

PHA Plans

Streamlined 5-Year/Annual Version

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

OMB No. 2577-0226
(exp 08/31/2009)

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937 that introduced 5-year and annual PHA Plans. The full PHA plan provides a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form allows eligible PHAs to make a streamlined annual Plan submission to HUD consistent with HUD's efforts to provide regulatory relief to certain PHAs. Public reporting burden for this information collection is estimated to average 11.7 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development, Federal Housing Administration, is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Information in PHA plans is publicly available.

Streamlined 5-Year Plan for Fiscal Years 2008 - 2012

Streamlined Annual Plan for Fiscal Year 2008

NOTE: This PHA Plan template (HUD-50075-SA) is to be completed in accordance with instructions contained in previous Notices PIH 99-33 (HA), 99-51 (HA), 2000-22 (HA), 2000-36 (HA), 2000-43 (HA), 2001-4 (HA), 2001-26 (HA), 2003-7 (HA), and any related notices HUD may subsequently issue. Full reporting for each component listed in the streamlined Annual Plan submitted with the 5-year plan is required.

**Streamlined Five-Year PHA Plan
Agency Identification**

PHA Name: Clearwater Housing Authority **PHA Number:** FL075

PHA Fiscal Year Beginning: (mm/yyyy) 04/2008

PHA Programs Administered:

Public Housing and Section 8 **Section 8 Only** **Public Housing Only**
 Number of public housing units: 200 Number of S8 units: Number of public housing units:
 Number of S8 units: 1340

PHA Consortia: (check box if submitting a joint PHA Plan and complete table)

Participating PHAs	PHA Code	Program(s) Included in the Consortium	Programs Not in the Consortium	# of Units Each Program
Participating PHA 1:				
Participating PHA 2:				
Participating PHA 3:				

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 and attachments (if any) 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)

Streamlined Five-Year PHA Plan
PHA FISCAL YEARS 2008 - 2012
[24 CFR Part 903.12]

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 to lead in creating housing opportunities to enhance the lives of those we serve.
We will:
1. Build communities with innovative programs.
 2. Sustain a dignified and desirable environment.
 3. Create alliances to nurture self-sufficiency.

B. Goals

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

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

- PHA Goal: Expand the supply of assisted housing
Objectives:
- Apply for additional rental vouchers:
 - Reduce public housing vacancies:
 - Leverage private or other public funds to create additional housing opportunities:
 - Acquire or build units or developments
 - Other (list below)
- PHA Goal: Improve the quality of assisted housing
Objectives:
- Improve public housing management:
 - Improve voucher management:
 - 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: when available
 - Other: (list below)
- Proceed with the redevelopment of Jasmine Courts and the sale of Homer Villas.
Research the availability of additional funding sources.

- PHA Goal: Increase assisted housing choices
- Objectives:
- Provide voucher mobility counseling:
 - Conduct outreach efforts to potential voucher landlords
 - Increase voucher payment standards
 - Implement voucher homeownership program:
 - Implement public housing or other homeownership programs:
 - Implement public housing site-based waiting lists:
 - Convert public housing to vouchers:
 - Other: (list below)
- Proceed with the redevelopment of Jasmine Courts and the sale of Homer Villas.
Research the availability of additional funding sources.

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

- PHA Goal: Provide an improved living environment
- Objectives:
- Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments:
 - Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments:
 - Implement public housing security improvements:
 - Designate developments or buildings for particular resident groups (elderly, persons with disabilities)
 - Other: (list below)
- Explore and encourage communication with residents to determine needs and concerns. Continue to enhance partnerships with local service agencies.

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

- PHA Goal: Promote self-sufficiency and asset development of assisted households
- Objectives:
- Increase the number and percentage of employed persons in assisted families:
 - Provide or attract supportive services to improve assistance recipients'

- employability:
- Provide or attract supportive services to increase independence for the elderly or families with disabilities.
- Other: (list below)
Affordable homeownership components to be included in the redevelopment of Jasmine Courts and the sale of Homer Villas. Create linkage to educational and Support services for CHA public housing and Sec. 8 participants. Apply for Sec. 8 funding as it becomes available.

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)
Review policies and procedures annually to ensure compliance.
Utilize resources to review policies and train staff.

Other PHA Goals and Objectives: (list below)

Streamlined Annual PHA Plan

PHA Fiscal Year 2012

[24 CFR Part 903.12(b)]

Table of Contents

Provide the following table of contents for the streamlined Annual Plan submitted with the Five-Year Plan, including all streamlined plan components, and additional requirements, together with the list of supporting documents available for public inspection.

A. ANNUAL STREAMLINED PHA PLAN COMPONENTS

- 1. Housing Needs
- 2. Financial Resources
- 3. Policies on Eligibility, Selection and Admissions
- 4. Rent Determination Policies
- 5. Capital Improvements Needs
- 6. Demolition and Disposition
- 7. Homeownership
- 8. Civil Rights Certifications (included with PHA Certifications of Compliance)
- 9. Additional Information
 - a. PHA Progress on Meeting 5-Year Mission and Goals
 - b. Criteria for Substantial Deviations and Significant Amendments
 - c. Other Information Requested by HUD
 - i. Resident Advisory Board Membership and Consultation Process
 - ii. Resident Membership on the PHA Governing Board
 - iii. PHA Statement of Consistency with Consolidated Plan
 - iv. (Reserved)
- 10. Project-Based Voucher Program
- 11. Supporting Documents Available for Review
- 12. FY 2008 Capital Fund Program and Capital Fund Program Replacement Housing Factor, Annual Statement/Performance and Evaluation Report
- 13. Capital Fund Program 5-Year Action Plan
- 14. Other (List below, providing name for each item)

B. SEPARATE HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE

Form HUD-50077, PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans;

Certification by State or Local Official of PHA Plan Consistency with Consolidated Plan.

For PHAs APPLYING FOR CAPITAL FUND PROGRAM (CFP) GRANTS:

Form HUD-50070, Certification for a Drug-Free Workplace; (cancelled by HUD)

Form HUD-50071, Certification of Payments to Influence Federal Transactions;

Form SF-LLL & SF-LLL, Disclosure of Lobbying Activities.

Executive Summary (optional)

[903.7(r)]. If desired, provide a brief overview of the contents of the streamlined 5-Year/Annual Plan.

The Clearwater Housing Authority (CHA) has been at the forefront of developing opportunities to expand the affordable housing stock within the community while at the same time increasing our financial independence from federal subsidy. CHA like most other housing authorities faces many funding challenges. CHA continues to address those challenges while at the same time continuing to improve its quality of service. The CHA Board has been instrumental in setting a pace that is “out of the box thinking.” Their direction has allowed the staff to investigate other opportunities that provide the potential for growth and ultimately, independence from HUD appropriations.

CHA has embarked upon the redevelopment of its largest public housing community, Jasmine Courts into Parkview Village. Through mixed financing, CHA will develop this 40 acre site utilizing a traditional neighborhood design, with mixed income rental units, mixed income homeownership units, green space for residents, and retail. CHA has a plan that focuses on the quality of life issues necessary for the success of Parkview Village for generations to come. With the award of a HOPE VI Demolition grant and replacement vouchers, CHA has successfully completed the process of relocating families and demolition.

Deleted: state 9% tax credits, and other

Deleted: 203 rental

Deleted: 67

Deleted: a 23,000 square foot recreation center (with indoor pool and gymnasium), a day care center,

Deleted: boutique type

Deleted: In addition to this,

Deleted: is in the

Deleted: beginning the

Deleted: process

The CHA has also begun the process of repositioning the Homer Villas Public Housing Development (61 units). In August 2006 the CHA was awarded approval of our demolition/disposition application for Homer Villas. CHA has entered into a negotiated sale with an affordable housing developer (Habitat for Humanity) to develop affordable units on site. It is expected that this transaction will conclude in December 2007.

The Board and staff take part in a strategic planning session every other year. The planning process is an essential part of communicating with stakeholders on our mission and goals. CHA has been aggressive and successful in developing mixed income affordable housing opportunities since 1992 as well as Economy of Scale (EOS) Agreements. These agreements have saved many limited resources.

Deleted: senior

Through the continued implementation of our identified goals and objectives, we have created an organizational culture that focuses on delivering the highest level of customer service; providing quality affordable housing opportunities; continuing our role as the most innovative housing authority in the area; and capitalizing on partnerships.

Deleted: within the City of Clearwater.

1. Statement of Housing Needs [24 CFR Part 903.12 (b), 903.7(a)]

A. 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 PHA's Waiting Lists			
Waiting list type: (select one)			
<input checked="" type="checkbox"/> Section 8 tenant-based assistance			
<input type="checkbox"/> Public Housing			
<input type="checkbox"/> Combined Section 8 and Public Housing			
<input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional)			
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	1,116		
Extremely low income <=30% AMI	719	64%	
Very low income (>30% but <=50% AMI)	278	25%	
Low income (>50% but <80% AMI)	119	11%	
Families with children	829	74%	
Elderly families	48	4%	
Families with Disabilities	153	14%	
Race/ethnicity caucasian	412	37%	
Race/ethnicity black	694	62%	
Race/ethnicity hispanic	4	0%	
Race/ethnicity other	6	1%	
Characteristics by Bedroom Size (Public Housing Only)			
1BR			
2 BR			
3 BR			
4 BR			
5 BR			
5+ BR			
Is the waiting list closed (select one)? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
If yes:			
How long has it been closed (# of months)? 13			
Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input checked="" 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			

Housing Needs of Families on the PHA's Waiting Lists			
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	86		
Extremely low income <=30% AMI	67	78%	
Very low income (>30% but <=50% AMI)	16	19%	
Low income (>50% but <80% AMI)	3	3%	
Families with children	0	0%	
Elderly families	29	34%	
Families with Disabilities	45	52%	
Race/ethnicity caucasian	71	83%	
Race/ethnicity black	12	14%	
Race/ethnicity hispanic	1	1%	
Race/ethnicity other	2	2%	
Characteristics by Bedroom Size (Public Housing Only)			
1BR			
2 BR			
3 BR			
4 BR			
5 BR			
5+ BR			
Is the waiting list closed (select one)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
If yes:			
How long has it been closed (# of months)? n/a			
Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input type="checkbox"/> Yes n/a			
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			

B. Strategy for Addressing Needs

Provide a brief description of the PHA's strategy for addressing the housing needs of families on the PHA's public housing and Section 8 waiting lists **IN THE UPCOMING YEAR**, and the Agency's reasons for choosing this strategy.

(1) Strategies

Need: Shortage of affordable housing for all eligible populations

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

Select all that apply

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

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

Select all that apply

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

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

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

Select all that apply

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

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

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

Select all that apply

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

Need: Specific Family Types: The Elderly

Strategy 1: Target available assistance to the elderly:

Select all that apply

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

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:

Select all that apply

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

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

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

Select if applicable

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

Strategy 2: Conduct activities to affirmatively further fair housing

Select all that apply

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

Other: (list below)

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

(2) Reasons for Selecting Strategies

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

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

2. Statement of Financial Resources

[24 CFR Part 903.12 (b), 903.7 (c)]

List on the following table 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 20__ grants)		
a) Public Housing Operating Fund	\$612,744.00	PH Operating Expenses
b) Public Housing Capital Fund	\$408,620.00	Capital Projects
c) HOPE VI Revitalization	n/a	
d) HOPE VI Demolition	n/a	
e) Annual Contributions for Section 8 Tenant-Based Assistance	\$9,133,914.00	Section 8 Program
f) Resident Opportunity and Self-Sufficiency Grants	\$82,644.00	FSS Homeownership
g) Community Development Block Grant	n/a	
h) HOME	n/a	
Other Federal Grants (list below)		
Shelter Plus Care Grant	\$305,804.00	Section 8 Supportive Services
2. Prior Year Federal Grants (unobligated funds only) (list below)		

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
CFP 106	\$591,674.00	PH CFP Projects
3. Public Housing Dwelling Rental Income	\$475,500.00	Program Administration
4. Other income (list below)		
Excess Utilities Non Dwelling Rent	\$31,200.00	Program Administration
Resident Charges and Interest	\$180,700.00	Program Administration
4. Non-federal sources (list below)	n/a	
Total resources	\$11,822,800.00	

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.12 (b), 903.7 (b)]

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: (up to 60 days)
 Other: (describe)

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

- Criminal or Drug-related activity
 Rental history
 Housekeeping
 Other (describe)
 Debt owed to other subsidized housing program
 Definition of family
 Graduate of a Section 8 or PH Self-Sufficiency program within last two years

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
- Other (describe)

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

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

c. Site-Based Waiting Lists-Previous Year

1. Has the PHA operated one or more site-based waiting lists in the previous year? If yes, complete the following table; if not skip to d. - NO

Site-Based Waiting Lists				
Development Information: (Name, number, location)	Date Initiated	Initial mix of Racial, Ethnic or Disability Demographics	Current mix of Racial, Ethnic or Disability Demographics since Initiation of SBWL	Percent change between initial and current mix of Racial, Ethnic, or Disability demographics

2. What is the number of site based waiting list developments to which families may apply at one time? ___

3. How many unit offers may an applicant turn down before being removed from the site-based waiting list? ___

4. Yes No: Is the PHA the subject of any pending fair housing complaint by HUD or any court order or settlement agreement? If yes, describe the order, agreement or complaint and describe how use of a site-based waiting list will not violate or be inconsistent with the order, agreement or complaint below:

d. Site-Based Waiting Lists – Coming Year

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

1. How many site-based waiting lists will the PHA operate in the coming year?
2. Yes No: Are any or all of the PHA's site-based waiting lists new for the upcoming year (that is, they are not part of a previously-HUD-approved site based waiting list plan)?
If yes, how many lists?
3. Yes No: May families be on more than one list simultaneously
If yes, how many lists?
4. Where can interested persons obtain more information about and sign up to be on the site-based waiting lists (select all that apply)?
 - PHA main administrative office
 - All PHA development management offices
 - Management offices at developments with site-based waiting lists
 - At the development to which they would like to apply
 - Other (list below)

(3) Assignment

- a. How many vacant unit choices are applicants ordinarily given before they fall to the bottom of or are removed from the waiting list? (select one)
 - One
 - Two
 - Three or More
- b. Yes No: Is this policy consistent across all waiting list types?
- c. If answer to b is no, list variations for any other than the primary public housing waiting list/s for the PHA:

(4) Admissions Preferences

- a. Income targeting:
 - Yes No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 40% of all new admissions to public housing to families at or below 30% of median area income?
- b. Transfer policies:
In what circumstances will transfers take precedence over new admissions? (list below)

- Emergencies
- Over-housed
- Under-housed
- Medical justification
- Administrative reasons determined by the PHA (e.g., to permit modernization work)
- Resident choice: (state circumstances below)
- Other: (list below) Disability/HC

c. Preferences

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

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

Former Federal preferences:

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

Other preferences: (select below)

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

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.

1 Date and Time

Former Federal preferences:

1 Involuntary Displacement (Disaster, Government Action, Action of Housing

- Owner, Inaccessibility, Property Disposition)
- Victims of domestic violence
- Substandard housing
- Homelessness
- High rent burden

Other preferences (select all that apply)

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

4. Relationship of preferences to income targeting requirements:

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

(5) Occupancy

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

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

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

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

(6) Deconcentration and Income Mixing

- a. Yes No: 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 on the following table:

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):
 - Other (list below)
- b. Yes No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?
- c. Yes No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?
- d. Yes No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)
- e. Indicate what kinds of information you share with prospective landlords? (select all that apply)
- Criminal or drug-related activity
 - Other (describe below)
 - Documented Previous Lease Violations
 - Existing Violations of Section 8 or Public Housing Programs

(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:

- Unit size, type not immediately available
- Verifiable medical reasons
- Documented delay in previously selected unapproved unit

(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 (Action of Housing Authority, i.e. Property Disposition)
- Victims of domestic violence
- Substandard housing
- Homelessness

High rent burden (rent is > 50 percent of income)

Other preferences (select all that apply)

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

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

1 Date and Time

Former Federal preferences:

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

Other preferences (select all that apply)

- Working families and those unable to work because of age or disability
- Veterans and veterans' families
- Residents who live and/or work in 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)
Newsletters
Notices
Letters

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

- Through published notices
 Other (list below)
 - Contact appropriate, related organizations

4. PHA Rent Determination Policies

[24 CFR Part 903.12(b), 903.7(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 of the following two)

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

b. Minimum Rent

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

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

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

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

c. Rents set at less than 30% of 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:

- Flat Rents

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:

- Flat Rent when 30% of adjusted gross income exceeds the flat rent

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) \$20 or more
- Other (list below) Family Composition

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

a. 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 flat rents are based upon market rent. The market rent is the rent charged for comparable units in the private, unassisted rental market at which CHA could lease the public housing unit after preparation for occupancy. Also, considered in the flat rent determination is the location, quality, size, type, age of unit, and any amenities, housing services, maintenance and utilities provided by CHA.

