduction.
- b. The Camden Housing Authority is responsible for determining the amount of imputed welfare income that is included in the family's annual income as a result of a specified welfare benefits reduction as determined by the welfare agency, and specified in the notice by the welfare agency to the housing authority. However, the Camden Housing Authority is not responsible for determining whether a reduction of welfare benefits by the welfare agency was correctly determined by the welfare agency in accordance with welfare program requirements and procedures, nor for providing the opportunity for review or hearing on such welfare agency determinations.
- c. Such welfare agency determinations are the responsibility of the welfare agency, and the family may seek appeal of such determinations through the welfare agency's normal due process

procedures. The Camden Housing Authority shall rely on the welfare agency notice to the Camden Housing Authority of the welfare agency's determination of a specified welfare benefits reduction.

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

11.2 ANNUAL INCOME

Annual income does not include the following:

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

Required Attachment: nj010n01

benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);

3. Amounts received by a participant in other publicly assisted programs that are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and that are made solely to allow participation in a specific program;
4. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the Housing Authority or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiatives coordination. No resident may receive more than one such stipend during the same period of time;
5. Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the employment training program;
6. Temporary, nonrecurring or sporadic income (including gifts);
7. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
8. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
9. Adoption assistance payments in excess of \$480 per adopted child;
10. For family members who enrolled in certain training programs prior to 10/1/99, the earnings and benefits resulting from the participation if the program provides employment training and supportive services in accordance with the Family Support Act of 1988, Section 22 of the 1937 Act (42 U.S.C. 1437t), or any comparable Federal, State, or local law during the exclusion period. For purposes of this exclusion the following definitions apply:

- a. Comparable Federal, State or local law means a program providing employment training and supportive services that:
 - i. Is authorized by a Federal, State or local law;
 - ii. Is funded by the Federal, State or local government;
 - iii. Is operated or administered by a public agency; and
 - iv. Has as its objective to assist participants in acquiring employment skills.
 - b. Exclusion period means the period during which the family member participates in a program described in this section, plus 18 months from the date the family member begins the first job acquired by the family member after completion of such program that is not funded by public housing assistance under the 1937 Act. If the family member is terminated from employment with good cause, the exclusion period shall end.
 - c. Earnings and benefits means the incremental earnings and benefits resulting from a qualifying employment training program or subsequent job.
11. The incremental earnings due to employment during a cumulative 12-month period following date of the initial hire shall be excluded. 50% of the increase shall be excluded in year two. This exclusion (paragraph 11) will not apply for any family who concurrently is eligible for exclusion #10. Additionally, this exclusion is only available to the following families:
- a. Families whose income increases as a result of employment of a family member who was previously unemployed for one or more years.
 - b. Families whose income increases during the participation of a family member in any economic self-sufficiency or other job-training program.
 - c. Families who are or were, within 6 months, assisted under a State TANF or Welfare-to-Work program.

During the second cumulative 12-month period after the date of initial hire, 50% of the increased income shall be excluded from income.

The disallowance of increased income of an individual family member is limited to a lifetime 48-month period. It only applies for 12 months of the

Required Attachment: nj010n01

100% exclusion and 12 months of the 50% exclusion.

(While HUD regulations allow for the housing authority to offer an escrow account in lieu of having a portion of their income excluded under this paragraph, it is the policy of this housing authority to provide the exclusion in all cases.)

12. Deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts;
 13. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;
 14. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or
 15. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits. These exclusions include:
 - a. The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017(b));
 - b. Payments to Volunteers under the domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058);
 - c. Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c));
 - d. Income derived from certain sub marginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e);
 - e. Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f));
 - f. Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b); (effective July 1, 2000, references to Job Training Partnership Act shall be deemed to refer to the corresponding provision of the Workforce Investment Act of 1998 (29 U.S.C. 2931);
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- g. Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub. L. 94–540, 90 Stat. 2503–04);
- h. The first \$2000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U.S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407–1408);
- i. Amounts of scholarships funded under title IV of the Higher Education Act of 1965, including awards under Federal work-study program or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu);
- j. Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f));
- k. Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in *Re Agent*-product liability litigation, M.D.L. No. 381 (E.D.N.Y.);
- l. Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721);
- m. The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q);
- n. Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j));
- o. Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L. 95–433);
- p. Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d));

Required Attachment: nj010n01

- q. Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran (38 U.S.C. 1805);
- r. Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602); and
- s. Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 (29 U.S.C. 2931).

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

11.3 DEDUCTIONS FROM ANNUAL INCOME

Mandatory deductions. In determining adjusted income, the CHA must deduct the following amounts from annual income:

- A. \$480 for each dependent;
- B. \$400 for any elderly family or disabled family;
- C. The sum of the following, to the extent the sum exceeds three % of annual income:
 - 1. Unreimbursed medical expenses of any elderly family or disabled family; and
 - Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed, but this allowance may not exceed the earned income received by family members who are 18 years of age or older who are able to work because of such attendant care or auxiliary apparatus.
- D. Any reasonable child care expenses necessary to enable a member of the family to be employed or to further his or her education. This deduction shall not exceed the amount of employment income that is included in annual income.

11.4 RECEIPT OF A LETTER OR NOTICE FROM HUD CONCERNING INCOME

- A. If a public housing resident receives a letter or notice from HUD concerning the amount or verification of family income, the letter shall be brought to the person responsible for income verification within thirty (30) days of receipt by the resident.
- B. The Housing Authority shall reconcile any difference between the amount reported by the resident and the amount listed in the HUD communication. This shall be done as promptly as possible.
- C. After the reconciliation is complete, the Camden Housing Authority shall adjust the resident's rent beginning at the start of the next month unless the reconciliation is completed during the final five (5) days of the month and then the new rent shall take effect on the first day of the second month following the end of the current month. In addition, if the resident had not previously reported the proper income, the Camden Housing Authority shall do one of the following:
 - 1. Immediately collect the back rent due to the agency;
 - 2. Establish a repayment plan for the resident to pay the sum due to the agency;
 - 3. Terminate the lease and evict for failure to report income; or
 - 4. Terminate the lease, evict for failure to report income, and collect the back rent due to the agency.

11.5 COOPERATING WITH WELFARE AGENCIES

The Camden Housing Authority will make its best efforts to enter into cooperation agreements with local welfare agencies under which the welfare agencies will agree:

- A. To target assistance, benefits and services to families receiving assistance in the public housing and Section 8 tenant-based assistance program to achieve self-sufficiency; and
- B. To provide written verification to the Camden Housing Authority concerning welfare benefits for families applying for or receiving assistance in our housing assistance programs.

12.0 VERIFICATION

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

12.1 ACCEPTABLE METHODS OF VERIFICATION

Age, relationship, U.S. citizenship, and Social Security numbers will generally be verified with documentation provided by the family. For citizenship, the family's certification will be accepted. (Or for citizenship documentation such as listed below will be required.) Verification of these items will include photocopies of the Social Security cards and other documents presented by the family, the INS SAVE approval code, and forms signed by the family.

Other information will be verified by third party verification. This type of verification includes written documentation with forms sent directly to and received directly by a source, not passed through the hands of the family. This verification may also be direct contact with the source, in person or by telephone. It may also be a report generated by a request from the Camden Housing Authority or automatically by another government agency, i.e. the Social Security Administration. Verification forms and reports received will be contained in the applicant/tenant file. Oral third party documentation will include the same information as if the documentation had been written, i.e. name date of contact, amount received, etc.