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)
When applicable to offset subsidy standards to annual ACC

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)
Funding levels

(2) Minimum Rent

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

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

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

5. Capital Improvement Needs

[24 CFR Part 903.12(b), 903.7 (g)]

Exemptions from Component 5: Section 8 only PHAs are not required to complete this component and may skip to Component 6.

A. Capital Fund Activities

Exemptions from sub-component 5A: PHAs that will not participate in the Capital Fund Program may skip to component 5B. All other PHAs must complete 5A as instructed.

(1) Capital Fund Program

- a. Yes No Does the PHA plan to participate in the Capital Fund Program in the upcoming year? If yes, complete items 12 and 13 of this template (Capital Fund Program tables). If no, skip to B.
- b. Yes No: Does the PHA propose to use any portion of its CFP funds to repay debt incurred to finance capital improvements? If so, the PHA must identify in its annual and 5-year capital plans the development(s) where such improvements will be made and show both how the proceeds of the financing will be used and the amount of the annual payments required to service the debt. (Note that separate HUD approval is required for such financing activities.).

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

Applicability of sub-component 5B: 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.

(1) Hope VI Revitalization

- a. Yes No: Has the PHA received a HOPE VI revitalization grant? (if no, skip to next component; if yes, provide responses to questions on chart below for each grant, copying and completing as many times as necessary)
- b. Status of HOPE VI revitalization grant (complete one set of questions for each grant)
Development name:
Development (project) number:
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
- c. Yes No: Does the PHA plan to apply for a HOPE VI Revitalization grant in the Plan year? If yes, list development name/s below:
- d. Yes No: 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:
- e. Yes No: 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:
Potential use of Replacement Housing Factor Grant First Increment for the Purchase/development of public housing.

6. Demolition and Disposition

[24 CFR Part 903.12(b), 903.7 (h)]

Applicability of component 6: Section 8 only PHAs are not required to complete this section.

- a. Yes No: Does the PHA plan to conduct any demolition or disposition activities (pursuant to section 18 or 24 (Hope VI) of the U.S. Housing Act of 1937 (42 U.S.C. 1437p) or Section 202/Section 33 (Mandatory Conversion) in the plan Fiscal Year? (If "No", skip to component 7; if "yes", complete one activity description for each development on the following chart.)

Demolition/Disposition Activity Description	
1a. Development name: Homer Villas	
1b. Development (project) number: FL075 002	
2. Activity type: Demolition <input type="checkbox"/>	Disposition <input checked="" type="checkbox"/>
3. Application status (select one)	
Approved <input checked="" type="checkbox"/>	
Submitted, pending approval <input type="checkbox"/>	
Planned application <input type="checkbox"/>	
4. Date application approved, submitted, or planned for submission: (08/29/06)	
5. Number of units affected: 61	
6. Coverage of action (select one)	
<input type="checkbox"/> Part of the development	
<input checked="" type="checkbox"/> Total development	
7. Timeline for activity:	
a. Actual or projected start date of activity: 2006	
b. Projected end date of activity: 200	

7. Section 8 Tenant Based Assistance--Section 8(y) Homeownership Program

[24 CFR Part 903.12(b), 903.7(k)(1)(i)]

- (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 the next component; if "yes", complete each program description below (copy and complete questions for each program identified.)

(2) Program Description

a. Size of Program

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

If the answer to the question above was yes, what is the maximum number of participants this fiscal year? ___

b. PHA-established eligibility criteria

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

c. What actions will the PHA undertake to implement the program this year (list)?

(3) Capacity of the PHA to Administer a Section 8 Homeownership Program

The PHA has demonstrated its capacity to administer the program by (select all that apply):

- a. Establishing a minimum homeowner downpayment requirement of at least 3 percent of purchase price and requiring that at least 1 percent of the purchase price comes from the family's resources.
- b. Requiring that financing for purchase of a home under its Section 8 homeownership will be provided, insured or guaranteed by the state or Federal government; comply with secondary mortgage market underwriting requirements; or comply with generally accepted private sector underwriting standards.
- c. Partnering with a qualified agency or agencies to administer the program (list name(s) and years of experience below).
- d. Demonstrating that it has other relevant experience (list experience below).

8. Civil Rights Certifications

[24 CFR Part 903.12 (b), 903.7 (o)]

Civil rights certifications are included in the *PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans*, which is submitted to the Field Office in hard copy—see Table of Contents.

9. Additional Information

[24 CFR Part 903.12 (b), 903.7 (r)]

A. PHA Progress in Meeting the Mission and Goals Described in the 5-Year Plan

(Provide a statement of the PHA's progress against the goals and objectives established in the previous 5-Year Plan for the period FY 2007- 201.

CHA continues to make progress on our previous FY 2007 Agency Plan. Pertaining to our stated mission we continue to develop and build communities with innovative programs. As mentioned previously, CHA has embarked upon the redevelopment of its largest public housing community, Jasmine Courts into Parkview Village. Through mixed financing, CHA will develop this 40 acre site utilizing a traditional neighborhood design, with mixed income rental units, mixed income homeownership units, green space for residents and retail. CHA has a plan that focuses on the quality of life issues necessary for the success of Parkview Village for generations to come. With the award of a HOPE VI Demolition grant and replacement vouchers, CHA **has successfully completed the** process of relocating families and demolition. Additionally, The CHA is expected to conclude the repositioning of the Homer Villas Public Housing Development (61 units) via a negotiated sale with an affordable housing developer (Habitat for Humanity) to develop affordable units on site.

With regards to our goals, the CHA has improved our PHAS score from a 90 to a 98 and our SEMAP score from a 95 to a 100.

Deleted: state 9% tax credits, and other

Deleted: 203 rental

Deleted: 67

Deleted: a 23,000 square foot recreation center (with indoor pool and gymnasium), a day care center,

Deleted: boutique type

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Deleted: process

B. Criteria for Substantial Deviations and Significant Amendments

(1) Amendment and Deviation Definitions

24 CFR Part 903.7(r)

PHAs are required to define and adopt their own standards of substantial deviation from the 5-year Plan and Significant Amendment to the Annual Plan. The definition of significant amendment is important because it defines when the PHA will subject a change to the policies or activities described in the Annual Plan to full public hearing and HUD review before implementation.

a. Substantial Deviation from the 5-Year Plan will be defined as any change that amends the Capital Fund Program outside of the allowed fungibility rule by HUD.

b. Significant Amendment or Modification to the Annual Plan will be defined as a change in the plan by 50% of the total amount of the Capital Fund Program dollar allocations. If the CHA were to reallocate to this threshold, then CHA must adhere to public hearing process with CHA Board approval.

C. Other Information

[24 CFR Part 903.13, 903.15]

(1) Resident Advisory Board Recommendations

a. Yes No: Did the PHA receive any comments on the PHA Plan from the Resident Advisory Board/s? (not completed to date)

If yes, provide the comments below: That CHA consider funding for housekeeping

b. 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)

(2) Resident Membership on PHA Governing Board

The governing board of each PHA is required to have at least one member who is directly assisted by the PHA, unless the PHA meets certain exemption criteria. Regulations governing the resident board member are found at 24 CFR Part 964, Subpart E.

a. Does the PHA governing board include at least one member who is directly assisted by the PHA this year?

Yes No:

If yes, complete the following:

Name of Resident Member of the PHA Governing Board: Ms. Luchenda Fleming

Method of Selection:

Appointment

The term of appointment is (include the date term expires): 2010

Election by Residents (if checked, complete next section--Description of Resident Election Process)

Description of Resident Election Process

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)

Candidates apply with the City. The Mayor selects a candidate and may confer With CHA Executive Director and CHA Board Members as well as residents. The Mayor recommends candidate to the City Commission. Once City Commission approves, the Mayor appoints the Board Member.

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)

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) N/A

b. 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):

Date of next term expiration of a governing board member:

Name and title of appointing official(s) for governing board (indicate appointing official for the next available position): Mayor of the City of Clearwater

(3) PHA Statement of Consistency with the Consolidated Plan

[24 CFR Part 903.15]

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

Consolidated Plan jurisdiction: City of Clearwater

a. 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 on its waiting list.
 The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
 The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
 Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)
 Other: (list below)

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

(4) (Reserved)

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

10. Project-Based Voucher Program

a. Yes No: Does the PHA plan to “project-base” any tenant-based Section 8 vouchers in the coming year? If yes, answer the following questions.

b. Yes No: Are there circumstances indicating that the project basing of the units, rather than tenant-basing of the same amount of assistance is an appropriate option?

If yes, check which circumstances apply:

- Low utilization rate for vouchers due to lack of suitable rental units
 Access to neighborhoods outside of high poverty areas

Other (describe below:)

- c. Indicate the number of units and general location of units (e.g. eligible census tracts or smaller areas within eligible census tracts):

11. List of Supporting Documents Available for Review for Streamlined Five-Year/ Annual PHA Plans

PHAs are to 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	Related Plan Component
X	<i>PHA Certifications of Compliance with the PHA Plans and Related Regulations and Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans.</i>	Standard 5 Year and Annual Plans; streamlined 5 Year Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan.	5 Year Plans
X	Fair Housing Documentation Supporting Fair Housing Certifications: 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	Housing Needs Statement of the Consolidated Plan for the jurisdiction(s) in which the PHA is located and any additional backup data to support statement of housing needs for families on the PHA’s public housing and Section 8 tenant-based waiting lists.	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/ACOP), which includes the Tenant Selection and Assignment Plan [TSAP] and the Site-Based Waiting List Procedure.	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Any policy governing occupancy of Police Officers and Over-Income Tenants in Public Housing. <input checked="" type="checkbox"/> Check here if included in the public housing A&O Policy.	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public housing rent determination policies, including the method for setting public housing flat rents. <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
X	Schedule of flat rents offered at each public housing development. <input checked="" 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 (if included in plan, not necessary as a supporting document) and written analysis of Section 8 payment standard policies. <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Rent Determination
X	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation).	Annual Plan: Operations and Maintenance
X	Results of latest Public Housing Assessment System (PHAS) Assessment (or other applicable assessment).	Annual Plan: Management and Operations
X	Follow-up Plan to Results of the PHAS Resident Satisfaction Survey (if necessary)	Annual Plan: Operations and Maintenance and Community Service & Self-Sufficiency
X	Results of latest Section 8 Management Assessment System (SEMAP)	Annual Plan: Management and Operations
X	Any policies governing any Section 8 special housing types <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Operations and Maintenance

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Related Plan Component
	Consortium agreement(s).	Annual Plan: Agency Identification and Operations/ Management
X	Public housing grievance procedures <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures. <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Grievance Procedures
X	The Capital Fund/Comprehensive Grant Program Annual Statement /Performance and Evaluation Report for any active grant year.	Annual Plan: Capital Needs
	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grants.	Annual Plan: Capital Needs
	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
	Self-evaluation, Needs Assessment and Transition Plan required by regulations implementing Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. See PIH Notice 99-52 (HA).	Annual Plan: Capital Needs
	Approved or submitted applications for demolition and/or disposition of public housing.	Annual Plan: Demolition and Disposition
	Approved or submitted applications for designation of public housing (Designated Housing Plans).	Annual Plan: Designation of Public Housing
	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, Section 22 of the US Housing Act of 1937, or Section 33 of the US Housing Act of 1937.	Annual Plan: Conversion of Public Housing
	Documentation for required Initial Assessment and any additional information required by HUD for Voluntary Conversion.	Annual Plan: Voluntary Conversion of Public Housing
	Approved or submitted public housing homeownership programs/plans.	Annual Plan: Homeownership
	Policies governing any Section 8 Homeownership program (Section _____ of the Section 8 Administrative Plan)	Annual Plan: Homeownership
X	Public Housing Community Service Policy/Programs <input checked="" type="checkbox"/> Check here if included in Public Housing A & O Policy	Annual Plan: Community Service & Self-Sufficiency
	Cooperative agreement between the PHA and the TANF agency and between the PHA and local employment and training service agencies.	Annual Plan: Community Service & Self-Sufficiency
X	FSS Action Plan(s) for public housing and/or Section 8.	Annual Plan: Community Service & Self-Sufficiency
	Section 3 documentation required by 24 CFR Part 135, Subpart E for public housing.	Annual Plan: Community Service & Self-Sufficiency
	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports for public housing.	Annual Plan: Community Service & Self-Sufficiency
X	Policy on Ownership of Pets in Public Housing Family Developments (as required by regulation at 24 CFR Part 960, Subpart G). <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Pet Policy
X	The results of the most recent fiscal year audit of the PHA conducted under the Single Audit Act as implemented by OMB Circular A-133, the results of that audit and the PHA's response to any findings.	Annual Plan: Annual Audit
	Consortium agreement(s), if a consortium administers PHA programs.	Joint PHA Plan for Consortia
	Consortia Joint PHA Plans ONLY: Certification that consortium agreement is in compliance with 24 CFR Part 943 pursuant to an opinion of counsel on file and available for inspection	Joint PHA Plan for Consortia
	Other supporting documents (optional). List individually.	(Specify as needed)

12. Capital Fund Program and Capital Fund Program Replacement Housing Factor Annual Statement/Performance and Evaluation Report

Annual Statement/Performance and Evaluation Report					
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary					
PHA Name: Clearwater Housing Authority		Grant Type and Number Capital Fund Program Grant No: FL14P07550108 Replacement Housing Factor Grant No:			Federal FY of Grant: 2008
<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	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	81,724.00			
3	1408 Management Improvements	57,840.00			
4	1410 Administration	35,862.00			
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures	211,194.00			
11	1465.1 Dwelling Equipment—Nonexpendable	12,000.00			
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	10,000.00			
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				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	408,620.00			
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				

12. Capital Fund Program and Capital Fund Program Replacement Housing Factor Annual Statement/Performance and Evaluation Report

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part II: Supporting Pages								
PHA Name: Clearwater Housing Authority			Grant Type and Number Capital Fund Program Grant No: FL14P07550108 Replacement Housing Factor Grant No:			Federal FY of Grant: 2008		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Qua ntity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
PHA WIDE	Operations	1406		81,724				
	Information Systems Officer	1408		5,000				
	Modernization/Maintenance Tech.	1408		47,840				
	Training	1408		5,000				
	CFP Administration	1410		35,862				
	Appliances	1465		12,000				
	Computer Hardware/Software	1475		10,000				
FL075-1A	Replace Community Kitchen	1460		20,000				
Barbee Towers	Structural Repairs	1460		146,194				
FL075-003	Replace Community Kitchen	1460		20,000				
	Interior paint	1460		25,000				

13. Capital Fund Program Five-Year Action Plan

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part III: Implementation Schedule							
PHA Name: Clearwater Housing Authority		Grant Type and Number Capital Fund Program No: F114P07550108 Replacement Housing Factor No:				Federal FY of Grant: 208	
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	
PHA WIDE	9/2010			9/2012			
FL075-1A	9/2010			9/2012			
FL075-003	9/2010			9/2012			

13. Capital Fund Program Five-Year Action Plan

Capital Fund Program Five-Year Action Plan					
Part I: Summary					
PHA Name Clearwater Housing Authority				<input checked="" type="checkbox"/> Original 5-Year Plan <input type="checkbox"/> Revision No:	
Development Number/Name/HA-Wide	Year 1	Work Statement for Year 2 FFY Grant: PHA FY:	Work Statement for Year 3 FFY Grant: PHA FY:	Work Statement for Year 4 FFY Grant: PHA FY:	Work Statement for Year 5 FFY Grant: PHA FY:
	Annual Statement				
PHA WIDE		197,426.00	197,426.00	197,426.00	197,426.00
FL075-1A Barbee Towers			161,194.00	211,194.00	211,194.00
FL075-003 Ralph Richards Towers		211,194.00	50,000.00		
CFP Funds Listed for 5-year planning		408,620.00	408,620.00	408,620.00	408,620.00
Replacement Housing Factor Funds					



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ADMISSIONS AND CONTINUED OCCUPANCY POLICY

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**CLEARWATER HOUSING AUTHORITY
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CLEARWATER HOUSING AUTHORITY ADMISSIONS AND CONTINUED OCCUPANCY POLICY

This Admissions and Continued Occupancy Policy defines Clearwater Housing Authority's policies for the operation of 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 Clearwater 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. Clearwater Housing Authority shall affirmatively further fair housing in the administration of its public housing program.