When third party verification cannot be obtained, the Camden Housing Authority will accept documentation received from the applicant/tenant. Hand-carried documentation will be accepted if the Camden Housing Authority has been unable to obtain third party verification in a 4-week period of time. Photocopies of the documents provided by the family will be maintained in the file.

When neither third party verification nor hand-carried verification can be obtained, the Camden Housing Authority will accept a notarized statement signed by the head, spouse or co-head. Such documents will be maintained in the file.

12.2 TYPES OF VERIFICATION

Required Attachment: nj010n01

The chart below outlines the factors that may be verified and gives common examples of the verification that will be sought. To obtain written third party verification, the Camden Housing Authority will send a request form to the source along with a release form signed by the applicant/tenant via first class mail.

Verification Requirements for Individual Items		
Item to Be Verified	3rd party verification	Hand-carried verification
General Eligibility Items		
Social Security Number	Letter from Social Security, electronic reports	Social Security card
Citizenship	N/A	Signed certification, voter's registration card, birth certificate, etc.
Eligible immigration status	INS SAVE confirmation #	INS card
Disability	Letter from medical professional, SSI, etc	Proof of SSI or Social Security disability payments
Full time student status (if >18)	Letter from school	For high school students, any document evidencing enrollment
Need for a live-in aide	Letter from doctor or other professional knowledgeable of condition	N/A
Child care costs	Letter from care provider	Bills and receipts
Disability assistance expenses	Letters from suppliers, care givers, etc.	Bills and records of payment
Medical expenses	Letters from providers, prescription record from pharmacy, medical professional's letter stating assistance or a companion animal is needed	Bills, receipts, records of payment, dates of trips, mileage log, receipts for fares and tolls
Value of and Income from Assets		
Savings, checking	Letter from institution	Passbook, most current

Verification Requirements for Individual Items		
Item to Be Verified	3rd party verification	Hand-carried verification
accounts		statements
CDS, bonds, etc	Letter from institution	Tax return, information brochure from institution, the CD, the bond
Stocks	Letter from broker or holding company	Stock or most current statement, price in newspaper or through Internet
Real property	Letter from tax office, assessment, etc.	Property tax statement (for current value), assessment, records or income and expenses, tax return
Personal property	Assessment, bluebook, etc	Receipt for purchase, other evidence of worth
Cash value of life insurance policies	Letter from insurance company	Current statement
Assets disposed of for less than fair market value	N/A	Original receipt and receipt at disposition, other evidence of worth
Income		
Earned income	Letter from employer	Multiple pay stubs
Self-employed	N/A	Tax return from prior year, books of accounts
Regular gifts and contributions	Letter from source, letter from organization receiving gift (i.e., if grandmother pays day care provider, the day care provider could so state)	Bank deposits, other similar evidence
Alimony/child support	Court order, letter from source, letter from Human Services	Record of deposits, divorce decree
Periodic payments (i.e., social security, welfare, pensions, workers	Letter or electronic reports from the source	Award letter, letter announcing change in amount of future

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
compensation, unemployment)		payments
Training program participation	Letter from program provider indicating <ul style="list-style-type: none"> - whether enrolled or completed - whether training is HUD-funded - whether Federal, State, local govt., or local program - whether it is employment training - whether it has clearly defined goals and objectives - whether program has supportive services - whether payments are for out-of-pocket expenses incurred in order to participate in a program - date of first job after program completion 	N/A Evidence of job start

12.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NONCITIZEN STATUS

The citizenship/eligible non-citizen status of each family member regardless of age must be determined.

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

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

Prior to being admitted or at the first reexamination, all eligible non-citizens must sign a declaration of their status and a verification consent form and provide their original INS documentation. The Camden Housing Authority will make a copy of the individual's INS documentation and place the copy in the file. The Camden Housing Authority will also verify their status through the INS SAVE system. If the INS SAVE system cannot confirm eligibility, the Camden Housing Authority will mail information to the INS in

Required Attachment: nj010n01

order that a manual check can be made of INS records.

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

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

Any family member who does not choose to declare their status must be listed on the statement of non-eligible members.

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

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

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

12.4 VERIFICATION OF SOCIAL SECURITY NUMBERS

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

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

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

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

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

12.5 TIMING OF VERIFICATION

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

When an interim reexamination is conducted, the Housing Authority will verify and update all information reported to have changed.

12.6 FREQUENCY OF OBTAINING VERIFICATION

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

For each family member age 6 and above, verification of Social Security number will be obtained only once. This verification will be accomplished prior to admission. When a family member who did not have a Social Security number at admission receives a Social Security number, that number will be verified at the next regular reexamination. Likewise, when a child turns six, their verification will be obtained at the next regular reexamination.

12.7 UPFRONT INCOME VERIFICATIONS

The HACC will also do up front verifications via the internet through its MOA's with the NJ Department of Labor, Camden County Board of Social Services, SWICA, etc. Up front income verifications shall also be obtained through HUD's website access and all up front verifications will count as 3rd party verifications according to HUD edicts.

13.0 DETERMINATION OF TOTAL TENANT PAYMENT AND TENANT RENT

13.1 FAMILY CHOICE

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

- A. Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they would otherwise undergo.
- B. Families who opt for the flat rent may request to have a reexamination and return to the income based method at any time for any of the following reasons:
 - 1. The family's income has decreased.
 - 2. The family's circumstances have changed increasing their expenses for child care, medical care, etc.
 - 3. Other circumstances creating a hardship on the family such that the income method would be more financially feasible for the family.
- C. Families have only one choice per year except for financial hardship cases. In order for families to make informed choices about their rent options, the Camden will provide them with the following information whenever they have to make rent decisions:
 - 1. The Camden Housing Authority's policies on switching types of rent in case of a financial hardship; and
 - 2. The dollar amount of tenant rent for the family under each option. If the family chose a flat rent for the previous year, the Camden Housing Authority will provide the amount of income-based rent for the subsequent year only the year the Camden Housing Authority conducts an income reexamination or if the family specifically requests it and submits updated income information.

13.2 THE INCOME METHOD

The total tenant payment is equal to the highest of:

- A. 10% of the family's monthly income;
- B. 30% of the family's adjusted monthly income; or
- C. If the family is receiving payments for welfare assistance from a public agency and a part of those payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the portion of those payments which is so designated. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this provision is the amount resulting from one application of the percentage; or
- D. The minimum rent of \$50.00.

13.3 MINIMUM RENT

The Camden Housing Authority has set the minimum rent at \$50.00. If the family requests a hardship exemption, however, the Camden Housing Authority will suspend the minimum rent beginning the month following the family's request until the Housing Authority can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature.

- A. A hardship exists in the following circumstances:
 - 1. When the family has lost eligibility for or is waiting an eligibility determination for a Federal, State, or local assistance program including a family that includes a member who is a non-citizen lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for title IV of the Personal Responsibility and Work Opportunity Act of 1996;
 - 2. When the family would be evicted because it is unable to pay the minimum rent;
 - 3. When the income of the family has decreased because of changed circumstances, including loss of employment; and
 - 4. When a death has occurred in the family.

Required Attachment: nj010n01

- B. No hardship. If the Housing Authority determines there is no qualifying hardship, the minimum rent will be reinstated, including requiring back payment of minimum rent for the time of suspension.
- C. Temporary hardship. If the Housing Authority reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will not be imposed for a period of 90 days from the beginning of the suspension of the minimum rent. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. The Housing Authority will offer a repayment agreement in accordance with Section 19 of this policy for any rent not paid during the period of suspension. During the suspension period the Housing Authority will not evict the family for nonpayment of the amount of tenant rent owed for the suspension period.
- D. Long-term hardship. If the Housing Authority determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists.
- E. Appeals. The family may use the grievance procedure to appeal the Housing Authority's determination regarding the hardship. No escrow deposit will be required in order to access the grievance procedure.

13.4 THE FLAT RENT AND PROCEDURE FOR MISSED APPOINTMENTS FOR RENT RECERTIFICATION

The Camden Housing Authority has set a flat rent for each public housing unit. In doing so, it considered the size and type of the unit, as well as its age, condition, amenities, services, and neighborhood. The Camden Housing Authority determined the market value of the unit and set the rent at the market value. The amount of the flat rent will be reevaluated annually and adjustments applied. Affected families will be given a 30-day notice of any rent change. Adjustments are applied on the anniversary date for each affected family (for more information on flat rents, see Section 15.3).

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

There is no utility allowance for families paying a flat rent.

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. The letter will also advise that failure by the family to attend the second scheduled

Required Attachment: nj010n01

Interview will result in the HACC taking eviction actions against the family and/or the HACC will take them to the flat rent amount of the bedroom size the resident presently occupies.

The flat rent amount will be indicated on the second notice. If the resident fails to attend the second interview, a re-certification will be completed indicating the new flat rent amount and the effective date of the change.

Once the new flat rent change takes effect, and the resident fails to complete their re-certification, the resident will be responsible for the flat rent amount for each month until they comply. Once the new re-certification is completed, the resident will be notified of the effective date of the change and the new rent amount.

13.5 CEILING RENT

The Camden Housing Authority has set a ceiling rent for each public housing unit. The amount of the ceiling rent will be reevaluated annually and the adjustments applied. Affected families will be given a 30-day notice of any rent change. Adjustments are applied on the anniversary date for each affected family.

The Camden Housing Authority will post the ceiling rents at each of the developments and at the central office. Ceiling rents are incorporated in this policy upon approval by the Board of Commissioners.

13.6 RENT FOR FAMILIES UNDER THE NONCITIZEN RULE

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

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

If a mixed family qualifies for prorated assistance but decides not to accept it, or if the family has no eligible members, the family may be eligible for temporary deferral of termination of assistance to permit the family additional time for the orderly transition of some or all of its members to locate other affordable housing. Under this provision, the

Required Attachment: nj010n01

family receives full assistance. If assistance is granted under this provision prior to November 29, 1996, it may last no longer than three (3) years. If granted after that date, the maximum period of time for assistance under the provision is eighteen (18) months. The Camden Housing Authority will grant each family a period of six (6) months to find suitable affordable housing. If the family cannot find suitable affordable housing, the Camden Housing Authority will provide additional search periods up to the maximum time allowable.

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

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

- A. Determine the 95th percentile of gross rents (tenant rent plus utility allowance) for the Camden Housing Authority. The 95th percentile is called the maximum rent.
- B. Subtract the family's total tenant payment from the maximum rent. The resulting number is called the maximum subsidy.
- C. Divide the maximum subsidy by the number of family members and multiply the result times the number of eligible family members. This yields the prorated subsidy.
- D. Subtract the prorated subsidy from the maximum rent to find the prorated total tenant payment. From this amount subtract the full utility allowance to obtain the prorated tenant rent.

13.7 UTILITY ALLOWANCE

The Camden Housing Authority shall establish a utility allowance for all check-metered utilities and for all tenant-paid utilities. The allowance will be based on a reasonable consumption of utilities by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful environment. In setting the allowance, the Camden Housing Authority will review the actual consumption of tenant families as well as changes made or anticipated due to modernization (weatherization efforts, installation of energy-efficient appliances, etc). Allowances will be evaluated at least annually as well as any time utility rate changes by 10% or more since the last revision to the allowances.

The utility allowance will be subtracted from the family's income rent to determine the amount of the Tenant Rent. The Tenant Rent is the amount the family owes each month to the Camden Housing Authority. The amount of the utility allowance is then still available to the family to pay the cost of their utilities. Any utility cost above the

Required Attachment: nj010n01

allowance is the responsibility of the tenant. Any savings resulting from utility costs below the amount of the allowance belongs to the tenant.

For Camden Housing Authority paid utilities, the Camden Housing Authority will monitor the utility consumption of each household. Any consumption in excess of the allowance established by the Camden Housing Authority will be billed to the tenant monthly.

Utility allowance revisions based on rate changes shall be effective retroactively to the first day of the month following the month in which the last rate change took place. Revisions based on changes in consumption or other reasons shall become effective at each family's next annual reexamination.

Families with high utility costs are encouraged to contact the Camden Housing Authority for an energy analysis. The analysis may identify problems with the dwelling unit that once corrected will reduce energy costs. The analysis can also assist the family in identifying ways they can reduce their costs.

Requests for relief from surcharges for excess consumption of Camden Housing Authority purchased utilities or from payment of utility supplier billings in excess of the utility allowance for tenant-paid utility costs may be granted by the Camden Housing Authority on reasonable grounds. Requests shall be granted to families that include an elderly member or a member with disabilities. Requests by the family shall be submitted under the Reasonable Accommodation Policy. Families shall be advised of their right to individual relief at admission to public housing and at time of utility allowance changes.

13.8 UTILITY REIMBURSEMENTS

The Camden Housing Authority shall pay a utility reimbursement for families paying an income-based rent if the utility allowance (for tenant-paid utilities) exceeds the amount of the total tenant payment.

In the public housing program (where the family is paying an income-based rent), the PHA may pay the utility reimbursement either to the family or directly to the utility supplier to pay the utility bill on behalf of the family. If the PH elects to pay the utility supplier, the PHA must notify the family of the amount paid to the utility supplier.

13.9 PAYING RENT AND INTERVIEW GUIDE AND CHECKLIST

Rent and other charges are due and payable on the first day of the month. All rents should be paid at their Development Office or mail it to a Post Office Box. Reasonable accommodations for this requirement will be made for persons with disabilities. As a safety measure, no cash shall be accepted as a rent payment

Required Attachment: nj010n01

If the rent is not paid by the fifth of the month, a Notice to Vacate will be issued to the tenant. In addition, a \$10 late charge or \$1 a day, whichever is less, will be assessed to the tenant. If rent is paid by a personal check and the check is returned for insufficient funds, this shall be considered a non-payment of rent and will incur the late charge plus an additional charge of \$25 for processing costs.

INTERVIEW GUIDE AND CHECKLIST

At the initial certification, annual re-certification, or interim re-certification, the HACC interviewer must check the appropriate box for the type of action, accurately record the responses of the Head of Household, and sign the Interview Guide and Checklist.

The Head of Household would answer each question and sign the certification statement. Following the interview, the interviewer would record the requests for 3rd party verifications and receipt of verifications of all data relevant to the household.

The interviewer would initial next to each verification requested and each verification received. All verifications shall be retained with this Interview Guide and Checklist in the tenant's file.

13.10 PROCEDURE FOR MISSED APPOINTMENTS FOR RENT RECERTIFICATIONS FLAT RENTS

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. The letter will also advise that failure by the family to attend the second scheduled interview will result in the HACC taking eviction actions against the family and/or the HACC will take them to the flat rent of the bedroom size the resident presently occupies.

The flat rent amount will be indicated on the second notice. If the resident fails to attend the second interview, a re-certification will be completed indicating the new flat rent amount and the effective date of the change.