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 Clearwater Housing Authority's programs.

To further its commitment to full compliance with applicable Civil Rights laws, Clearwater Housing Authority will provide Federal/State/local information to applicants/residents 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 applicable Fair Housing Information and Discrimination Complaint Forms will be made available upon request at the Clearwater Housing Authority Central office.

Clearwater Housing Authority will assist any family that believes they have suffered illegal discrimination by providing the address of the nearest HUD office of Fair Housing and Equal Opportunity and copies of the appropriate housing discrimination forms upon request.

2.0 REASONABLE ACCOMMODATION

Sometimes people with disabilities may need a reasonable accommodation in order to take full advantage of the Clearwater Housing Authority housing programs and related services. When such accommodations are granted, they do not confer special treatment or advantage for the person with a disability; rather, they make the program accessible to them in a way that would otherwise not be possible due to their disability. This policy clarifies how people can request accommodations and the guidelines Clearwater Housing

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Authority will follow in determining whether it is reasonable to provide a requested accommodation.

Anyone requesting an application may request a reasonable accommodation. Requests are to be written.

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

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

1. Would the accommodation constitute a fundamental alteration? Clearwater Housing Authority's business is housing. If the request would alter the fundamental business that Clearwater Housing Authority conducts, that would not be reasonable. For instance, Clearwater Housing Authority would deny a request to have Clearwater 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, Clearwater Housing Authority may request a meeting with the individual to investigate and consider equally effective alternatives.

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

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

If the resident requests as a reasonable accommodation that they be permitted to make physical modifications at their own expense, Clearwater Housing Authority may 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 resident 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.

2.1 SERVICES FOR NON-ENGLISH SPEAKING APPLICANTS AND RESIDENTS

Clearwater 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.

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In accordance with HUD's final guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition against National Origin Discrimination Affecting Limited English Proficient Persons CHA shall balance the following factors in deciding if or how to assist limited English proficient persons:

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- Number or proportion of applicants and participants who do not speak English and who speak another language in the eligible service area.
- Frequency with which limited English proficient individuals com in contact with the program
- The nature and importance of the program, activity or service provided
- The resources available to CHA

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CHA may:

- Utilize "I speak" cards to the maximum degree possible. (Attached to this document for review)

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3.0 FAMILY OUTREACH

Clearwater Housing Authority will publicize the availability and nature of the Public Housing Program for 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; Clearwater Housing Authority will distribute fact sheets to the broadcasting media and initiate personal contacts with community service personnel.

Clearwater 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.

4.0 RIGHT TO PRIVACY

All adult members (age 18 years and older) of both applicant and resident households are required to annually 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 resident.

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4.1 SIGNING GENERAL CONSENT FORMS

- A. 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.
- B. The consent form(s) will contain, at a minimum, the following:
 - 1. A provision authorizing HUD or Clearwater Housing Authority to obtain from State Wage Information Collection Agencies (SWICA) any information or materials necessary to complete or verify the application for participation or for eligibility for continued occupancy;
 - 2. A provision authorizing HUD or Clearwater Housing Authority to verify with previous or current employers income information pertinent to the family's eligibility for or level of assistance;
 - 3. 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;
 - 4. A statement allowing the Clearwater Housing Authority permission to access the applicants criminal record with any and all police and/or law enforcement agencies, and
 - 5. 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.

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5.0 REQUIRED POSTINGS

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

- A. Statement of Policies and Procedures governing Admission and Continued Occupancy.
- B. Notice of the status of the waiting list (opened or closed).
- C. A listing of all the developments by name, address, number of units, address of all community offices, office hours, telephone numbers.
- D. Income Limits for Admission.
- E. Utility Allowance Schedule.
- F. Current Schedule of Routine Maintenance Charges.
- G. Dwelling Lease.
- H. Grievance Procedure.

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- I. Fair Housing Poster.
- J. Equal Opportunity in Employment Poster.
- K. Any current Clearwater Housing Authority Notices.

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6.0 TAKING APPLICATIONS

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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:

Clearwater Housing Authority Central Office
 The Vincent Building
 908 Cleveland Street
 Clearwater, FL 33755
 (727) 461-5777

Applications are taken to compile a waiting list. Due to the demand for housing in the Clearwater Housing Authority jurisdiction, Clearwater 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 Clearwater Housing Authority will verify the information.

Applications may be picked up in person at the Clearwater Housing Authority Central Office, The Vincent Building, 908 Cleveland Street, Clearwater, Florida 33755 on Monday – Wednesday, 8:00AM - 5:00PM, Thursday 8:00A.M. – 6:00P.M. and Friday, 8:00AM – 3:00PM. Applications will be mailed to interested families upon request and with a self-addressed stamped envelope for the applicant family making the request.

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

Persons with disabilities who require a reasonable accommodation in completing an application may call the Clearwater Housing Authority to make special arrangements. A Telecommunication Device for the Deaf (TDD) access telephone number is available for the deaf. That telephone number is (800) 955-8771.

Upon receipt of the family's application, Clearwater Housing Authority will make an initial determination of eligibility. Clearwater 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 Clearwater Housing Authority determines the family to be ineligible, the notice will state the reasons there of and will offer the family the opportunity for an informal review of the determination. Final eligibility will be determined once the family nears the top of the waiting list.

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The applicant may at any time, in writing, report changes in their applicant status including address and contact information. Clearwater Housing Authority will annotate the applicant's file and will update their place on the waiting list.

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Clearwater Housing Authority will ensure that verification of eligibility, suitability and selection factors are current in order to determine the family's final eligibility for admission into the Public Housing Program.

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7.0 MANAGING THE WAITING LIST

7.1 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.

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.

7.2 ORGANIZATION OF THE WAITING LIST

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

- A. All applications will be maintained in order of bedroom size, and then in order of date and time of application; and
- B. Any contacts between Clearwater Housing Authority and the applicant will be documented in the applicant file.

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7.3 FAMILIES NEARING THE TOP OF THE WAITING LIST

When a family appears to be close to being offered a unit, the family will be notified. If the family no longer qualifies to be near the top of the list, the family's name will be returned to the appropriate spot on the waiting list. Clearwater Housing Authority must notify the family in writing of this determination and give the family the opportunity for an informal review.

The applicant at the top of the community-wide waiting list shall be offered an appropriate unit at the location for which there is a vacancy. The applicant will be

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permitted first right of refusal; if the applicant rejects the offer a second time, they shall be removed from the waiting list. However, if the applicant presents to the satisfaction of Clearwater Housing Authority clear evidence that acceptance of the offer will result in undue hardship such as inaccessibility to employment, children's daycare, or a financial hardship and the like, not related to considerations of race, color or national origin, the second refusal shall not cause the applicant to lose their position on the waiting list.

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7.4 PURGING THE WAITING LIST

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Clearwater 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 Clearwater Housing Authority has current information, i.e., applicant's address, family composition, and income category.

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7.5 REMOVAL OF APPLICANTS FROM THE WAITING LIST

Clearwater Housing Authority will not remove an applicant's name from the Public Housing Waiting List unless:

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- 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;
- C. The applicant does not meet either the eligibility or suitability criteria for the program; or
- D. The applicant is housed.

The applicant will be permitted one right of refusal before being removed from the waiting list.

7.6 MISSED APPOINTMENTS

All applicants who fail to keep a scheduled appointment with Clearwater Housing Authority will be sent a notice of termination of the process for eligibility.

Clearwater 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. The good cause must be put in writing to Clearwater Housing Authority prior to rescheduling an appointment. When good cause exists for missing an appointment, Clearwater Housing Authority will work closely with the family to find a more suitable time.

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7.7 NOTIFICATION OF NEGATIVE ACTIONS

Any applicant whose name is being removed from the waiting list will be notified by Clearwater Housing Authority, in writing, that they have ten (10) business days from the date of the written correspondence to present mitigating circumstances or request in writing 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 Clearwater 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, Clearwater Housing Authority will verify that there is in fact a disability and the disability caused the failure to respond, and will provide a reasonable accommodation.

8.0 DETERMINATION OF ELIGIBILITY

8.1 INTRODUCTION

To be eligible for participation, an applicant must meet the following criteria.

- A. An applicant must be a “family” as defined in §8.2.
- B. An applicant must be within the appropriate Income Limits.
- C. An applicant must provide documentation of Social Security Numbers for all family members, or certify that a family member does not have a Social Security Number and when they will have one.
- D. Each member of the applicant household must declare citizenship or immigration status. Noncitizens must provide verification of their status.
- E. No member of the household may have been evicted from Public Housing, Indian Housing, Section 236 or any Section 8 program for violent or drug-related criminal activity for five (5) years prior to the date of application.

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.

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- 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 may be considered family members for the purpose of determining bedroom size but are not considered family members for determining income limit.
- c. Police officers who would not otherwise be eligible for participation will be allowed to reside in public housing. Such occupancy will be permitted by Clearwater Housing Authority based upon the security needs of the community.

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2. An **elderly family**, which is:

- a. A family whose head, spouse, or sole member is a person who is at least 62 years of age;
- b. Two or more persons who are at least 62 years of age living together; or
- c. One or more persons who are at least 62 years of age living with one or more live-in aides.

3. A **near-elderly family**, which is:

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

4. A **disabled family**, which is:

- a. A family whose head, spouse, or sole member is a person with disabilities;
- b. Two or more persons with disabilities living together; or
- c. One or more persons with disabilities living with one or more live-in aides.

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- d. For purposes of qualifying for low income housing, this 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 resident family**, which is an emancipated adult.
- 7. A **single person** who is not an elderly or displaced person, a person with disabilities, or the remaining member of a resident family.
- 8. **Live-in Aide**

A family may include a live-in aide provided that the live-in aide:

- a. Is determined to be essential to the care and well-being of an elderly person, a near-elderly person, or a person with a disability;
- b. Is not obligated for the support of the person(s); and
- c. 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:

- a. Income of the live-in aide will not be counted for purposes of eligibility or level of benefits;
- b. Live-in aide is not subject to Non-Citizen Rule requirement; and
- c. Live-in aide will not be considered as a remaining member of the applicant or participant family and will be required to move if the resident moves or has deceased.

A live-in aide may only reside in the unit with the prior written approval of the Clearwater Housing Authority. Written verification will be required from the particular doctor providing care. The verification must specifically state that a live-in aide is essential for the daily care of the family member who is elderly, near-elderly or disabled. Live-in aide must provide proof of certification and qualifications. Certifications and qualifications must be from an accredited institution. This certification must be verified and approved by Clearwater Housing Authority. A criminal records check will be conducted at the time of initial request and subsequently, annually.

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

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The live-in aide's family members may also reside in the unit with Clearwater Housing Authority's prior written approval. The presence of the live-in aide's family members must not overcrowd the unit.

At any time, Clearwater Housing Authority may refuse to approve a particular person as a live-in aide or may withdraw such approval if the person:

1. Commits fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program;
2. Commits drug-related criminal activity or violent criminal activity;
3. Currently owes rent or other amounts to Clearwater Housing Authority or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act;
4. Is the landlord of the unit; or
5. Does not qualify under the eligibility criteria described in this Policy.

B. Income Eligibility

1. To be eligible for admission to developments, the family's annual income must be within the low-income limit set by HUD. This means the family income cannot exceed 80% 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 Clearwater Housing Authority.
4. If Clearwater 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 residents.
5. Income limit restrictions do not apply to families transferring within the Clearwater Housing Authority Public Housing Program.
6. Clearwater 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. The number and location of the unit(s) will be identified per development based upon unit availability and need for increased police presence. Their rent shall at least equal the flat rent rate.

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C. Citizenship/Eligibility Status

1. To be eligible for public housing each member of the family must be a citizen, national, or a noncitizen who has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980 [see 42 U.S.C. 1436a(a)].
2. Family eligibility for assistance.
 - A. A family shall not be eligible for assistance unless every member of the family residing in the unit is determined to have eligible status, with the exception noted below.
 - B. Despite the ineligibility of one or more family members, a mixed family may be eligible for one of three types of assistance. (See Section 12.5 for calculating rents under the noncitizen rule.)

D. Social Security Number Documentation

To be eligible, all family members must provide a Social Security Number, or certify that they are in the process of receiving one. Adults must certify for minors.

8.3 INCOME LIMITS

In order to be eligible for assistance, an applicant must be either:

- A. Very low income family, as defined by the very low income limits published by HUD in the *Federal Register* for the Clearwater Area; or
- B. Low income family in any of the following categories:
 1. Continuously assisted under the 1937 Housing Act. An applicant is continuously assisted if the family has received assistance under the 1937 Housing Act Program within 60 days prior to Voucher issuance. The Program includes Public Housing, all Section 8 programs, and all other federally subsidized rental programs.
 2. Physically displaced by rental rehabilitation activity under 24 CFR Part 511.
 3. Non-purchasing family residing in a HOPE 1 or HOPE 2 project.
 4. Non-purchasing family residing in a project subject to a homeownership program under 24 CFR 248.173.
 5. Displaced as a result of the prepayment of a mortgage or voluntary termination of a mortgage insurance contract under 24 CFR 248.165.

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6. Residing in a HUD-owned multifamily rental housing project when the project is sold, foreclosed or demolished by HUD (Certificate Program only).

To determine if the family is income eligible, Clearwater Housing Authority 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, notified of the denial and offered an informal review.

8.4 *SUITABILITY*

- A. Applicant families will be evaluated to determine whether, based on their recent behavior, such behavior could reasonably be expected to result in lack of compliance with the public housing lease. Clearwater 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 residents, Clearwater 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. Clearwater Housing Authority will consider objective and reasonable aspects of the family's background, including the following:
 1. History of meeting financial obligations, especially rent and any utility payments;
 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 residents or staff or cause damage to the property;
 4. History of disturbing neighbors or destruction of property;
 5. Having committed fraud in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived therefrom; and

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6. History of abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment by others.
- C. Clearwater Housing Authority will ask applicants to provide information demonstrating their ability to comply with the essential elements of the lease. Clearwater 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 and any other adult family members;
 2. A rental history check of all adult family members;
 3. A criminal background check on all adult household members, including live-in aides. This check will be made through State or local law enforcement or court records in those cases where the household member has lived in the local jurisdiction for the last three years. Where the individual has lived outside the local area, Clearwater 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.

8.5 GROUNDNS FOR DENIAL

Clearwater Housing Authority has established and adopted written policies for admission of residents that preclude admission of applicants whose habits and practices reasonably may be expected to have a detrimental effect on the residents or the community environment. Clearwater Housing Authority may prohibit admission for a prescribed period of time, a disqualifying behavior or event (probation, past performance of meeting financial obligations, record of disturbances, destruction of property, housekeeping habits, criminal activity, physical violence, etc.) and extend that prohibition for a longer time period at the discretion of the Authority.

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Clearwater Housing Authority is not required or obligated to assist applicants or applicant household members 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 within five (5) years of the projected date of admission by any household member involving crimes of physical violence against persons or property, drug-related criminal activity, and any other criminal activity that would adversely affect the health, safety, well-being of other tenants, staff, agents of the Clearwater Housing Authority, or cause damage to the property. (The five-year time period for history of criminal activity begins upon completion and disposition of the criminal change);
- G. Have a household member who is currently involved in the judicial system, including but not limited to probation, pre-trial intervention (PTI), pending or postponed cases;
- H. Have a history of disturbing neighbors or destruction of property;
- I. Currently owe rent or other amounts to any housing authority in connection with their public housing or Section 8 programs;
- J. Have committed fraud, bribery or any other corruption in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived therefrom;
- K. Were evicted from federally assisted housing within five (5) years of the projected date of admission because of drug-related criminal activity involving the personal use or possession for personal use; The five (5) year limit is based on the date of such eviction, not the date the crime was committed.
- L. Were evicted from assisted housing within five (5) 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,

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distribute a controlled substance as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802;

M. 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. Clearwater Housing Authority may waive this requirement if:

1. The person demonstrates to Clearwater 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.

With respect to criminal activity described in paragraphs J, K, L, and M of this Section, Clearwater Housing Authority may require an applicant to exclude a household member in order to be admitted to public housing where that household member has participated in or been culpable for actions described in paragraphs J, K, L, and M that warrants denial.

Violence Against Women Act (VAWA) – prohibits the eviction of, and removal of assistance from, certain persons living in public or Section 8-assisted housing if the asserted grounds for such action is an instance of domestic violence, dating violence, sexual assault, or stalking, as those terms are defined in Section 3 of the United States Housing Act of 1937 as amended by VAWA (42 U.S.C. 13925).

The goal of CHA is to fully comply with VAWA law. It is CHA's objective to work with applicants or residents who certify under VAWA via form 50066 so they are aware of their rights under VAWA. Information regarding VAWA will be displayed in a public place in the central office as well as each CHA public housing community common area. CHA's initial application and update application for renewal will require a family to report whether the family qualifies under the VAWA law.

N. Have engaged in or threatened verbal, physical (or any form of harassment) abusive or violent behavior toward any Clearwater Housing Authority staff member, residents or CHA representatives;

O. Have a household member who has ever been evicted from public housing;

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- P. Have a household member who has been terminated under the certificate or voucher program;
- Q. Has not been one year from successful completion of probation and/or PTI from projected date of admission;
- R. **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; or
- S. **Denied for Life:** Has a lifetime registration under a State sex offender/sexual predator registration program.

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Notification of Denial - Each applicant determined to be ineligible for admission shall be notified of their eligibility status. This notice may be given either in writing or verbally but the application must be documented to show when and how the notice was given.

Applicants and tenants will be permitted an opportunity to dispute criminal record information. If denial or termination is due to a criminal record, the criminal record will be maintained with the denied applicant or tenant file. Clearwater Housing Authority will ensure that any criminal record received is maintained confidentially, not misused or improperly disseminated and will be destroyed once the purpose(s) for which the record was requested has been addressed and closed.

8.6 INFORMAL REVIEW

- A. If Clearwater Housing Authority determines that an applicant does not meet the criteria for receiving public housing assistance, Clearwater 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 in writing an informal review of the decision within ten (10) business days of the denial. Clearwater Housing Authority will describe how to obtain the informal review.

The informal review may be conducted by any person designated by Clearwater 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 Clearwater Housing Authority's decision. Clearwater Housing Authority must notify the applicant of the final decision within ten (10) business days after the informal review, including a brief statement of the reasons for the final decision.

- B. The applicant family may request that Clearwater 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

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

9.0 TENANT SELECTION AND ASSIGNMENT PLAN

9.1 PREFERENCES

Applicants will be selected based on each bedroom size category. Then date and time of application will govern selection.

A. SPECIAL ADMISSIONS (24 CFR 982.203, 982.54)

Only, if HUD awards Clearwater Housing Authority funding that is targeted for specifically named families, Clearwater Housing Authority 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. Clearwater Housing Authority 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 or natural disaster;
- A family residing in a multi-family rental housing project when HUD sells, forecloses or demolishes the project;
- 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.

9.2 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
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Local Preference . . . Point Value

1. Residency . 0
2. Elderly, disabled . 5
3. Working . 30
4. Rent Burden . 15
5. Displaced and/or Homeless . 15
6. Victims of Domestic Violence . 25
7. Clearwater Housing Authority . 10
- Self-Sufficiency Program
- (pre-approved application) .

Definition of Preferences:

Residency. Applicants who are living, working, or have been notified that they are hired

to work in Clearwater will be considered residents and will qualify to receive points. This preference has been HUD approved.

2. **Elderly/Disabled.** An applicant household in which the head of household, spouse or co-head of household is elderly or disabled.

3. **Working.** Applicant households in which the head of household, spouse or co-head of household has been employed full-time in the same position for at least six months.

4. **Rent Burden.** Families paying more than 50% of their income for rent and utilities for at least 90 days will receive this preference. For purposes of this preference, "Family Income" is Gross Monthly Income as defined in the ... [1]

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

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.

In determining bedroom size, Clearwater 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 may 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 5, will share a bedroom.
- C. Adults and children will not be required to share a bedroom unless the child is under the age of 5 or is of the same sex.
- D. Live-in aides will get a separate bedroom.

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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. Clearwater 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 two years or until the family size changes, whichever may occur first.
- B. 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

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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.

- C. Larger units may be offered in order to improve the marketing of a development suffering a high vacancy rate.

9.3 SELECTION FROM THE WAITING LIST

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

If there are not enough extremely low-income families on the waiting list, we will conduct outreach on a non-discriminatory basis to attract extremely low-income families to reach the statutory requirement.

9.4 DECONCENTRATION POLICY

It is Clearwater Housing Authority's policy to provide for deconcentration of poverty and encourage income mixing. Through self-sufficiency programs and the acquiring of additional properties, we will be able to encourage income mixing within our community.

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9.5 DECONCENTRATION INCENTIVES

Clearwater 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.

9.6 OFFER OF A UNIT

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

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Clearwater Housing Authority will contact the family. 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 Clearwater Housing Authority regarding the offer. In certain cases the family will also be contacted by telephone.

The family will be offered the opportunity to view the unit. After the opportunity to view the unit, the family will have one (1) business day to accept or reject the unit. This verbal offer and the family's decision must be documented in the family's file.

9.7 REJECTION OF UNIT

If the family rejects the unit without good cause, the family will forfeit their application for public housing and, if they are concurrently on the Section 8 waiting list, they will forfeit their application's preferences and be placed at the bottom of the Section 8 waiting list.

If the family rejects with good cause any unit offered, they will not lose their place on the waiting list. Good cause includes reasons related to health, proximity to work, school, and childcare (only for those working or going to school). All other potential good causes will be reviewed on a case by case basis.

9.8 ACCEPTANCE OF UNIT

The family will be required to sign a lease that will become effective no later than five (5) 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, conducted by the property manager or designee, 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, and the current schedule of routine maintenance charges. These documents will be explained in detail. The applicant will sign a certification that they have received these documents and that they have reviewed them with Housing Authority personnel. The certification will be filed in the tenant's file.

The signing of the lease and the review of financial information are to be privately handled. The head of household and all adult family members will be required to execute the lease prior to admission. It is encouraged that additional family members or friends (inclusive of children under the age of 18 years) not attend (not inclusive of interpreters).

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One executed copy of the lease will be furnished to the head of household and Clearwater 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 for Public Housing will be equal to:

PUBLIC FAMILY HOUSING

Bedroom Size	Security Deposit Amount
1	\$250
2	\$300
3	\$350
4	\$400
5	\$450

Security deposits for Barbee Towers and Ralph Richards Tower will be \$200.

In exceptional situations, Clearwater Housing Authority reserves the right to allow a new resident to pay their security deposit in up to three (3) payments. Fifty percent shall be paid in advance, 25% with their second rent payment, and 25% with their third rent payment. This shall be at the sole discretion of the Housing Authority.

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

10.0 INCOME, EXCLUSIONS FROM INCOME, AND DEDUCTIONS FROM INCOME

To determine annual income, Clearwater 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, Clearwater Housing Authority subtracts all allowable deductions (allowances) to determine the Total Tenant Payment.

10.1 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

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- 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 Clearwater Housing Authority believes that past income is the best available indicator of expected future income, Clearwater 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.)

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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. TANF (Temporary Assistance for Needy Families).

1. If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income consists of:

a. The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus

b. The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this requirement is the amount resulting from one application of the percentage.

2. Imputed welfare income

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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 Clearwater Housing Authority by the welfare agency) plus the total amount of other annual income.

b. At the request of Clearwater Housing Authority, the welfare agency will inform Clearwater 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 Clearwater Housing Authority of any subsequent changes in the term or amount of such specified welfare benefit reduction. Clearwater 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 Clearwater 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

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income is reduced to zero.

- e. Clearwater 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 Clearwater Housing Authority has calculated the amount of imputed welfare income in accordance with HUD requirements, and if Clearwater Housing Authority denies the family's request to modify such amount, then Clearwater Housing Authority shall give the resident written notice of such denial, with a brief explanation of the basis for Clearwater Housing Authority's determination of the amount of imputed welfare income. Clearwater 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.
- g. Relations with welfare agencies
 - 1. Clearwater 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 Clearwater 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.
 - 2. Clearwater 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, Clearwater 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.
 - 3. Such welfare agency determinations are the responsibility of the welfare agency, and the family may seek appeal of such

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determinations through the welfare agency's normal due process procedures. Clearwater Housing Authority shall rely on the welfare agency notice to Clearwater 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 individuals or 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.)

10.2 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 resident 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; including the Federal Medicare Benefit for prescriptions.
- 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;

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2. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
3. Amounts received by a participant in other publicly assisted programs that are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and that are made solely to allow participation in a specific program;
4. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 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, resident initiative coordination, and serving as a member of Clearwater Housing Authority's governing board. 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;
10. The incremental earnings due to employment during a cumulative 12-month period following date of the initial hire shall be excluded. 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

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years.

- b. Families whose income increases during the participation of a family member in any economic family self-sufficiency or other job training program.
- c. Families who are or were, within six months, assisted under a State TANF or welfare-to-work program.

TANF includes both regular monthly income and one-time benefits and/or services that total at least \$500 over a six-month period.

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 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.)

- 11. Deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts. This exclusion (paragraph 11) will not apply for any family who concurrently is eligible for exclusion #10;
- 12. 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;
- 13. 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
- 14. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits. These exclusions include:
 - a. The value of the allotment of Food Stamps;
 - b. Payments to volunteers under the Domestic Volunteer Services Act of 1973;

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- c. Payments received under the Alaska Native Claims Settlement Act;
- d. Income from sub-marginal land of the U.S. that is held in trust for certain Indian tribes;
- e. Payments made under the Department of Health and Human Services (HHS) Low-Income Energy Assistance Program;
- f. Payments received under the Job Training Partnership Act;
- g. Income from the disposition of funds of the Grand River Band of Ottawa Indians;
- h. The first \$2,000 per capita received from judgment funds awarded for certain Indian claims;
- i. Amount of scholarships awarded under Title IV including Work Study;
- j. Payments received under the Older Americans Act of 1965;
- k. Payments from Agent Orange Settlement;
- l. Payments received under the Maine Indian Claims Settlement Act;
- m. The value of child care under the Child Care and Development Block Grant Act of 1990;
- n. Earned income tax credit (EITC) refund payments; or
- o. Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation;
- p. Payments for living expenses under the AmeriCorps Program.
- 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;
- r. Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment

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or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act; and

- s Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act.

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

10.3 DEDUCTIONS FROM ANNUAL INCOME

The following deductions will be made 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 3% of annual income:
 - 1. ~~Anticipated, unreimbursed~~ medical expenses of any elderly family or disabled family; and
 - 2. 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. Reasonable child care expenses for children 12 and younger 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.
- E. Child Support payments made by a member of the family for the support and maintenance of any child who does not reside in the household, except that the amount excluded under this clause may not exceed \$480 for each child for whom such payment is made.
- F. Spousal Support expenses made by a member of the family for the support and maintenance of any spouse or former spouse who does not reside in the household, except that the amount excluded under this clause shall not exceed the lesser of (1) the amount that such family member has a legal obligation to pay; or (2) \$550 for each individual for whom such payment is made.

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10.4 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 ten (10) business days of receipt by the resident.
- B. The Clearwater Housing Authority Housing Manager 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, Clearwater 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) business 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, Clearwater Housing Authority may 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.

10.5 COOPERATING WITH WELFARE AGENCIES

Clearwater 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 Clearwater Housing Authority concerning welfare benefits for families applying for or receiving assistance in our housing assistance programs.

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11.0 VERIFICATION

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Clearwater Housing Authority will verify information related to waiting list 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 noncitizen status. Age and relationship will only be verified in those instances where needed to make a determination of level of assistance.

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11.1 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.

When appropriate, CHA will utilize Enterprise Income Verification (EIV) and any other verification mean, such as State Wage/Income Collection Agency SWICA for income determinations. Some methods are provided by the HUD or other governmental agencies. These methods are considered to be acceptable third party verifications. It is important to note that EIV data will only be used to verify an applicant or resident's eligibility for participation in a rental assistance program and to determine the level of assistance the resident is entitled to receive and only by properly trained persons whose duties require access to this information. Any other use, unless approved by the HUD Headquarters EIV Security System Administrator, is specifically prohibited and will not occur.

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No adverse action can be taken against a resident until the CHA has independently verified the EIV information and the resident has been granted an opportunity to contest any adverse findings through the established grievance procedure.

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Furthermore, the information the CHA derives from the EIV system will be protected to ensure that it is utilized solely for official purposes and not disclosed in any way that would violate the privacy of the affected individuals.

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Once the data has served its purpose, it shall be destroyed by either burning or shredding the data.

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Other information will be verified by third party verification. This type of verification includes written documentation with forms sent directly to CHA 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 Clearwater 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/resident 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., and file will be noted and documented as thoroughly as possible.

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When third party verification cannot be obtained, as is the case with the Social Security Administration, Clearwater Housing Authority will accept documentation received from the applicant/resident. Hand-carried documentation will be accepted if Clearwater Housing Authority has been unable to obtain third party verification in a four-week period of time. Photocopies of the documents provided by the family will be maintained in the file.

11.2 TYPES OF VERIFICATION

Clearwater Housing Authority 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, Clearwater Housing Authority will send a request form to the source along with a release form signed by the applicant/resident via first class mail.

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
General Eligibility Items		
Social Security Number	Letter from Social Security, electronic reports	Social Security card or a third party document stating the Social Security numbers.
Citizenship	N/A	Signed certification, voter's registration card, birth certificate, etc.
Eligible immigration status	INS SAVE confirmation number	INS card
Disability	Letter from medical professional, etc.	Proof of SSI or Social Security disability payments
Full time student status (if 18 years of age or older)	Letter from school	For high school students and/or college, any document evidencing enrollment
Need for a live-in aide	Letter from doctor or other professional knowledgeable of condition	N/A

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Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
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 accounts	Letter from institution	Passbook, most current statements
CD's, 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 held as an investment	Assessment, bluebook, etc.	Receipt for purchase, other evidence of worth
Cash value of whole 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 <i>*EIV or SWICA may also be used as acceptable verification methods</i>		
Earned income	Letter from employer	Multiple pay stubs
Self-employment	N/A	Tax return from prior year, books of accounts
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Regular gifts and contributions	Letter from source, letter from organization receiving gift (i.e., if grandmother pays day care provider, the day care provider should 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, worker's compensation, unemployment)	Letter or electronic reports from the source <i>*Third party verification of SS and SSI benefits shall be obtained by using the 2nd party method or by using HUD's online systems.</i>	Award letter, letter announcing change in amount of future payments
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Training program participation	Letter from program provider indicating: - whether enrolled or completed - whether training is HUD-funded - whether Federal, State, local government or	N/A
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Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
	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	Evidence of job start

11.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NONCITIZEN STATUS

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

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

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

Prior to being admitted or at the first reexamination, all eligible noncitizens must sign a declaration of their status and a verification consent form and provide their original INS documentation. Clearwater Housing Authority will make a copy of the individual's INS documentation and place the copy in the file. Clearwater Housing Authority will also verify their status through the INS SAVE system. If the INS SAVE system cannot confirm eligibility, Clearwater Housing Authority will mail information to the INS in order that a manual check can be made of INS records.

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

Noncitizen students on student visas, though in the country legally, are not eligible to be admitted to public housing. If they are members of families that include citizens, the rent must be pro-rated.