Once the new flat rent change takes effect, and the resident fails to complete their re-certification, the resident will be responsible for the flat rent amount for each month until they comply. Once the new re-certification is completed, the resident will be notified of the effective date of the change and the new rent amount.

13.11 FAMILY REPORTS ZERO INCOME OR NO INCOME PROCEDURES

When a family reports "zero" income or for all families reporting less income than would be sufficient to support their lifestyle, they will be required to complete an Interview Guide and Checklist and When A Family Reports Zero Income form at the initial certification, annual certification or interim certification interview, the Tenant

Required Attachment: nj010n01

Interviewer/Housing Specialist must record the responses of the Head of Household, and sign the Interview Guide and Checklist.

The Head of Household should answer each questions and sign the certification statement. Following the interview, the Interviewer will verify through appropriate 3rd parties, the responses of the head of household.

All verifications will be retained with the Interview Guide and Checklist in the tenant's file. Families will be required to re-certify at least every forty-five (45) days.

For all zero income tenants, the HACC may require that tenants or clients report 45 days for an interim re-determination to conform with HUD's Rental Housing Income Integrity Program.

13.12 COOPERATING WITH WELFARE AGENCIES

It is the policy of the Camden County Board of Social Services to deny assistance via TANF to applicants until such time as they apply for child support if such support is warranted based on the families composition, it shall also be the policy of the HACC for such families. When a family is admitted into the Public Housing, or comes in for re-certification and when minor children are in the household, HACC shall require the family to show evidence that child support assistance is either in place or has been applied for if the care of the children is not being handled monetarily through the wages of the biological or step father or mother.

In cases where the head of household has chosen for whatever reason to waive child support payments, HACC will require a court document indicating such. However, should HACC discover at a later date that child support payments either through the court or on an informal basis have or are being made and such income has not been reported to HACC, this shall constitute a breach of the Public Housing lease contract, and eviction proceedings from public housing shall commence.

13.13 POLICY OF DISREGARD OF EARNED INCOME

For 12 cumulative months, HACC will exclude from the calculation of rent 100% of increase earnings of qualifying tenant families. For an additional 12 months, 50% of increased earnings of qualifying tenant families will be excluded. This exclusion is limited to one 48-month window of opportunity in the lifetime of each family member.

The following tenant families are eligible for this earned income disregard:

1. Families whose income increases because a family member who was previously unemployed for one or more years goes to work; or
2. Families whose annual income increases due to increased earnings by a family

Required Attachment: nj010n01

- member participating in a self-sufficiency or job training program; or
- 3. Families whose annual income increase due to a new employment or increased earnings during, or within six months after the receipt of TANF assistance, including one time payments totaling at least \$500.00.

13.14 CHANGE IN WORK STATUS

It shall be a policy of the HACC that should a public housing resident quit or for any reason voluntarily leave their place of employment, a change in the rental portion paid by the resident will not be changed for a period of 45 days.

14.0 CONTINUED OCCUPANCY AND COMMUNITY SERVICE

14.1 GENERAL

In order to be eligible for continued occupancy, each adult family member must either (1) contribute eight hours per month of community service (not including political activities), or (2) participate in an economic self-sufficiency program, or (3) perform eight hours per month of combined activities as previously described unless they are exempt from this requirement.

14.2 EXEMPTIONS

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

- A. Family members who are 62 or older.
- B. Family members who are blind or disabled as defined under 216(I)(1) or 1614 of the Social Security Act (42 U.S.C. 416(I)(1) and who certifies that because of this disability she or he is unable to comply with the community service requirements.
- C. Family members who are the primary care giver for someone who is blind or disabled as set forth in Paragraph B above.
- D. Family members engaged in work activity.
- E. Family members who are exempt from work activity under part A title IV of the Social Security Act or under any other State welfare program, including the welfare-to-work program.
- F. Family members receiving assistance, benefits or services under a State program funded under part A title IV of the Social Security Act or under any other State welfare program, including welfare-to-work and who are in compliance with that

Required Attachment: nj010n01
program.

14.3 NOTIFICATION OF THE REQUIREMENT

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

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

The notification will advise families that their community service obligation will begin upon the effective date of their first annual reexamination on or after January 1, 2001. For families paying a flat rent, the obligation begins on the date their annual reexamination would have been effective had an annual reexamination taken place. It will also advise them that failure to comply with the community service requirement will result in ineligibility for continued occupancy at the time of any subsequent annual reexamination.

14.4 VOLUNTEER OPPORTUNITIES

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

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

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

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

14.5 THE PROCESS

Upon admission or at the first annual reexamination on or after January 1, 2001, and each annual reexamination thereafter, the Camden Housing Authority will do the following:

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

14.6 NOTIFICATION OF NON-COMPLIANCE WITH COMMUNITY SERVICE REQUIREMENT

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

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

14.7 OPPORTUNITY FOR CURE

The Camden Housing Authority will offer the family member(s) the opportunity to enter into an agreement prior to the anniversary of the lease. The agreement shall state that the family member(s) agrees to enter into an economic self-sufficiency program or agrees to contribute to community service for as many hours as needed to comply with the requirement over the past 12-month period. The cure shall occur over the 12-month period beginning with the date of the agreement and the resident shall at the same time stay current with that year's community service requirement. The first hours a resident earns go toward the current commitment until the current year's commitment is made.

The volunteer coordinator will assist the family member in identifying volunteer

opportunities and will track compliance on a monthly basis.

If any applicable family member does not accept the terms of the agreement, does not fulfill their obligation to participate in an economic self-sufficiency program, or falls behind in their obligation under the agreement to perform community service, the Camden Housing Authority shall take action to terminate the lease.

14.8 PROHIBITION AGAINST REPLACEMENT OF AGENCY EMPLOYEES

In implementing the service requirement, the Camden Housing Authority may not substitute community service or self-sufficiency activities performed by residents for work ordinarily performed by its employees, or replace a job at any location where residents perform activities to satisfy the service requirement.

15.0 RECERTIFICATIONS

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

15.1 GENERAL

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

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

15.2 MISSED APPOINTMENTS

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

Required Attachment: nj010n01

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

15.3 FLAT RENTS

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

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

Each year prior to their anniversary date, Camden Housing Authority will send a reexamination letter to the family offering the choice between a flat or an income rent.

Required Attachment: nj010n01

The opportunity to select the flat rent is available only at this time. At the appointment, the Camden Housing Authority may assist the family in identifying the rent method that would be most advantageous for the family. If the family wishes to select the flat rent method without meeting with the Camden Housing Authority representative, they may make the selection on the form and return the form to the Camden Housing Authority. In such case, the Camden Housing Authority will cancel the appointment.

15.4 THE INCOME METHOD

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

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

The total tenant payment is equal to the highest of:

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

15.5 EFFECTIVE DATE OF RENT CHANGES FOR ANNUAL REEXAMINATIONS

The new rent will generally be effective upon the anniversary date with thirty (30) 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.

15.6 INTERIM REEXAMINATIONS

Required Attachment: nj010n01

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

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

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

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

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

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

15.7 SPECIAL REEXAMINATIONS

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

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

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

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

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

15.9 INCOME DISCREPANCY PROCEDURES

Income verification submitted by the Resident/Program participant will be verified through the State Wage Information Collection Agencies (SWICA).

The resident income information will be reviewed for the previous year to verify consistency and accuracy.