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

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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 Clearwater Housing Authority determines that a family member has knowingly permitted an ineligible noncitizen (other than any ineligible noncitizens listed on the lease) to permanently reside in their public housing unit, the family will be evicted. Such family will not be eligible to be readmitted to public housing for a period of five (5) years from the date of eviction or termination.

11.4 VERIFICATION OF SOCIAL SECURITY NUMBERS

Prior to admission, each family member who has a Social Security number must provide verification of their Social Security number. New family members must provide this verification prior to being added to the lease.

The best verification of the Social Security number is the original Social Security card. If the card is not available, Clearwater 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 ID's, passports, or other official documents that establish and state the number are also acceptable.

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 resident family that is at least sixty-two (62) years of age indicates they have a Social Security number, but cannot readily verify it, they will be given one hundred and twenty (120) calendar days to provide the verification. If the individual fails to provide the verification within the time allowed, the family will be evicted.

11.5 TIMING OF VERIFICATION

Verification information must be dated within sixty (60) days of the interview for certification or reexamination. If the verification is older than this, the source will be contacted and asked to provide information regarding any changes.

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When an interim reexamination is conducted, the Housing Authority will verify and update all information related to family circumstances and level of assistance. (Or, the Housing Authority will only verify and update those elements reported to have changed.)

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11.6 FREQUENCY OF OBTAINING VERIFICATION

Household composition will be verified annually. The frequency that household income will be verified depends on the type of rent method chosen by the family.

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

For each family member, verification of Social Security number will be obtained only once unless the family member is an eligible immigrant in a transitional stage of admission. In this situation, their status must be updated until they are admitted for permanent residency. This verification will be accomplished prior to admission.

11.7 COOPERATING WITH LAW ENFORCEMENT AGENCIES

The Clearwater Housing Authority will comply, on a case-by-case basis, with information requests from Federal, State or local law enforcement officers regarding possible fugitive felons and/or parole or probation violators. The Clearwater Housing Authority will supply upon legitimate request the current address, Social Security number and photograph (if available) of any recipient of assistance.

The Federal, State or local enforcement officer must submit a request that is written, on law enforcement agency letterhead, and is signed by the requesting officer and his or her immediate supervisor. The request for information must provide the name of the fugitive felon and/or parole or probation violator being sought, and may include other personal information used for identification. The request should also comply with the following requirements:

- A. The law enforcement agency shall notify Clearwater Housing Authority that the fugitive felon and/or parole or probation violator is fleeing to avoid prosecution, custody or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, ~~is a high misdemeanor~~; or is violating a condition of probation or parole imposed under Federal or State law; or has information that is necessary for the officer to conduct his/her official duties;
- B. The location or apprehension of the recipient is within the Clearwater Housing Authority's official duties; and,
- C. The request is made in the proper exercise of the law enforcement agency's official duties.

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12.0 DETERMINATION OF TOTAL TENANT PAYMENT AND TENANT RENT

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12.1 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 formula method or having their rent set at the flat rent amount.

- A. Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they would otherwise undergo. Annually, however, families' composition must still be reviewed and they will be required to complete a criminal background check, quality housing inspection, and statement of intent to remain on flat rent.
- B. Families who opt for the flat rent may request to have a reexamination and return to the income formula based method once annually for any of the following reasons:
 - 1. The family's income has decreased.
 - 2. The family's circumstances have changed increasing their expenses for childcare, medical care, etc.
 - 3. Other circumstances creating a hardship on the family such that the income formula method would be more financially feasible for the family.

Clearwater Housing Authority will post the flat rents at each of the developments and at the Central Office. These rents are before deduction of utility allowances.

If a resident family elects flat rent, it may affect their ability to participate in the Clearwater Housing Authority self-sufficiency programs.

12.2 THE INCOME FORMULA 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

The family will pay the greater of the total tenant payment or the minimum rent of \$50.00

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12.3 RENT PHASE-IN

Revised 10/2007

Phasing in of rent, or transitional formula, will be applied for public housing families who meet one of the following criteria:

1. Whose income increases as a result of employment of a member of the family who was previously unemployed and not attending school for one or more years;
2. Whose earned income increases during the participation of a family member in any family self-sufficiency program; or
3. Families who are or were, within six (6) months, assisted under a State TANF program.

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There will be no increase in their rent for the first year. Their rent will increase 50% of the normal increase in the second year, and will be fully phased in for the third year.

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As an alternative to the transition formula, or phase-in of rent, a qualified resident will be provided the option of participation in one of Clearwater Housing Authority's self-sufficiency programs.

12.4 MINIMUM RENT

Clearwater Housing Authority has set the minimum rent at \$50.00. If the family requests a hardship exemption, however, Clearwater 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.

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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 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;
2. When the family would be evicted because they are 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 immediate family.

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- B. 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. 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 18 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. 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. 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.

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12.5 FLAT RENTS

Clearwater 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. Clearwater Housing Authority determined the market value and operating costs of the unit and set the rent, within the market values based upon location. 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 14.3).

Clearwater 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.

12.6 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;

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- 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.

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

- A. Determine the gross rents (tenant rent plus utility allowance) for Clearwater Housing Authority. This 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.

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12.7 UTILITY ALLOWANCE

Clearwater Housing Authority shall establish a utility allowance for all check-metered utilities and for all resident-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, Clearwater Housing Authority will review the actual consumption of resident 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-based rent formula to determine the amount of the Tenant Rent. The Tenant Rent is the amount the family owes each month to Clearwater Housing Authority. Any utility cost above the allowance is the responsibility of the resident. Any savings resulting from utility costs below the amount of the allowance belongs to the tenant. Utility allowances resulting in a negative rental payment will be reimbursed directly to the utility companies.

Families with high utility costs are encouraged to contact Clearwater Housing Authority for an energy analysis. The analysis may identify problems with the dwelling unit that

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once corrected will reduce energy costs. The analysis can also assist the family in identifying ways they can reduce their costs.

12.8 PAYING RENT

Rent and other charges are due and payable on the first day of the month. All rents should be paid at the Clearwater Housing Authority on-site management office for that community. 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 (cashier's checks and money orders only). Personal checks may be accepted at particular designated sites at the discretion of the Executive Director. Checks returned for insufficient funds will incur late charges plus an additional \$15 for processing.

If the rent is not paid by the fifth of the month, a fourteen-day (14) notice of eviction will be issued to the resident. In addition, a \$25 fee and \$3 a day late charge will be assessed to the resident beginning on the sixth day.

13.0 COMMUNITY SERVICE

13.1 ELIGIBILITY

In order to be eligible for continued occupancy, each adult family member must either (1) contribute eight (8) hours per month of community service (not including political activities); (2) participate in an economic self-sufficiency program; or (3) perform eight (8) hours per month of combined activities as previously described unless they are exempt from this requirement.

13.2 EXEMPTIONS

The following adult family members of resident families are exempt from this requirement, as set forth in Section 13.1. (§13.1):

- A. Family members who are 62 years or older;
- B. Family members who are blind or disabled, as defined under 216(I)(1) or 1614 or the Social Security Act [42 U.S.C. 416 (I)(1)] and who certify that because of this disability she or he is unable to comply with the community service requirement;
- C. Family members who are the primary caregiver for someone who is blind or disabled, as set forth in paragraph B above;
- D. Family members engaged in work activity as defined in Section 407 (d) of the Social Security Act, specified below:
 - 1. Unsubsidized employment of at least 20 hours per week;

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2. Subsidized private-sector employment of at least 20 hours per week;
 3. Subsidized public-sector employment of at least 20 hours per week;
 4. Work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available;
 5. On-the-job training;
 6. Job-search and job-readiness assistance;
 7. Community service programs;
 8. Vocational educational training (not to exceed 12 months with respect to any individual);
 9. Job-skills training directly related to employment;
 10. Education directly related to employment in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency;
 11. Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate of high school equivalency; and
 12. The provision of childcare services to an individual who is participating in a community service program.
- 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; or
- F. Family members receiving assistance, benefits or services under a State program funded under part A title IV of the Social Security Act (such as TANF) or under any other State welfare program, including welfare-to-work and who are in compliance with that program.

13.3 NOTIFICATION OF THE REQUIREMENT

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

Clearwater 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. Clearwater Housing Authority shall verify such claims.

The notification will advise families that their community service obligation begins upon the effective date of their first annual reexamination following Clearwater Housing Authority's re-instatement of the community service requirement as of April 1, 2003. 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

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result in ineligibility for continued occupancy at the time of any subsequent annual reexamination. By October 31, 2003 affected residents were to be performing their community service or self-sufficiency requirements.

13.4 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 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).

Clearwater Housing Authority will partner with local agencies in identifying a list of volunteer community service opportunities.

13.5 THE PROCESS

Upon admission, or at the first annual reexamination, and each annual reexamination thereafter, Clearwater 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.

Approved and signed worksheets are to be submitted to the housing manager no later than at the family’s annual review. The family members must show eight (8) hours per month of volunteer work.

13.6 NOTIFICATION OF NON-COMPLIANCE WITH COMMUNITY SERVICE REQUIREMENT

Clearwater Housing Authority will notify any family found to be in non-compliance of the following:

- A. The family member(s) has been determined to be in non-compliance;

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- B. That the determination is subject to the grievance procedure; and
- C. That non-compliance will result in non renewal of lease or termination of lease.

13.7 OPPORTUNITY TO CURE

Clearwater 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. It will state the number of hours that the family member is deficient. 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.

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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, Clearwater Housing Authority shall take action to terminate the lease unless the noncompliant family member no longer lives in the unit.

13.8 PROHIBITION AGAINST REPLACEMENT OF AGENCY EMPLOYEES

In implementing the service requirement, Clearwater 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.

Clearwater Housing Authority has elected to refrain from inclusion on the list of volunteer community service opportunities circulated to the residents. Clearwater Housing Authority will act merely as the facilitator in the process as stated in §13.5.

14.0 REEXAMINATIONS

At least annually for formula based rent and every three years for flat base rent, Clearwater Housing Authority will conduct a reexamination of family income and circumstances. The results of the reexamination determine the rent the family will pay, and whether the family is housed in the correct unit size.

14.1 GENERAL

Clearwater 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

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either the flat rent or income formula method, and scheduling an appointment if they are currently paying an income formula rent. If the family thinks they may want to switch from a flat rent to a formula rent, they should request an appointment. At the appointment, the family can make their final decision regarding which rent method they will choose. The letter also includes, for those families paying the income formula method, forms for the family to complete in preparation for the interview. The letter includes instructions permitting the family to reschedule the interview if necessary. The letter tells families who may need to make alternate arrangements due to a disability that they may contact staff to request an accommodation of their needs.

During the appointment, Clearwater 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.

14.2 MISSED APPOINTMENTS

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

14.3 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 formula amount.
- B. The amount of the flat rent.
- C. A fact sheet about income formula 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 (3) years, rather than the annual review they otherwise would undergo, however, a family must provide an annual statement of their intent to remain on flat rent.
- E. Families who opt for the flat rent may request to have a reexamination and return to the income formula-based method once during a one-year period for any of the

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following reasons:

1. The family's income has decreased.
2. The family's circumstances have changed increasing their expenses for childcare, medical care, etc.
3. Other circumstances creating a hardship on the family such that the income formula method would be more financially feasible for the family.

Once a family returns to the income based method during their "lease year" they cannot go back to a flat rent until their next regular annual re-examination.

- F. 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, Clearwater Housing Authority will send a reexamination letter to the family offering the choice between a flat rent or an income formula rent. The opportunity to select the flat rent is available only at this time. At the appointment, Clearwater Housing Authority may assist the family in identifying the rent method that would be most advantageous for the family.

14.4 THE INCOME FORMULA METHOD

During the interview, the family will provide all information regarding income, assets, deductions (eligible expenses), and other information necessary to determine the family's share of rent. 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, Clearwater 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 the family's monthly income;
- B. 30% of the family's adjusted monthly income; or
- C. The minimum rent of \$50.00.

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The family shall be informed of the results of the rent calculation under both the income method and the flat rent and given their choice of which rent to pay.

14.5 EFFECTIVE DATE OF RENT CHANGES FOR ANNUAL RECERTIFICATIONS

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.

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14.6 INTERIM REEXAMINATIONS

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

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

- A. Any changes in family composition, such as birth, adoptions, court awarded custody, marriage, divorce, etc.
- B. A household member is leaving or has left the family unit.
- C. A change in income.
- D. A change in allowable expenses.

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

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applicants. Clearwater 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 formula method, the family's annual income will be recalculated taking into account the circumstances of the new family member. The effective date of the new rent will be in accordance with §14.8.

A resident requesting a live in-aide will be required to provide verification of the need for a live-in-aide. In addition, before approval of the live-in-aide, the individual (live-in-aide) must complete an application form for purposes of determining citizenship/eligible immigrant status and the live-in-aide will go through the screening process similar to the process for applicants, inclusive of a criminal background check. The Clearwater Housing Authority will determine the eligibility of the live-in-aide before approval can be granted. If the individual is found to be ineligible or does not pass the screening criteria, the resident will be advised in writing and given the opportunity for an informal review. Under no circumstances will the live-in-aide be added to the lease or be considered the last remaining member of a tenant family.

Families are required to report, in writing, all changes in income, allowable expenses, and family composition within ten (10) business days. Upon such request, Clearwater Housing Authority will take timely action to process the interim reexamination and recalculate the tenant's rent, if applicable.

Families who are paying flat rent may change only once annually to formula method.

14.7 SPECIAL REEXAMINATIONS

If a family's income is too unstable to project for twelve (12) months, including families that temporarily have no income or have a temporary decrease in income, Clearwater Housing Authority may schedule special reexaminations every thirty to sixty (30-60) calendar days until the income stabilizes and an annual income can be determined.

14.8 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.

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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.

15.0 UNIT TRANSFERS

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15.1 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 ensuring 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 Clearwater Housing Authority's deconcentration goal, if appropriate.
- F. To eliminate vacancy loss and other expense due to unnecessary transfers.

15.2 CATEGORIES OF TRANSFERS

Category A: 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 B: 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, revitalization, disposition or demolition work to proceed. If an accessible unit becomes available it will first be offered to families needing it who reside on the site that has the vacancy, then to other CHA public housing residents needing the special accessibility features, and finally to appropriate people on the waiting list.

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Category C: Regular administrative transfers. These transfers are made to offer incentives to families willing to help meet certain Clearwater Housing Authority

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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 Clearwater Housing Authority when a transfer is the only or best way of solving a serious problem.

15.3 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.

15.4 PROCESSING TRANSFERS

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

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

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) business days of being informed the unit is ready to rent. The family will be allowed five (5) business 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. The prorated rent and other charges (key deposit, turnover charges for damages and excessive cleaning costs of the old unit 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 Clearwater Housing Authority and the family rejects two offers without good cause, Clearwater Housing Authority will take action to terminate their tenancy.
- 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

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deconcentration incentives. After turning down a second such offer without good cause, the family's name will be removed from the transfer list.

15.5 COST OF THE FAMILY'S MOVE

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

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

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

- A. When the transfer is needed in order to carry out modernization, disposition or demolition activities; or
- B. When action or inaction by Clearwater 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.

15.6 RESIDENTS 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 Clearwater 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.

15.7 TRANSFER REQUESTS

A resident may request a transfer at any time by completing a transfer request form. In considering the request, Clearwater Housing Authority may request a meeting with the resident to better understand the need for transfer and to explore possible alternatives. Clearwater Housing Authority will review the request.

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Clearwater 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. A housing quality standards inspection will be conducted prior to a decision being rendered.

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.

15.8 RIGHT OF CLEARWATER HOUSING AUTHORITY IN TRANSFER POLICY

The provisions listed above are to be used as a guide to ensure 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 resident to transfer or refuse to transfer.

16.0 INSPECTIONS

An authorized representative of Clearwater 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 and the statement will be signed by both parties with a copy retained in the Clearwater Housing Authority file and a copy given to the family member. An authorized Clearwater 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 any damages and excessive cleaning/turnover costs to the unit.

16.1 MOVE-IN INSPECTIONS

Clearwater 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 resident file.

16.2 ANNUAL INSPECTIONS

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

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16.3 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 provides other minor servicing that extends the life of the unit and its equipment.