If it is found that the Resident/Program participant has omitted and/or falsely provided information to the HACC, the Resident/Program participant will be notified immediately. At which time, they will be informed of the dollar amount of the income discrepancy and they must report to the Tenant Interviewer/Housing Specialist. The HACC will charge the resident retroactive to the date the income becomes effective but was not reported by the resident.

The Resident/Program participant will be afforded an opportunity to enter into a Repayment Agreement with the HACC. If the Resident/Program participant refuses to enter into an agreement, eviction proceedings will begin immediately for public housing residents. Should the Resident/Program participant volunteer to enter into a repayment agreement, a monthly repayment amount will be required, in addition to the new calculated rent amount, must be paid each month on time.

If the Resident/Program participant fail to complete the repayment agreement or miss a payment, the agreement will be void and the Resident/Program participant will be required to pay the entire balance in full. Should the tenant refuse or does not make the

Required Attachment: nj010n01

entire payment, eviction proceedings will be taken against the Resident/Program participant.

16.0 UNIT TRANSFERS

16.1 OBJECTIVES OF THE TRANSFER POLICY

The objectives of the Transfer Policy include the following:

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

16.2 CATEGORIES OF TRANSFERS

Category 1: Emergency transfers. These transfers are necessary when conditions pose an immediate threat to the life, health, or safety of a family or one of its members. Such situations may involve defects of the unit or the building in which it is located, the health condition of a family member, a hate crime, the safety of witnesses to a crime, or a law enforcement matter particular to the neighborhood.

Category 2: Immediate administrative transfers. These transfers are necessary in order to permit a family needing accessible features to move to a unit with such a feature or to enable modernization work to proceed.

Category 3: Regular administrative transfers. These transfers are made to offer incentives to families willing to help meet certain Camden Housing Authority occupancy goals, to correct occupancy standards where the unit size is inappropriate for the size and composition of the family, to allow for non-emergency but medically advisable transfers, and other transfers approved by the Camden Housing Authority when a transfer is the only or best way of solving a serious problem.

Category 4: Requested transfers. Transfers that are requested solely for the convenience or desire of the resident.

16.3 DOCUMENTATION

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

16.4 INCENTIVE TRANSFERS

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

16.5 PROCESSING TRANSFERS

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

Transfers in category 1 and 2 will be housed ahead of any other families, including those on the applicant waiting list. Transfers in category 1 will be housed ahead of transfers in category 2.

Transfers in category 3 and 4 will be housed along with applicants for admission at a ratio of one transfer for every five admissions.

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

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

- A. If the family rejects with good cause any unit offered, they will not lose their place on the transfer waiting list.
- B. If the transfer is being made at the request of the Camden Housing Authority and the family rejects two offers without good cause, the Camden Housing Authority will take action to terminate their tenancy. If the reason for the transfer is that the

Required Attachment: nj010n01

current unit is too small to meet the Camden Housing Authority's optimum occupancy standards, the family may request in writing to stay in the unit without being transferred so long as their occupancy will not exceed two people per living/sleeping room.

- C. If the transfer is being made at the family's request and the rejected offer provides deconcentration incentives, the family will maintain their place on the transfer list and will not otherwise be penalized.
- D. If the transfer is being made at the family's request, the family may, without good cause and without penalty, turn down one offer that does not include deconcentration incentives. After turning down a second such offer without good cause, the family's name will be removed from the transfer list.

16.6 COST OF THE FAMILY'S MOVE

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

- A. When the transfer is made at the request of the family or by others on behalf of the family (i.e. by the police);
- B. When the transfer is needed to move the family to a larger sized unit;
- C. When the transfer is needed because action or inaction by the family caused the unit to be unsafe or uninhabitable.

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

- A. When the transfer is needed in order to carry out rehabilitation activities;
- B. When the transfer is needed to move the family to a smaller sized unit;
- C. When the transfer is necessitated because a family with disabilities needs the accessible unit into which the transferring family moved (The family without disabilities signed a statement to this effect prior to accepting the accessible unit);
or
- D. When action or inaction by the Camden Housing Authority has caused the unit to be unsafe or inhabitable.

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

16.7 TENANTS IN GOOD STANDING

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

16.8 TRANSFER REQUESTS

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

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

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

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

16.9 RIGHT OF THE CAMDEN HOUSING AUTHORITY IN TRANSFER POLICY

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

17.0 INSPECTIONS

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

17.1 MOVE-IN INSPECTIONS

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

17.2 ANNUAL INSPECTIONS

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

17.3 PREVENTATIVE MAINTENANCE INSPECTIONS

This is generally conducted along with the annual inspection. This inspection is intended to keep items in good repair. It checks weatherization; checks the condition of the smoke detectors, water heaters, furnaces, automatic thermostats and water temperatures; checks for leaks; and provides an opportunity to change furnace filters and provide other minor servicing that extends the life of the unit and its equipment.

17.4 SPECIAL INSPECTIONS

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

17.5 HOUSEKEEPING INSPECTIONS

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

17.6 NOTICE OF INSPECTION

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

17.7 EMERGENCY INSPECTIONS

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

17.8 PRE-MOVE-OUT INSPECTIONS

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

17.9 MOVE-OUT INSPECTIONS

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

18.0 PET POLICY

A. Pet ownership: A tenant may own one or more common household pets or have one or more common household pets present in the dwelling unit of such tenant, subject to the following conditions:

1. Each Head of Household may own up to two pets and a separate fee and deposit is required for each pet. If one of the pets is a dog or cat, (or other four legged animal), the second pet must be a hamster, gerbil, turtle or other pet normally contained in a small cage or an aquarium for fish. Each bird or other animals, other than fish, shall be counted as one pet.
2. If the pet is a dog or cat, it must be neutered/sprayed, and cats must be de-clawed. Evidence or neutering/spraying can be provided by a statement/bill from veterinarian and/or staff of the humane society. The Tenant must provide waterproof and leak proof litter boxes for cat waste, which must be kept inside the dwelling unit. Cardboard boxes are not acceptable and will not be approved. The Tenant shall not permit refuse from litter boxes to accumulate nor to become unsightly or unsanitary. Also, the weight of a cat cannot exceed 10 pounds (fully grown).
3. If the pet is a bird, it shall be housed in a birdcage and cannot be let out of the cage at any time.
4. An aquarium for fish must be twenty gallons or less, and the container must be placed in a safe location in the unit. The Tenant is limited to one container for the fish; however, there is no limit on the number of fish that can be maintained in the

Required Attachment: nj010n01

- container as long as the container is maintained in a safe and non-hazardous manner.
5. If the pet is a dog, it shall not weigh more than 20 pounds (fully grown).
 6. If the pet is a cat or dog, it must have received rabies and distemper inoculations or boosters, as applicable. Evidence of inoculations can be provided by a statement/bill from veterinarian or staff of the humane society.
 7. All pets must be housed within the unit and no facilities can be constructed outside of the unit for any pet. No animal shall be permitted to be loose and if the pet is taken outside it must be taken outside on a leash and kept off other Tenant's lawns.
 8. All authorized pet(s) must be under the control of an adult. An unleashed pet, or one tied to a fixed object, is not under the control of an adult. Pets which are unleashed, or leashed and unattended, on HA property will be impounded and taken to the local Humane Society. It shall be the responsibility of the Tenant to reclaim the pet and at the expense of the Tenant. Also, if a member of the HA staff has to take a pet to the Humane Society the Tenant will be charged \$50.00 to cover the expense of taking the pet(s) to the Humane Society.
 9. Pet(s) may not be left unattended for more than twenty-four consecutive hours. If it is reported to HA staff that a pet(s) has been left unattended for more than a twenty-four (24) consecutive hour period, HA staff may enter the unit and remove the pet and transfer the pet to the humane society. Any expense to remove and reclaim the pet from any facility will be the responsibility of the Tenant.
 10. Pet(s), as applicable, must be weighed by HA staff prior to execution of the lease agreement. The pet will be weighed at the following location, and the Tenant agrees to transport the pet to the stated location:
_____.