16.4 SPECIAL INSPECTIONS

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

16.5 HOUSEKEEPING INSPECTIONS

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

16.6 NOTICE OF INSPECTION

For inspections defined as annual inspections, preventative maintenance inspections, special inspections, and housekeeping inspections, Clearwater Housing Authority will give the resident at least 48 hours written notice.

16.7 EMERGENCY INSPECTIONS

If any employee and/or agent of Clearwater 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.

16.8 PRE-MOVE-OUT INSPECTIONS

When a resident gives notice that they intend to move, Clearwater Housing Authority will offer to schedule a pre-move-out inspection with the family. The inspection allows Clearwater 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 Clearwater Housing Authority to ready units more quickly for the future occupants.

16.9 MOVE-OUT INSPECTIONS

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Clearwater Housing Authority conducts the move-out inspection after the resident vacates to assess the condition of the unit and determine responsibility for any needed repairs. When possible, the resident 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.

17.0 PET POLICIES

17.1 EXCLUSIONS

This policy does not apply to animals that are used to assist persons with disabilities. Service animals are allowed in all public housing facilities with no restrictions other than those imposed on all tenants to maintain their units and associated facilities in a decent, safe, and sanitary manner and to refrain from disturbing their neighbors.

17.2 PETS IN PUBLIC HOUSING COMMUNITIES

Clearwater Housing Authority will allow for pet ownership in projects or buildings designated for use by elderly and/or disabled families and in any project or building for which elderly and/or disabled families are given preference. Clearwater Housing Authority also allows for pet ownership in its Public Housing Family communities. Separate policies are in place for the respective complexes as fully described in the Clearwater Housing Authority Agency Plan.

17.3 APPROVAL

Residents must have the prior approval of the Housing Authority before moving a pet into their unit. Residents must request approval on the Authorization for Pet Ownership Form that must be fully completed before the Housing Authority will approve the request. Clearwater Housing Authority will require seeing pet before final approval.

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17.4 TYPES AND NUMBER OF PETS – FAMILY COMMUNITIES

Per apartment unit, residents shall be permitted to keep only one (1) dog or cat (which when fully mature, shall not exceed 25 pounds in weight), two (2) birds in cages (cages not to exceed 10 cubic feet), or fish in an aquarium (tank size not to exceed 30 gallons).

Dogs and cats must be spayed or neutered and cats must be declawed (front feet) with a veterinarian report supplied verifying the operation. No pets shall be kept or raised for commercial purposes.

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Any animal deemed to be potentially harmful to the health or safety of others, including an aggressive breed, attack or fight trained dogs, will not be allowed.

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Only one (1) dog or cat per unit is allowed.

17.5 TYPES AND NUMBER OF PETS – ELDERLY COMMUNITIES

Clearwater Housing Authority will allow only domesticated dogs, cats, birds, and fish in aquariums in units. All dogs and cats must be spayed or neutered, and cats must be declawed (front feet).

Only one (1) pet per unit is allowed, and dogs are not permitted beyond the third floor at Barbee Towers.

Any animal deemed to be potentially harmful to the health or safety of others, including an aggressive breed, attack or fight trained dogs, will not be allowed.

No animals may exceed twenty (20) pounds at full maturity.

17.6 PET DEPOSIT & FEES – FAMILY COMMUNITIES

Each Pet Owner must provide a Pet Deposit in an amount of \$200 for a dog or cat. This amount shall be periodically revised by Management if necessary, but shall not exceed \$300. The Pet Deposit must be paid prior to a pet being brought into the apartment. A non-refundable pet fee of \$50 shall be payable annually. In addition, should damage done to the apartment by pet be in excess of the Pet Deposit, cost of such damage shall be borne by the resident. Any balance of deposit shall be refunded to the resident within thirty (30) days of move out.

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17.7 PET DEPOSIT & FEES – ELDERLY COMMUNITIES

A pet deposit of \$100 is required at the time of registering a dog or cat. The deposit is refundable when the pet or the family vacates the unit, less any amounts owed due to damage beyond normal wear and tear. Any balance of deposit shall be refunded to the resident within thirty (30) days of move out.

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17.8 INOCULATIONS

All pets must be registered with the Housing Manager prior to being brought on the premises. Pets must have all County and City Licenses and records of vaccinations and

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inoculations. These will be renewed annually and a copy kept in the resident's file.

17.9 INSURANCE

Insurance for pets is highly recommended for liability purposes. Proof of insurance may be provided to the Housing Manager in order for a pet to be approved. If required, this insurance must be kept current and will be verified at least annually during reexamination.

17.10 FINANCIAL OBLIGATION OF RESIDENTS

Any resident who owns or keeps a pet in their dwelling unit will be required to pay for any damages caused by the pet. Also, any pet-related insect infestation in the pet owner's unit will be the financial responsibility of the pet owner and Clearwater Housing Authority reserves the right to exterminate and charge the resident.

17.11 NUISANCE OR THREAT TO HEALTH OR SAFETY

The pet and its living quarters must be maintained in a manner to prevent odors and any other unsanitary conditions in the owner's unit and surrounding areas.

Repeated substantiated complaints by neighbors or Clearwater Housing Authority personnel regarding pets disturbing the peace of neighbors through noise, odor, animal waste, or other nuisance will result in the owner having to remove the pet or move him/herself.

17.12 DESIGNATION OF PET AREAS

Residents shall keep their pet inside their apartment at all times except as necessary to take the pet out. When outside of their apartment, residents shall keep their pet on a short leash (dog or cat) or in an appropriate container. Cats or dogs will not be permitted to roam unrestrained on the property. Dogs may not be tied or chained outside or in common areas. The pet shall be accompanied by and under control of the resident at all times. Barking will not be tolerated in that it is considered to be a nuisance to other residents. Residents must clean up after their pets in their apartment. Residents must properly dispose of waste. Proper disposal of cat litter (secured and bagged) must be done on a frequent basis. Odors arising from cat litter will not be tolerated. Birds must be properly caged and cage shielded to prevent accumulation and/or damage to floors. Aquariums must not leak and must be cleaned regularly to prevent foul water and/or odors.

Management will designate space to be used exclusively for the purpose of walking pets. Pet owners shall be responsible for immediate clean-up after exercising their dog.

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Should an accident occur in any area other than an exercise area, resident shall be responsible for immediate clean-up after the pet.

17.13 VISITING PETS

Visiting pets are strictly prohibited.

17.14 EMERGENCY CARE OF PETS

Pet owners must supply to the Management Office an affidavit of agreement, with the names of at least two people who will be willing to assume IMMEDIATE responsibility for the pet in case of emergency. In case of emergency where Management, despite its best efforts, is unable to reach one of the designated “back-up” persons, pet owner agrees to allow Management to have pet removed by City Animal Control, or other public or quasi-public authority, to a veterinarian of Management’s choice. All fees and costs shall be borne by the pet owner.

18.0 REPAYMENT AGREEMENTS

When a resident owes Clearwater Housing Authority back charges and is unable to pay the balance by the due date, the resident has sixty (60) days to pay the balance in full or eviction proceedings will begin.

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Deleted: request that Clearwater Housing Authority allow them to enter into a Repayment Agreement. Clearwater 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 five (5) months, one-half (1/2) due within thirty (30) days and the remaining balance paid in equal increments every thirty (30) days for no more than four (4) months. All Repayment Agreements must be in writing and signed by both parties. Failure to comply with the Repayment Agreement terms may subject the resident to eviction procedures.

19.0 TERMINATION

19.1 TERMINATION BY RESIDENT

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

19.2 TERMINATION BY THE HOUSING AUTHORITY

Clearwater Housing Authority will not renew the lease of any family that is not in compliance with the Community Service Requirement or an approved Agreement to Cure. If they do not voluntarily leave the property, eviction proceedings will begin. The exception to the removal of applicant or resident is victims of verifiable certification of Form HUD-50066 Certification of Domestic Violence, Dating Violence or stalking, criminal domestic violence, dating violence, sexual assault or stalking as well as

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members of the victims' immediate families from losing their assistance as a consequence of the abuse of which they were a victim.

CHA will notify the family in writing of its intent to terminate tenancy or issue a notice of non-renewal by one the following notices:

- A. Fourteen (14) Day Notice – for non-payment of rent or other charges only
- B. Thirty (30) Day Notice of Non-Renewal – for lease violations
- C. Thirty (30) Day Notice of Lease Termination – Non Curable – for repeated or serious lease violations that either have or have not been addressed previously with the issuance of any other notice.
- D. Thirty (30) Day Notice of Lease Termination – Curable – for residents who have the opportunity to cure or remedy the situation. If situation is not cured or remedied within the specified time period, eviction proceedings will commence.
- E. Ten (10) Day Notice of Lease Termination – for a serious lease violation that threatens safety, life or health of any other resident, guest or employee of the community. This notice does not offer an opportunity to cure.

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

- A. Nonpayment of rent or other charges;
- B. A history of late rental payments;
- C. Failure to provide timely and accurate information regarding family composition, income circumstances, or other information related to eligibility or rent;
- D. Failure to allow inspection of the unit;
- E. Failure to maintain the unit in a safe and sanitary manner;
- F. Assignment or subletting of the premises;
- G. Use of the premises for purposes other than as a dwelling unit (other than for housing authority approved resident businesses);
- H. Destruction of property;
- I. Acts of destruction, defacement, or removal of any part of Clearwater Housing Authority property or failure to cause guests to refrain from such acts;
- J. Any criminal activity on or off Clearwater Housing Authority property or violent or drug-related criminal activity on or off Clearwater Housing Authority property. This includes any tenant, member of the tenant's household or guest and such

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activity engaged in on the premises by any person under the tenant's control. This includes but is not limited to the manufacture of any controlled substance on Clearwater Housing Authority property or on the premises of any other federally assisted housing. (Other person under tenant's control is to mean a short-term invitee who is not staying in the unit.);

K. Non-compliance with Non-Citizen Rule requirements;

L. Permitting persons not on the lease to reside in the unit more than fourteen (14) calendar days each year without the prior written approval of the Housing Authority;

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M. Any activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents or employees of the Authority by the resident, household members, or guests of the resident or threatens the health, safety, or right to peaceful enjoyment of their residences by persons residing in the immediate vicinity of the premises is grounds for termination of tenancy;

N. Alcohol abuse that the Clearwater Housing Authority determines interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents, staff or vendors.

O. Failure to perform required community service or be exempted therefrom;

P. The Clearwater 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;

Q. Determination that a household member is illegally using a drug or when the Clearwater Housing Authority determines that a pattern of illegal use of a drug interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.

R. Criminal activity as shown by a criminal record. In such cases the Clearwater Housing Authority will notify the household of the proposed action to be based on the information and will provide the subject of the record and the tenant with a copy of the criminal record before the Clearwater Housing Authority grievance hearing or court trial concerning the termination of tenancy or eviction. The tenant will be given an opportunity to dispute the accuracy and relevance to that record in the grievance hearing or court trial; and

S. Other good cause.

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If Clearwater Housing Authority evicts an individual or family for criminal activity, Clearwater Housing Authority will notify the local post office serving the dwelling unit that the individual or family is no longer in residence.

In deciding to terminate a tenancy for criminal activity or alcohol abuse, the Clearwater Housing Authority may require a leaseholder to exclude a household member in order ~~to~~ continue to reside in the assisted unit, where that household member has participated in or been culpable for an action or failure to act that warrants the termination.

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19.3 ABANDONMENT

Clearwater Housing Authority may take possession of the dwelling unit after resident has moved out. In the absence of actual knowledge of abandonment, it shall be presumed that resident has abandoned the dwelling if resident is absent from the dwelling for a period of fifteen (15) calendar days, the rent may or may not be current, Clearwater Housing Authority may have been notified of utility transfer of service, and/or the resident has not notified Clearwater Housing Authority in writing in advance of an intended absence, or otherwise as provided in the Lease.

By signing the Lease resident agrees that upon surrender or abandonment, as defined by Chapter 83, Part II, Florida Statutes, as may be amended, Clearwater Housing Authority shall not be liable or responsible for storage or disposition of resident's personal property. The reasonable cost of any storage, removal and/or disposal shall be charged to resident or assessed against resident's security deposit, unless in Clearwater Housing Authority's sole discretion, it is determined that documentable conditions existed which prevented resident from occupying the dwelling unit.

19.4 RETURN OF SECURITY DEPOSIT

Resident understands that the security deposit or any part thereof may not be used by resident to pay unpaid rent or other charges owed by resident to Clearwater Housing Authority while the resident remains in occupancy of the dwelling unit. At the termination of their lease and/or after resident has vacated the dwelling unit, the dwelling unit shall be inspected by Clearwater Housing Authority. Clearwater Housing Authority shall refund the security deposit of resident, less any charges for the following:

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- A. All unpaid rents, maintenance or repair charges, excess utility charges, court costs and/or attorneys fees, or other charges which are due to Clearwater Housing Authority;
- B. The cost of non-routine cleaning or repair of the dwelling or its appliances and other equipment, where such non-routine cleaning or repair is not due to normal wear and tear;

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- C. The cost of replacing all keys to the dwelling unit not returned to the Property Office of resident's community and/or the cost of replacing, removing or having removed locks, and/or of removing or having removed alarm systems at the dwelling due to resident's failure to return all keys to the dwelling and/or failure to have alarm systems removed;
- D. The reasonable charge for storage, removal and/or disposal of property abandoned by resident; or
- E. Thirty (30) calendar days rent if proper notice of termination is not given by resident as provided by the terms of this Agreement.

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Notice of all charges to be deducted from the security deposit shall be given to resident by Clearwater Housing Authority within fifteen (15) calendar days after resident has vacated the dwelling, and as provided by Chapter 83, Part II, Florida Statutes, as it may be amended. The security deposit or any part thereof, if any, shall be refunded by U.S. mail to the forwarding address provided by resident at the time the dwelling unit is vacated (or the last known address of resident if no forwarding address is provided by resident) within thirty (30) calendar days after resident has vacated the dwelling unit and such dwelling unit has been inspected by Clearwater Housing Authority. Resident agrees to Clearwater Housing Authority making the refund of the security deposit, if any, to the resident first named in the lease (or either named resident if more than one), and Clearwater Housing Authority shall not be responsible for any division of security deposit funds between the persons listed as members of the household members. If a sole resident dies, the security deposit, if any, shall be returned to a personal representative, next of kin, or resident's beneficiary who executes the proper receipt for the return of the security deposit, or has received a court order giving access, control, or possession of resident's security deposit. Any security deposit, or any part thereof which cannot be returned shall be considered abandoned.

20.0 CONDUCTING BUSINESS IN ACCORDANCE WITH CORE VALUES AND ETHICAL STANDARDS

20.1 PURPOSE

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This Code of Conduct establishes standards for employee and Commissioner conduct that will assure the highest level of public service. Recognizing that compliance with any ethical standards rests primarily on personal integrity and specifically in this situation with the integrity of the employees and Commissioners of the Clearwater Housing Authority (CHA), this Section sets forth those acts or omissions of acts that could be deemed injurious to the general mission of the Authority.

This Code of Conduct is not intended, nor should it be construed, as an attempt to unreasonably intrude upon the individual employee or Commissioner's right to privacy and the right to participate freely in a democratic society and economy

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20.2 CONFLICT OF INTEREST

In accordance with 24 CFR 982.161, neither the CHA nor any of its contractors or subcontractors may enter into any contract or arrangement in connection with the tenant-based programs in which any of the following classes of persons has any interest, direct or indirect, during his or her tenure with the CHA or for one year thereafter:

- A. Any present or former member or officer of the Housing Authority (except a participant commissioner);
- B. Any employee of the Housing Authority or any contractor, subcontractor or agent of the Housing Authority who formulates policy or who influences decisions with respect to the programs;
- C. Any public official, member of a governing body, or State or Local legislator who exercises functions or responsibilities with respect to the CHA programs; or
- D. Any member of the Congress of the United States.

Any member of the classes described in 1, 2, 3, or 4 must disclose their interest or prospective interest to the Housing Authority and HUD.

The Conflict of Interest prohibition under this section (B) may be waived by the HUD Field Office upon the request of the CHA for good cause.