Note:

Any pet that is not fully grown will be weighed every six months. Also, any pet that exceeds the weight limit at any time during occupancy will not be an eligible pet and must be removed from HA property.

- B. Responsible Pet Ownership: Each pet must be maintained responsibly and in accordance with this pet ownership lease addendum and in accordance with all applicable ordinances, state and local public health, animal control, and animal anti-cruelty laws and regulations governing pet ownership. Any waste generated by a pet must be properly and promptly disposed of to avoid any unpleasant and unsanitary odor from being in the unit.
- C. Prohibited Animals: Animals that are considered vicious and /or intimidating will not be allowed. Some examples of animals that have a reputation of a vicious nature are: reptiles, rottweiler, Doberman pinscher, pit bulldog, and/or any animal that displays vicious behavior. This determination will be made by a HA representative prior to the execution of this lease addendum.

Required Attachment: nj010n01

- D. Pet(s) shall not disturb, interfere or diminish the peaceful enjoyment of other tenants. The terms, “disturb, interfere or diminish” shall include but not be limited to barking, howling, chirping, biting, scratching and other like activities. The Housing Manager will terminate this authorization, if a pet disturbs other tenants under this section of the lease addendum. The Tenant will be given one week to make other arrangements for the care of the pet.

- E. If the animal should become destructive, create a nuisance, represent a threat to the safety and security of other Tenants, or create a problem in the area of cleanliness and sanitation, the Housing Manager will notify the tenant, in writing, that the animal must be removed from the Public Housing Development. The written notice will contain the date by which the pet must be removed and this date must be complied with by the Head Of Household. This date will be immediate if the pet may be a danger or threat to the safety and security of other tenants. The Tenant may request a hearing, which will be handled according to the PHA’s established grievance procedure. Provided, however, the pet must be immediately removed from the unit upon notice during the hearing process if the cause is because of safety and security.

- F. The Tenant is solely responsible for cleaning up the waste of the pet within the dwelling and on the grounds of the public housing development. If the pet is taken outside it must be on a leash at all times. If there is any visible waste by the pet it must be disposed of in a plastic bag, securely tied and placed in the garbage. If the HA staff is required to clean any waste left by a pet, the Tenant will be charged \$25.00 for the removal of the waste.

- G. The Tenant shall have pets restrained so that maintenance can be performed in the apartment. The Tenant shall, whenever an inspection or maintenance is scheduled, either be at home or shall have all animals restrained or caged. If a maintenance person enters an apartment where an animal is not restrained, maintenance shall not be performed, and the Tenant shall be charged a fee of \$25.00. If this same situation again occurs, the pet shall be removed from the premises. Pets that are not caged or properly restrained will be impounded and taken to the local Humane Society. It shall be the responsibility of the Tenant to reclaim the pet at the expense of the Tenant. Also, if a member of the HA staff has to take a pet to the Humane Society the Tenant will be charged an additional \$50.00 to cover the expense of taking the pet(s) to the Humane Society. The housing authority shall not be responsible if any animal escapes from the residence due to maintenance, inspections or other activities of the landlord.

FEE AND DEPOSIT SCHEDULE
(A fee and deposit is required for each pet)

TYPE OF PET	FEE	DEPOSIT
-Dog	\$50.00	\$50.00
-Cat	\$25.00	\$25.00

Required Attachment: nj010n01

-Fish Aquarium	\$25.00	\$25.00
-Fish Bowl (Requires no power and no larger Two gallons)	0	\$ 0
-Caged Pets	\$25.00	\$25.00

The entire fee and deposit (subject to the exception listed below) must be paid prior to the execution of the lease. No pet shall be allowed in the unit prior to the completion of the terms of this pet policy. It shall be a serious violation of the lease for any tenant to have a pet without proper approval and without having complied with the terms of this policy. Such violation shall be considered to be a violation of paragraph iv (1) of the lease.

If the deposit is more than \$100.00, the head of household may elect to pay \$100.00 at the time of the signing of this addendum and make \$50.00 per month payments until the total deposit is paid. The fee shall not be reimbursed, and the deposit made shall be utilized to offset damages caused by the pet. Any balance, if any, from the deposit will be refunded to the tenant.

19.0 REPAYMENT AND PAYMENT AGREEMENTS FOR WORKING RESIDENTS

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

To accommodate our working families and to promote self-sufficiency, the HACC has Established a Payment Agreement for working residents who are employed and receive their pay every two (2) weeks or the 15th and 30th of each month. Any working family who requests the Payment Agreement for Working Residents must meet the following guidelines:

1. The Payment Agreement for Working Residents form will indicate the exact day(s) each month a rental payment is due. Both the resident and the Manager and/or representative of the HACC will sign this form.
2. This agreement will remain in effect until the resident and/or HACC chooses to discontinue the agreement. If at anytime, the resident fails to meet the above agreement by not paying the agreed amount on time, this

Required Attachment: nj010n01

form becomes void and the resident will be required to pay his/her rent on the first of each month.

3. If the resident becomes unemployed or begins receiving weekly pay periods, this agreement will become void.

20.0 TERMINATION

20.1 *TERMINATION BY TENANT*

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

20.2 *TERMINATION BY THE HOUSING AUTHORITY*

Twelve months after the Camden Housing Authority has implemented the mandated Community Service Requirement, it will not renew the lease of any non-exempt family that is not in compliance with the community service requirement or an approved Agreement to Cure. If they do not voluntarily leave the property, eviction proceedings will begin.

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

- A. Nonpayment of rent or other charges;
- B. A history of late rental payments;
- C. Failure to provide timely and accurate information regarding family composition, income circumstances, or other information related to eligibility or rent;
- D. Failure to allow inspection of the unit;
- E. Failure to maintain the unit in a safe and sanitary manner;
- F. Assignment or subletting of the premises;
- G. Use of the premises for purposes other than as a dwelling unit (other than for housing authority approved resident businesses);
- H. Destruction of property;

Required Attachment: nj010n01

- I. Acts of destruction, defacement, or removal of any part of the premises or failure to cause guests to refrain from such acts;
- J. Any violent criminal activity on the property or drug-related criminal activity on or off the premises. This includes but is not limited to the manufacture of methamphetamine on the premises of the Camden Housing Authority;
- K. Non-compliance with Non-Citizen Rule requirements;
- L. Permitting persons not on the lease to reside in the unit more than fourteen (14) days each year without the prior written approval of the Housing Authority; and
- M. Other good cause.

The Camden Housing Authority will take immediate action to evict any household that includes an individual who is subject to a lifetime registration requirement under a State sex offender registration program.

20.3 ABANDONMENT

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

When a unit has been abandoned, a Camden Housing Authority representative may enter the unit and remove any abandoned property. It will be stored in a reasonably secure place. A notice will be mailed to the resident stating where the property is being stored and when it will be sold. If the Camden Housing Authority does not have a new address for the resident, the notice will be mailed to the unit address so it can be forwarded by the post office.