20.3 PROHIBITION OF SOLICITATION OR ACCEPTANCE OF GIFTS

No Commissioner or Authority employee shall solicit any gift or consideration of any kind, nor shall any Authority employee accept or receive a gift regardless of the form of the gift, from any person who has an interest in any matter proposed or pending before the Authority, if the same could reasonably be expected to influence the opinion or judgement of such Commissioner or employee in connection with the performance of official duties.

20.4 HOUSING AUTHORITY ADMINISTRATIVE AND DISCIPLINARY REMEDIES FOR VIOLATION OF THE HOUSING AUTHORITY CODE OF CONDUCT

Violations of this Code of Conduct Policy will result in disciplinary action as outlined in the CHA's Personnel Policy or as determined by action of the Board of Commissioners.

21.0 SUPPORT FOR OUR ARMED FORCES

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A major and important component of our armed forces is the part-time military personnel that serve in various Reserve and National Guard units. The Clearwater Housing Authority is very supportive of these men and women. An unfortunate fact of service in both the Reserves and National Guard is that from time to time their personnel are activated to full-time status and asked to serve our country in a variety of ways and circumstances. Whenever the Federal Government activates Reserve and/or National Guard personnel, the Clearwater Housing Authority wants to support these brave warriors in the following manners:

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- A. If a family finds it necessary for another adult to temporarily move into a unit solely to serve as a temporary guardian for children residing in the unit, the income received by the temporary guardian will not be counted in determining family income.
- B. Although typically a criminal background check is required before anyone can move into a public housing unit, this requirement will be waived for a temporary guardian. Instead, the background check will occur after the person moves in. If the results of the check dictate that the person is ineligible for public housing, the family shall be given a reasonable time to find a replacement temporary guardian.
- C. Recognizing that activation in the Reserves or National Guard can be very disruptive to a family's income, the Clearwater Housing Authority will expeditiously re-evaluate a resident's rent if requested to do so and will exercise reasonable restraint if the activated resident has trouble paying their rent.
- D. Typically a unit cannot be held by a family that is not residing in it as their primary residence. If all members of a military family are temporarily absent from the unit because a member of the family has been called to active duty, the family can retain control of the unit by paying the required rent and returning to the unit within 30 calendar days of the conclusion of the active duty service.

22.0 ANTI-FRAUD POLICY

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The Clearwater Housing Authority is fully committed to combating fraud in its public housing program. It defines fraud as a single act or pattern of actions that include false statements, the omission of information, or the concealment of a substantive fact made with the intention of deceiving or misleading the Clearwater Housing Authority. It results in the inappropriate expenditure of public housing funds and/or a violation of public housing requirements.

Although there are numerous different types of fraud that may be committed, the two most common are the failure to fully report all sources of income and the failure to accurately report who is residing in the residence. The Clearwater Housing Authority shall aggressively attempt to prevent all cases of fraud.

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When a fraudulent action is discovered the Clearwater Housing Authority shall take action. It shall do one or more of the following things depending on circumstances and what it determines appropriate.

- A. Require the resident to immediately repay the amount in question;
- B. Require the resident to enter into a satisfactory repayment agreement as set forth in a previous section of the Policy;
- C. Terminate the resident's tenancy;
- D. Refer the case for criminal prosecution; or
- E. Take such other action as the Clearwater Housing Authority deems appropriate.

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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. An emancipated minor is also considered an adult. In the anti-drug portions of this policy it also refers to a minor who has been convicted of a crime as an adult under any Federal, State or Tribal law.

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 and disabled 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

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- B. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
- C. Are not specifically excluded from annual income.

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

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

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

Assets: The value of 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 who seeks admission to the public housing program.

Business Days: Days the housing authority is normally open for business Monday through Friday.

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)].

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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).

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."

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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*).

Domestic Violence: Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim share a child in common, by a person who is cohabitated with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that persons acts under the domestic or family violence laws of the jurisdiction.

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Dating Violence: Violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.

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Stalking: to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or to place under surveillance with the intent to kill, injure, harass, or intimidate another person; and in the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person; (ii) a member of the immediate family of that person; or (iii) the spouse or intimate partner of that person.

Immediate Family Member: a spouse, parent, brother or sister, or child of the person, or an individual to whom that person stands in loco parentis (in place of a parent); or any other person living in the household of that person and related to that person by blood or marriage.

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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.

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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/Disabled Family Allowance: For elderly/disabled 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).

Employment: Employment for admission preference purposes is defined as: Current employment of six (6) months or longer in a full-time position. Date of hire, number of hours per week, rate of pay per hour and overtime must be verified by employer in writing. The amount of earned income shall not be a factor in granting this preference.

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
- 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.

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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 as defined by the institution.

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 is 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 welfare benefit reduction, for welfare fraud or the failure to comply with economic self-sufficiency requirements, that is nonetheless included in the family's annual income for purposes of determining rent.

Income Method: A means of calculating a family's rent based on the greater of 10% of their monthly income, 30% of their adjusted monthly income, the welfare rent, or the minimum rent. Under this method, the family's income is evaluated at least annually.

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

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

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Law Enforcement Agency: The National Crime Information Center (NCIC), police departments and other law enforcement agencies that hold criminal conviction records.

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)].

A live-in aide is not a party to the lease.

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.

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)].

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)].

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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 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 [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 who is assisted by the public housing program.

Permanently Absent: A person or persons not actually residing in the unit who once lived there and does not intend to return. One becomes permanently absent when one vacates the unit.

Person with Disabilities: A person who:

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- A. Has a disability as defined in 42 U.S.C. 432.
- 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.

Police Officer: Clearwater 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. The number and location of the unit(s) will be identified per development based upon unit availability and need for increased police presence. Their rent shall at least equal the flat rent rate.

Premises: The building or development in which the public or assisted housing dwelling unit is located, including common areas and grounds.

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 responsible 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: Housing assisted under the 1927 Act, other than under Section 8. Public housing includes dwelling units in a mixed-finance project that are assisted by a PHA with capital or operating funds.

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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:

- 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:

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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 Absent: A person or persons not actually residing in a unit for a period of time while still maintaining control of the unit. If the absence exceeds fourteen (14) calendar days, the Clearwater Housing Authority must be notified (in writing) and agree to the absence

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;

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- 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.
- 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.

Unauthorized Occupant: Any member of the tenant's household, or any guest or other person under the tenant's control who is a resident in the dwelling unit beyond a prescribed visitation period and not listed as an occupant on the Lease Agreement.

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.

Victims of Domestic Violence: Individuals or families who have been or are being subjected to or victimized by violence by a member of the family or household. The Clearwater Housing Authority will require evidence that the family has been displaced as result of fleeing violence in

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the home. Individuals and families are also eligible for this preference if there is proof that the individual or family is currently living in a situation where they are being subjected to or victimized by violence in the home. Evidence or proof may include a Protection from Abuse Order, Police report, or written verification that the individual or family is living in an emergency shelter because the individual has been subjected to or victimized by violence by a member of the family or household.

Welfare Assistance: Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State or local governments. [24 CFR 5.603(d)] (including assistance provided under the Temporary Assistance for Needy Families (TANF) program, as that term is defined under the implementing regulations issued by the Department of Health and Human Services at 45 CFR 260.31).

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

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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
QHWRA	Quality Housing and Work Responsibility Act of 1998
SSA	Social Security Administration
TTP	Total Tenant Payment

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Local preferences will be weighted as follows:

<u>Local Preference</u>	<u>Point Value</u>
1. Residency	0
2. Elderly, disabled	5
3. Working	30
4. Rent Burden	15
5. Displaced and/or Homeless	15
6. Victims of Domestic Violence	25
7. Clearwater Housing Authority Self-Sufficiency Program (pre-approved application)	10

Definition of Preferences:

Residency. Applicants who are living, working, or have been notified that they are hired

to work in Clearwater will be considered residents and will qualify to receive points. This preference has been HUD approved.

2. Elderly/Disabled. An applicant household in which the head of household, spouse or co-head of household is elderly or disabled.

3. Working. Applicant households in which the head of household, spouse or co-head of household has been employed full-time in the same position for at least six months.

4. Rent Burden. Families paying more than 50% of their income for rent and utilities for at least 90 days 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 resident supplied utilities calculated as a reasonable estimate of the cost of such utilities, using the Section 8 Utility Allowance Schedule.

5. Displaced and/or Homeless. Applicant households who have been displaced by federally recognized disasters, government action or other circumstances through no fault of their own. Families who have been evicted for cause do not qualify for this preference. Families who are living or attempting to live in a homeless shelter.

6. Victims of Domestic Violence. Applicant households in which the head of household is residing in a battered persons shelter and has placed a restraining order or injunction on the aggressor.

7. Clearwater Housing Authority Self-Sufficiency Program. Applicants who have completed a pre-approved application from any Clearwater Housing Authority self-sufficiency program.

VERIFICATION OF PREFERENCES (24 CFR 5.415)

Preference information on applicants will be updated as applicants are selected from the waiting list.

If Clearwater Housing Authority denies a preference, Clearwater Housing Authority will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for an informal review. If the preference denial is upheld as a result of the 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 falsified documents or makes false statements in order to qualify for any preference, they will be removed from the waiting list.

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CLEARWATER HOUSING AUTHORITY

SECTION 8 ADMINISTRATIVE PLAN

January 2008

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October 17, 2005 – December 1, 2005¶

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ADDENDA

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Project-Based Units

Addendum 2-1

PART 1: 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, are described in and implemented through this Administrative Plan.

As a result of the Quality Housing and Work Responsibility Act of 1998 (QHWRA), the Rental Certificate and Rental Voucher Programs were phased out by the middle of year 2001. This plan includes the policies of the Clearwater Housing Authority (CHA) for the Housing Choice Voucher (Voucher) Program.

Administration of CHA's Section 8 program and the functions and responsibilities of the CHA staff shall be in compliance with CHA's Personnel Policy and the Department of Housing and Urban Development's (HUD) Section 8 regulations as well as Federal, State and Local fair housing laws and regulations.

A. STATEMENT OF OBJECTIVES AND POLICIES [24 CFR.982.1]:

The Section 8 program is designed to achieve three major objectives:

1. To provide decent, safe and sanitary housing for low and very low income families while maintaining their rent payments at an affordable level.
2. To promote freedom of housing choice for all races and ethnic backgrounds.
3. To encourage the participation of private property owners by offering reasonable rents and timely assistance payments.

In addition, the CHA has the following goals for the program:

1. To assist the local economy by increasing the occupancy rate and improving economic revenue for the community.
2. Ensuring equal opportunity in housing for all families.
3. Promoting self-sufficiency of participant families.

B. JURISDICTION

The general jurisdiction of CHA is the City of Clearwater and all unincorporated areas south of State Road 580 and north of East Bay/Roosevelt, including Pinellas Village Apartments which has been agreed upon in accordance with an Interlocal Agreement

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with surrounding housing authorities. Upon CHA approval, the jurisdictional boundaries can be extended up to ten (10) miles outside of the city limits of Clearwater.

C. PURPOSE OF THE PLAN [24CFR.982.54]

The purpose of the Administrative Plan is to establish policies for carrying out the program in a manner consistent with HUD requirements and local objectives. The plan covers both admission to and participation in the Voucher Program.

This plan includes discretionary policies permitted by regulation. All issues related to Section 8 that are not addressed in this document are governed by Federal Regulations, HUD Memos, Notices and Guidelines, or other applicable laws.

CHA is responsible for complying with all changes in HUD regulations pertaining to the program. If such changes conflict with this Plan, HUD regulations will have precedence. Any changes to this plan must be approved by CHA's Board of Commissioners.

D. ADMINISTRATIVE FEES

The Board of Commissioners must approve a budget 45 calendar days prior to the start of the fiscal year for administrative expenses, based upon income from anticipated earned administrative fees and administrative fee reserves.

CHA will maintain Section 8 administrative fee reserves by crediting earned administrative fees that exceed expenditures for program administration during the fiscal year to the reserve account.

Administrative fee reserves may be used for other housing purposes if the reserves are not needed for ongoing administrative expenses. The Board of Commissioners must approve any expenditure over \$1,000.00 from this reserve. In addition, the Board must verify that the proposed expenditure is for a legitimate housing purpose consistent with State and local law.

CHA will deny authorization for expenditures for non-allowable costs as defined by HUD.

E. FAIR HOUSING AND EQUAL OPPORTUNITY POLICY [24 FR.982.54]

It is the policy of CHA 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.

CHA shall not deny any family or individual the opportunity to apply for or receive assistance under the Section 8 Program on the basis of race, color, sex, religion, creed, national or ethnic origin, age, family or marital status, disability or sexual orientation.

To further its commitment to fully comply with applicable civil rights laws, CHA will provide Federal, state and local information to voucher holders regarding “discrimination” and any recourse available to them if they are victims of discrimination. Such information will be made available during the family briefing session. As part of its briefing, CHA will provide families with the HUD Fair Housing Information and Discrimination Complaint Form directing the family to report suspected discrimination to HUD. CHA will also provide referrals and information to applicants and participants about local organizations which provide assistance in filing discrimination complaints.

No individual with disabilities shall be denied the benefits or excluded from participation, or otherwise be subjected to discrimination because CHA’s facilities are inaccessible to, or unusable by, persons with disabilities.

Posters and housing information will be displayed in locations throughout CHA’s Section 8 office in such a manner as to be easily readable from a wheelchair.

CHA’s Program Offices located at 908 Cleveland Street, Clearwater, Florida are physically accessible to persons with disabilities. Accessibility for the Hearing impaired is provided by a TDD/TTY Relay.

F. ACCOMMODATIONS POLICY [24 CFR Parts 7, 8 and 700]

This policy is applicable to all situations described in this Administrative Plan when a family initiates contact with CHA; when CHA initiates contact with a family; including when a family applies; and when CHA schedules or reschedules appointments of any kind.

It is the policy of CHA to be service oriented in the administration of our housing programs and to exercise and demonstrate a high level of professionalism while providing housing services to participant families.

CHA’s policies and practices will be designed to provide assurances that all persons with disabilities will be provided reasonable accommodation so that they may fully access and utilize the Section 8 program and related services. The availability of specific accommodations will be made known by providing notice of the availability of reasonable accommodations to applicants and participants during the normal course of business correspondence.

Requests for reasonable accommodations from persons with disabilities will be granted at the expense of CHA upon verification that they meet the need presented by the disability. Such accommodations may include use of a personal advocate, or reader, provision of an interpreter for hearing impaired persons, and accessible office space.

All requests for accommodations will be verified with a reliable knowledgeable professional.

A list of accessible units available for rental to Section 8 recipients will be provided upon request.

G. TRANSLATION OF DOCUMENTS

To the extent that it is feasible to translate documents into other languages used by CHA clients, the following factors will be considered:

- Number or proportion of applicants and participants who do not speak English and who speak another language in the eligible service area.
- Per client cost of translation.
- Evaluation of the need for translation by the bilingual staff and by agencies that work with non-English speaking clients.
- The availability of other organizations to translate documents, letters and forms.
- Availability of bilingual staff to explain English language documents to clients.
- Utilize "I speak" cards to the maximum degree possible.
- Violence Against Women Act (VAWA) – The goal of CHA is to fully comply with VAWA law. It is our objective to work with applicants or residents who certify under VAWA are aware of their rights under VAWA. Information regarding VAWA will be displayed in a public place in the central office as well as each public housing community common area. CHA's initial application and update application for renewal will require a family to report whether the family qualifies under the VAWA law.

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PART 2: DESCRIPTION OF PROGRAMS

Upon selecting a unit, all voucher holders searching for units are leased under the Voucher Program.

A. HOUSING CHOICE VOUCHERS

The Voucher Program requires families to pay at least 30% of income toward rent. Rent may not exceed the payment standard of up to 40% of adjusted monthly income.

The subsidy is the difference between the total tenant payment and (1) the payment standard; or (2) the gross rent, whichever is lower.

Rent increases are not limited by the annual adjustment factor but are subject to a rent reasonableness test.

B. PROJECT-BASED VOUCHERS

Under the Project-Based Voucher Program, Section 8 housing assistance is attached to units whose owner agrees to rehabilitate the structure with funds other than subsidies from the U.S. Housing Act of 1937. The primary objectives of the program are to upgrade the existing rental housing stock and make units available to low income families at rents within the Section 8 Fair Market Rent level.