If the total value of the property is estimated at less than the cost of storage and administrative costs for sale, the Camden Housing Authority will mail a notice of the sale or disposition to the resident and then wait 33 days before sale or disposition. Family pictures, keepsakes, and personal papers cannot be sold or disposed of until 33 days after the Camden Housing Authority mails the notice of abandonment.

If the estimated value of the property is more than the cost of storage and administrative costs for sale, the Camden Housing Authority will mail a notice of the sale or disposition to the resident and then wait 33 days before sale or disposition. Personal papers, family pictures, and keepsakes can be sold or disposed of at the same time as other property.

Any money raised by the sale of the property goes to cover money owed by the family to the Camden Housing Authority such as back rent and the cost of storing and selling the

Required Attachment: nj010n01

goods. If there is any money left over and the family's forwarding address is known the Camden Housing Authority will mail it to the family. If the family's address is not known, the Camden Housing Authority will keep it for the resident for one year. If it is not claimed within that time, it belongs to the Camden Housing Authority.

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

20.4 RETURN OF SECURITY DEPOSIT

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

If State law requires the payment of interest on security deposits, it shall be complied with.

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

21.0 ONE STRIKE AND YOU'RE OUT POLICY

1. Purpose

It is the (Policy of the Housing Authority of the City of Camden (CHA) that all public housing low rent conventional and Section 8 assisted residents and families shall enjoy decent, safe and sanitary living conditions.

2. Authority

Drug related criminal activity, any other criminal activity, and drug and alcohol abuse in our community increases resident fear and decreases unit marketability. Therefore, CHA will not tolerate such behavior from its applicants or residents.

3. Definitions

Drug related criminal activity is the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use a controlled substance, or have in possession of one's person or in their dwelling unit and drug related paraphernalia.

4. Procedures for Applicants

The Authority shall screen out and deny admission to any applicant who:

- A. Has a recent history of criminal activity involving crimes to persons or property and/or criminal acts that affect the health, safety, or right to peaceful enjoyment of the premises by other residents.
- B. Was evicted from any assisted housing program within three years of the date of application because of drugs; related criminal activity;
- C. The Authority has determined the individual to be illegally using a controlled substance;
- D. The Authority has determined the individual to be abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents;
- E. The Authority has determined that there is reasonable cause to believe that the applicants pattern of illegal use of a controlled substance or pattern of abuse may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents;
- F. Anyone convicted of manufacturing methamphetamine will automatically be denied admission to Public Housing or Section 8 as required by the Quality Housing Work Responsibility Act (QHORA):
- G. The authority may waive policies prohibiting admission in these circumstances if the applicant demonstrates to the Housing Authority's satisfaction that the applicant is no longer engaging in illegal use of a controlled substance or abuse of alcohol and:
 - i. The applicant present credible, verifiable evidence of successful completion of a treatment program and evidence of remaining drug-free at least 2 years following the program; or
 - ii. The applicant can present credible, verifiable evidence of having otherwise been rehabilitated successful and evidence of remaining drug-free at least 2 years following the rehabilitation.

5. Procedures for Residents

The Authority shall terminate the tenancy of any resident family whose members (including foster children and/or live-in aides), guests or other invitees who:

- A. The Authority has determined is illegally using a controlled substance;
- B. The Authority has determined that the resident's abuse of alcohol interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents;
- C. The Authority has determined to be engaging in drug-related criminal activity on or off the premises;
- D. Possession of drug paraphernalia;
- E. Criminal activity involving crimes to persons or property and/or criminal acts that affect the health, safety or right to peaceful enjoyment of the premises by other residents;
- F. Engages in any activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents;
- G. Anyone convicted of manufacturing methamphetamine will automatically be denied admission or continued occupancy to Public Housing or Section 8 as required by the Quality Housing Work Responsibility Act (QHWRA).

Further, the Housing Authority will issue a defiant trespass notice to such evicted persons or families restricting them from entering into any Camden Housing Authority property or unit under lease in Section 8 for any reason. Persons violating said notice may be subject to arrest as disorderly person and face penalties up to six months in jail and \$1,000.00 in fines; or as amended.

6. Procedures for Housing Authority

- A. The Authority shall track crime related problems at its developments and at units under lease under the Section 8 Program and report any incidence of crime to the local police authorities to improve law enforcement and crime prevention.
 - i. The Housing Authority will forward to the local police authorities any resident complaints received concerning crime related problems; and
 - ii. The Housing Authority will review the police reports and newspaper articles concerning crime related problems with our residents and bring the problems to the attention of the proper local police personnel.
- B. The Housing Authority shall document that it is meeting its goals under the the implementation plan for any drug prevention or crime reduction program

Required Attachment: nj010n01

funded by the Department of Housing and urban Development or other funding source and being administered by the Housing Authority.

I have read and understand the “One Strike and You’re Out” Policy. I further understand that this policy applies to all applicants and residents of the Housing Authority and supercedes any related provisions in all admission, administrative and continued occupancy agreement.

Applicant/Resident Signature _____

Date _____

22.0 CRIMINAL, DRUG TREATMENT, AND REGISTERED SEX OFFENDER CLASSIFICATION RECORDS MANAGEMENT POLICY

A. PURPOSE

In the course of its regular operations, the Camden Housing Authority comes The Camden Housing Authority may also be called upon to perform criminal records checks regarding applicants for, or tenants of, housing that receives project-based assistance in the jurisdiction of the Housing Authority. The authority shall maintain the records received for these residents or applicants in the manner prescribed by this policy. Such records will not be made available to the owner of the subject property, but will be used to make recommendations to the owner based on criteria supplied by the owner.

B. ACQUISITION

All adult applicants and residents shall complete the Camden Housing Authority Authorization for Release of Police Records and Authorization of Release of Medical Records when they apply for housing. Through its cooperative Agreement with the Camden Police Department, the Housing Authority will request a check of local records as well as a National Crime Information Center check for a criminal history of an applicant. This check is done for the purpose

Required Attachment: nj010n01
of applicants for housing.

C. MAINTENANCE

The Camden Housing Authority will keep all criminal records or records of drug treatment or sex offender status that are received confidential. These records will be used only to screen applicants for housing or to pursue evictions. The records will not be disclosed to any person or other entity except for official use in the application process or in court proceedings. No copies will be made of the records except as required for official or court proceedings.

Criminal records or records of drug treatment or registered sex offender status will be kept in a file separate from other application or eviction information. These files will be maintained in a different cabinet that is locked and kept in a secure location. Only specified employees shall have access to this cabinet.

D. DISPOSITION

The records shall be destroyed once action is taken on the application for housing and any grievance hearing or court proceeding has been completed and the action is finalized. A notification of destruction will be maintained.

24.0 CIVIL RIGHTS CERTIFICATION

The HACC will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and Regulations issued pursuant thereto (24CFR Part 1) which state that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant received financial assistance. HACC will also be in full compliance with any desegregation or other court order related to Fair Housing (include the Fair Housing Act and Section 504 of the Rehabilitation Act of 1973).

GLOSSARY

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

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

Adjusted Annual Income: The amount of household income, after deductions for specified allowances, on which tenant rent is based. (24 CFR 5.611)

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

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

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

Annual Income: All amounts, monetary or not, that:

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

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

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

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

Required Attachment: nj010n01

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

Asset Income: Income received from assets held by family members. If assets total more than \$5,000, income from the assets is "imputed" and the greater of actual asset income and imputed asset income is counted in annual income. (See "imputed asset income" below.)

Assistance applicant: A family or individual that seeks admission to the public housing program.

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

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

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

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

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

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

Consent Form: Any consent form approved by HUD to be signed by assistance applicants and participants for the purpose of obtaining income information from employers and SWICAs, return information from the Social Security Administration, and return information for unearned income from the Internal Revenue Service. The consent forms may authorize the collection of other information from assistance applicants or participant to determine eligibility or level of benefits. (24 CFR 5.214)

Required Attachment: nj010n01

Covered Families: Families who receive welfare assistance or other public assistance benefits ("welfare benefits") from a State or other public agency ("welfare agency") under a program for which Federal, State, or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for such assistance.

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

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

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

Dependent Allowance: An amount, equal to \$480 multiplied by the number of dependents, that is deducted from the household's annual income in determining adjusted annual income.

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

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

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

Disabled Person: See "person with disabilities."

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

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

Required Attachment: nj010n01

Drug-Related Criminal Activity: Drug trafficking or the illegal use, or possession for personal use, of a controlled substance as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802).

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

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

Elderly Family Allowance: For elderly families, an allowance of \$400 is deducted from the household's annual income in determining adjusted annual income.

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

Extremely low-income families: Those families whose incomes do not exceed 30% of the median income for the area, as determined by HUD with adjustments for smaller and larger families except that HUD may establish income ceilings higher or lower than 30% of the median income for the area if HUD finds that such variations are necessary because of unusually high or low family incomes.:

Fair Housing Act: Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601 et seq.). (24 CFR 5.100)

Family includes but is not limited to:

- A. A family with or without children;
- B. An elderly family;
- C. A near-elderly family;
- D. A disabled family;
- E. A displaced family;
- F. The remaining member of a tenant family; and

Required Attachment: nj010n01

- G. A single person who is not an elderly or displaced person, a person with disabilities, or the remaining member of a tenant family. (24 CFR 5.403)

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

Family Self-Sufficiency Program (FSS Program): The program established by a housing authority to promote self-sufficiency among participating families, including the coordination of supportive services. (24 CFR 984.103(b))

Flat Rent: A rent amount the family may choose to pay in lieu of having their rent determined under the income method. The flat rent is established by the housing authority set at the lesser of the market value for the unit or the cost to operate the unit. Families selecting the flat rent option have their income evaluated once every three years, rather than annually.

Full-Time Student: A person who is attending school or vocational training on a full-time basis.

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

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

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

Imputed Income: For households with net family assets of more than \$5,000, the amount calculated by multiplying net family assets by a HUD-specified percentage. If imputed income is more than actual income from assets, the imputed amount is used as income from assets in determining annual income.

Imputed welfare income: The amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income for purposes of determining rent.

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

Income Method: A means of calculating a family's rent based on 10% of their monthly income, 30% of their adjusted monthly income, the welfare rent, or the minimum rent. Under the income

Required Attachment: nj010n01

method, rents may be capped by a ceiling rent. Under this method, the family's income is evaluated at least annually.

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

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

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

Low-Income Families: Those families whose incomes do not exceed 80% of the median income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 80% of the median for the area on the basis of HUD's findings that such variations are necessary because of unusually high or low family incomes. (1937Act)

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

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

Mixed population development: A public housing development, or portion of a development, that was reserved for elderly and disabled families at its inception (and has retained that character). If the development was not so reserved at its inception, the PHA has obtained HUD approval to give preference in tenant selection for all units in the development (or portion of development) to elderly families and disabled families. These developments were formerly known as elderly projects.

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

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

Required Attachment: nj010n01

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

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

Net Family Assets:

- A. Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.
- B. In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income.
- C. In determining net family assets, housing authorities or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms. (24 CFR 5.603(d))

Non-Citizen: A person who is neither a citizen nor national of the United States. (24 CFR 5.504(b))

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

Participant: A family or individual that is assisted by the public housing program.

Person with Disabilities: A person who:

- A. Has a disability as defined in 42 U.S.C. 423

Required Attachment: nj010n01

- B. Is determined, pursuant to HUD regulations, to have a physical, mental, or emotional impairment that:
 - 1. Is expected to be of long-continued and indefinite duration;
 - 2. Substantially impedes his or her ability to live independently; and
 - 3. Is of such a nature that the ability to live independently could be improved by more suitable housing conditions; or
- C. Has a developmental disability as defined in 42 U.S.C. 6001

This definition does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome.

For purposes of qualifying for low-income housing, it does not include a person whose disability is based solely on any drug or alcohol dependence.

Previously unemployed: This includes a person who has earned, in the 12 months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

Processing Entity: The person or entity that is responsible for making eligibility and related determinations and an income reexamination. In the Section 8 and public housing programs, the processing entity is the responsibility entity.

Proration of Assistance: The reduction in a family's housing assistance payment to reflect the proportion of family members in a mixed family who are eligible for assistance. (24 CFR5.520)

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

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

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

Responsible Entity:

Required Attachment: nj010n01

- A. For the public housing program, the Section 8 tenant-based assistance program (24 CFR 982), and the Section 8 project-based certificate or voucher program (24 CFR 983), and the Section 8 moderate rehabilitation program (24 CFR 882), responsible entity means the PHA administering the program under an ACC with HUD;
- B. For all other Section 8 programs, responsible entity means the Section 8 project owner.

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

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

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

Specified Welfare Benefit Reduction:

- A. A reduction of welfare benefits by the welfare agency, in whole or in part, for a family member, as determined by the welfare agency, because of fraud by a family member in connection with the welfare program; or because of welfare agency sanction against a family member for noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.
- B. "Specified welfare benefit reduction" does not include a reduction or termination of welfare benefits by the welfare agency:
 - 1. at the expiration of a lifetime or other time limit on the payment of welfare benefits;
 - 2. because a family member is not able to obtain employment, even though the family member has complied with welfare agency economic self-sufficiency or work activities requirements; or
 - 3. because a family member has not complied with other welfare agency requirements.

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

Temporary Assistance to Needy Families (TANF): The program that replaced the Assistance to Families with Dependent Children (AFDC) that provides financial assistance to needy families who meet program eligibility criteria. Benefits are limited to a specified time period.

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

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

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

Total Tenant Payment (TTP):

- A. Total tenant payment for families whose initial lease is effective on or after August 1, 1982:
 - 1. Total tenant payment is the amount calculated under Section 3(a)(1) of the 1937 Act which is the higher of :
 - a. 30% of the family's monthly adjusted income;
 - b. 10% of the family's monthly income; or
 - c. If the family is receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the portion of such payments which is so designated.

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

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

Required Attachment: nj010n01

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

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

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

Very Low-Income Families: Families whose incomes do not exceed 50% of the median family income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 50% of the median for the area if HUD finds that such variations are necessary because of unusually high or low family incomes.

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

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

ACRONYMS

ACC	Annual Contributions Contract
CFR	Code of Federal Regulations
FSS	Family Self Sufficiency (program)
HCDA	Housing and Community Development Act
HQS	Housing Quality Standards
HUD	Department of Housing and Urban Development
INS	(U.S.) Immigration and Naturalization Service
NAHA	(Cranston-Gonzalez) National Affordable Housing Act
NOFA	Notice of Funding Availability
OMB	(U.S.) Office of Management and Budget
PHA	Public Housing Agency
QHWR ^A	Quality Housing and Work Responsibility Act of 1998
SSA	Social Security Administration
TTP	Total Tenant Payment