PART 3: PROGRAM OUTREACH

A. PRIVACY RIGHTS [24CFR.982.551]

All information relating to a participant or applicant family is confidential. CHA's policy regarding release of information is in accordance with state and local laws that may restrict the release of family information. CHA staff will not discuss family information contained in its files unless there is a business reason to do so.

CHA will furnish prospective owners with the family's current address, as shown in CHA's records and, if known to CHA, the name and address of the landlord for the family's current and prior address. At a prospective owner's written request, CHA will also furnish information about the family's rental history or any history of drug trafficking: see Part X, Paragraph A for further information.

CHA'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.

B. FAMILY OUTREACH [24 CFR.982.153(b)(1)]

CHA 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. CHA's Waiting List remains open as necessary. CHA 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.

CHA will notify other service providers in the community of the availability of assistance, housing eligibility factors and guidelines so that they can make proper referrals for housing assistance.

The Authority will monitor the receipt of applications. If the flow of applications is too rapid or too slow, an ad will be placed in the local newspapers stating the suspension of applications or encouraging more applications. Applications will be purged on a periodic basis to ensure that all information is current and the applicants are still interested in the program and still qualify for assistance.

C. OWNER OUTREACH [24 CFR.982-54, 982.153]

The CHA Owner Outreach Program includes the following efforts to encourage owners to participate in the program and to ensure greater mobility to and housing choice in very low-poverty areas:

- CHA will maintain a list of interested landlords and a list of available units, both of which are updated frequently. These lists are made available to applicants and participants.
- CHA will encourage owners of decent, safe and sanitary housing units to lease to Section 8 families.
- The staff of CHA will initiate personal contact with private property owners and managers by conducting formal and informal discussions and meetings.
- CHA contacts real estate agents and property managers to market the program and encourage their participation. In addition, printed material is provided to inform owners and managers of the program.
- CHA will make a concerted effort to contact and encourage local property owners with units specially designed or adapted for persons with disabilities, and those who may be willing to adapt units, to participate in the program.
- CHA will encourage program participation by owners of units located outside areas of poverty or minority concentration. This will allow more choices and better housing opportunities for families.

CHA periodically evaluates the distribution of assisted families to identify areas within the jurisdiction where owner outreach should be targeted.

PART 4: WAITING LIST

CHA maintains a single Waiting List for the tenant-based assistance program. The policy of CHA is to ensure that all families who express an interest in the Section 8 Program are given an equal opportunity to apply and are treated in a fair and consistent manner. This section describes the policies and procedures for opening and closing the Waiting List (as applicable); completing an application for assistance, placement and denial of placement on the Waiting List, maintaining the Waiting List, and limitations on who may apply. CHA's Waiting List currently remains open.

A. OPENING AND CLOSING THE WAITING LIST [24 CFR 982.206, 982.54]

From time to time, CHA may open or close the Waiting List by advertising through public notice in local newspapers and any available minority media entities. Where applicable, the program(s) for which applications are being accepted will be specified. The notice will contain:

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- Dates, times and locations where families may apply.
- Programs for which applications will be taken.
- Brief description of the program(s).
- Limitations, if any, on who may apply.
- CHA address, telephone number and business hours.

The notices will be made in an accessible format if requested (e.g., on audio tape). They will provide potential applicants with information regarding how to submit an application, eligibility requirements, waiting list selection policies. Upon request from a person with a disability, as a reasonable accommodation, additional time may be allowed for submission of an application.

When the Waiting List is open, all interested families and persons are given the opportunity to apply. The open enrollment period shall be long enough to achieve a Waiting List adequate to cover projected turnover and new allocations over the next 12 months.

In evaluating whether to close its Section 8 Waiting List, CHA will consider the expected number of Vouchers to be issued per year, the number of current applicants, and the anticipated waiting time.

CHA will give at least five (5) business days notice prior to closing the list. CHA will publicly advertise that it will close the Waiting List, noting exceptions for special programs targeted to a specific population.

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When the period for accepting applications is over, CHA will add the new applicants to the list by order of date and time of application.

B. INITIAL APPLICATION [24 CFR 982.204; 24 CFR 5.410]

CHA will utilize a pre-application form. The information is to be filled out by the applicant whenever possible. The purpose of the pre-application is to permit CHA to preliminarily assess family eligibility or ineligibility and to determine placement on the Waiting List. The pre-application will contain questions designed to obtain the following information:

- Names and ages of all family members
- Sex and relationship of all members
- Street address and phone numbers
- Mailing address (if P.O. Box or other permanent address)
- Amount(s) and source(s) of income received by household members
- Information regarding disabilities (used to determine qualifications for allowances and deductions)
- Social Security Numbers
- Race/ethnicity
- Requests for specific accommodation needed to fully utilize program and services
- Citizenship status
- Student status
- Previous address
- Current landlord verification
- Name of emergency contact person and address
- Criminal background
- Non-family references

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.

If, after a review of the pre-application, the family is determined to be preliminarily eligible, the family will be notified in writing (or in an accessible format, upon request, as a reasonable accommodation). This written notification of preliminary eligibility will be mailed to the applicant by first class mail or given to the applicant in person. If the family is determined to be ineligible based on the information provided in the pre-application, CHA will notify the family in writing or in an accessible format, upon request, as a reasonable accommodation. The notification shall state the reason(s) for ineligibility and inform the family of its right to an Informal Review.

C. MAINTAINING AND PURGING THE WAITING LIST

Applicants are required to inform CHA in writing of changes in circumstances while on the Waiting List. These may include changes in address or family composition.

Applicants are also required to respond to requests from CHA to update information on their applications and to determine their continued interest in and need for assistance. Failure to provide information or to respond to CHA mailings that request updated information within the specified timeframe will result in the applicant being removed from the Waiting List.

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D. SELECTION FROM THE WAITING LIST

Applicants will be selected from the Waiting List according to date and time of application.

If there is insufficient funding available to assist the family at the top of the list, CHA will not admit any other applicant until funding is available for the first applicant.

CHA will maintain information that permits proper selection from the Waiting List. The Waiting List will be organized to contain the following information for each applicant.

- Date and time of application

E. REMOVAL FROM THE WAITING LIST

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With the exception of the Violence Against Women and Justice Department Reauthorization Act 2005 (VAWA) whose reason for denial or termination is a verifiable, direct result of certain persons if the asserted grounds for such action is an instance of domestic violence, dating violence, sexual assault or stalking, as those terms are defined in Section 3 of the United States Housing Act of 1937 as amended by VAWA (42 USC 13925) Applicants, shall be removed from the Waiting List when:

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- The applicant requests it.
- The applicant was clearly advised of a requirement to notify CHA of its continued interest by a particular time and failed to do so.
- CHA has made reasonable efforts to contact the applicant to determine if there is continued interest, but has been unsuccessful.
- The CHA applicant is ineligible.
- The applicant provided invalid or false documents for verification of eligibility.

- The applicant was a past participant in the Section 8 Program or a former public housing tenant who failed to satisfy liability for unpaid rent or tenant damages to either Owner, CHA or another Public Housing Authority (PHA).
- The applicant is currently indebted to CHA.
- The applicant has committed fraud in a Federal Housing Assistance Program or violated family obligations under the Section 8 Program.
- The applicant has a felonious history in the manufacture, sale or distribution or the possession with intent to manufacture, sell or distribute a controlled substance within five (5) years. The five (5) year time period commences upon completion and disposition of all pending and proposed cases.
- The applicant has a violent criminal history and has used or threatened to use physical force against the person or property of another, including CHA employees within five (5) years. The five (5) year time period commences upon completion and disposition of all pending and proposed cases.
- The applicant has a non-violent felonious history or repetitive criminal history that may negatively impact the residents/participants, staff, CHA, programs, community and other such entities within the past five (5) years. The five (5) year time commences upon completion and disposition of all pending and proposed cases.
- The applicant is currently involved in the judicial system, including but not limited to, probation, and pending or postponed cases.
- The applicant has not been one (1) year from successful completion of probation from projected date of admission.
- The applicant's abuse of alcohol has interfered with the rights of other tenants or with the applicant's ability to meet other requirements of tenancy.
- The applicant is a State Registered Sex Offender.
- CHA receives negative information regarding the applicant's rental history.
- The applicant has been terminated from any housing program within the past five (5) years for acting in violation of the program requirements or failing to act in accordance with program requirements.
- The family completed all requirements of a Family Self Sufficiency Contract of Participation within the past two years.

- The applicant fails to respond to one CHA written communication regarding failure to comply with application update, interview, or briefing requirements within the specified timeframe. If a letter is returned by the Post Office without a forwarding address, the applicant will be removed without further notice, and the envelope will be maintained in the file. If a letter is returned with a forwarding address, it will be re-mailed to the address indicated.

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- The applicant is a full time student and has not established residence separate from their parents or legal guardian for at least twelve (12) months; and/or can be claimed as a dependant by a parent or legal guardian; and/or is a single person with no dependents.

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- The applicant refuses the offer of a Voucher.

PART 5: WAITING LIST PREFERENCES

It is CHA's objective to ensure that families are placed in the proper order on the Waiting List and selected from the Waiting List using the preferences that CHA has adopted to meet local housing needs.

A. PREFERENCES

Applicants will be selected according to time and date of application.

A preference may be given to any CHA Public Housing family who is being displaced due to disposition/demolition of CHA Public Housing.

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B. SPECIAL ADMISSIONS [24CFR 982.203, 982.54]

If HUD awards CHA funding that is targeted for specifically named families, CHA will admit these families under a Special Admissions procedure.

Special admissions families will be admitted outside of the regular Waiting List process. They are not required to be on the program Waiting List. CHA may maintain 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 multi-family rental housing project when HUD sells, forecloses or demolishes the project.
- 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.
- A non-purchasing family residing in a HOPE 1 or HOPE 2 project.

C. TARGETED FUNDING [24 CFR 982.203]

If HUD awards special funding for certain family types or specific eligibility criteria, families who qualify are selected from the existing Waiting List. Additionally, applicants who meet specific program criteria will be allowed to submit an application, notwithstanding if the Waiting List is closed. Assistance is offered to the first (based on date of application) eligible family on the Waiting List meeting the targeted funding criteria.

E. INCOME TARGETING [24 CFR 982.201]

A minimum of 75% of the families admitted to CHA's Section 8 program during each fiscal year must be extremely low-income families. An extremely low-income family is one whose annual income does not exceed 30% of the area median income.

CHA will monitor admissions to the Section 8 program at the end of each quarter throughout the fiscal year. If, at the end of any quarter, extremely low-income families make up less than 75% of admissions for the fiscal year to date, CHA will give priority to extremely low-income families (skipping over the higher income families on the Waiting List) until extremely low-income admissions again make up 75% of the admissions during the fiscal year. Once the 75% target is reached, CHA will go back to those higher income families previously skipped.

PART 6: DETERMINATION OF ELIGIBILITY

CHA staff will carefully review all information provided by the family and without regard to factors other than those defined in this chapter. Families will be provided the opportunity to explain their circumstances, furnish additional information if needed, and receive an explanation of the basis for any decision made by CHA pertaining to their eligibility.

A. ELIGIBILITY FACTORS

To be eligible for participation, an applicant must meet the following criteria.

1. An applicant must be a “family” as defined in paragraph VI.B.
2. An applicant must be within the appropriate Income Limits.
3. An applicant must provide documentation of Social Security Numbers for all family members, or certify if a family member does not have a Social Security Number and when they expect to have it.
4. Each member of the applicant household must declare citizenship or immigration status. Non-citizens must provide verification of their status.
5. No member of the household may have been evicted from public housing, Indian housing, Section 23, Section 236 or any Section 8 program for drug-related criminal activity or any negative eviction for five (5) years prior to the date of application.
6. The head of household must be 18 years of age or an emancipated minor.

B. FAMILY COMPOSITION [24 CFR 5.403, 982.201]

The applicant must qualify as a family. A family is defined as:

1. A family with or without children, which is:

- 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.
- Children temporarily absent from the home due to placement in foster care are considered family members.

- Unborn children and children in the process of being adopted are considered family members for the purpose of determining bedroom size but are not considered family members for determining income limit.

2. An elderly family, which is:

- A family whose head, spouse, or sole member is a person who is at least sixty-two (62) years of age;
- Two or more persons who are at least sixty-two (62) years of age living together; or
- One or more persons who are at least sixty-two (62) years of age living with one or more live-in aides.

3. A near-elderly family, which is:

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

4. A disabled family, which is:

- A family whose head, spouse, or sole member is a person with disabilities;
- Two or more persons with disabilities living together; or
- One or more persons with disabilities living with one or more live-in aides.

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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.

All family members are subject to HUD rules regarding income and allowances.

A family may include **live -in aide** provided that the live-in aide:

- Is determined to be essential to the care and well-being of an elderly person, a near-elderly person, or a person with a disability;
- 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).

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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 aide is not subject to Non-Citizen Rule requirements; and
- Live-in aide will not be considered as a remaining member of the applicant or participant family.

A live-in aide may only reside in the unit with the prior written approval of CHA and owner. Written verification will be required from the doctor providing the particular care. The verification must specifically state that a live-in aide is essential for the daily care of the family member who is elderly, near-elderly or disabled. Live-in aide must provide proof of any certification and qualifications. Certifications and qualifications must be from an accredited institution. This certification must be verified and approved by CHA.

Relatives are not automatically excluded from being live-in aides, but they must meet all of the elements of the definition described above. The Owner of the assisted unit cannot serve as live-in aide.

The live-in aide's family members may also reside in the unit with CHA's and owners prior written approval. The presence of the live-in aide's family members must not overcrowd the unit.

At any time, CHA may 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;
- Commits drug-related criminal activity or violent criminal activity;
- Currently owes rent or other amounts to CHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act; or

- Does not qualify under the eligibility criteria described in this Plan.

C. INCOME LIMITATIONS [24 CFR.982.201, 982.353]

In order to be eligible for assistance, an applicant must be either a:

- Very low income family, as defined by the very low income limits published by HUD in the *Federal Register* for the Clearwater Area; or
- Low income family in any of the following categories:
 - Low income family, as defined by the low income limits published by HUD in the Federal Register for the Clearwater Area; or
 - 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 60 days prior to Voucher issuance. The Program includes Public Housing, all Section 8 programs, and all other federally subsidized rental programs.
 - Physically displaced by rental rehabilitation activity under 24 CFR Part 511.
 - Non-purchasing family residing in a HOPE 1 or HOPE 2 project.
 - Non-purchasing family residing in a project subject to a homeownership program under 24 CR 248.173.
 - Displaced as a result of the prepayment of a mortgage or voluntary termination of a mortgage insurance contract under 24 CFR 248.165.
 - Residing in a HUD-owned multifamily rental housing project when the project is sold, foreclosed or demolished by HUD.

To determine if the family is income eligible, CHA 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, notified of the denial and offered an informal review.

D. SUITABILITY OF FAMILY [24 CFR.982.307]

CHA may take into consideration any of the grounds for denial of admission but may not otherwise screen for factors which relate to the suitability of the applicant family as participants. It is the responsibility of the owner to screen the applicant as to their suitability for tenancy.

CHA will advise families how to file a Fair Housing complaint if they believe that the owner has discriminated against them. CHA may also report the owner to HUD's Office of Fair Housing/Equal Opportunity or the local fair housing organization.

CHA will recommend that prospective owners screen tenants for suitability.

E. CHANGES IN ELIGIBILITY PRIOR TO ISSUANCE

Changes that occur during the period between placement on the Waiting List and issuance of a Voucher may affect the family's eligibility or Total Tenant Payment. If applicants are found to be ineligible, they will be notified in writing of their ineligible status and their right to an informal review.

F. FINAL DETERMINATION AND NOTIFICATION OF ELIGIBILITY

After the verification process is complete, CHA will make a final determination of eligibility. This decision is based upon information provided by the family, the verification completed by CHA, and the current eligibility criteria. CHA will notify the family in writing as to their eligibility for the Section 8 Program. If the family is determined to be eligible, CHA will schedule a briefing and mail an application update for recertification. During the briefing, the applicant is issued a Voucher and the informational packet is provided and reviewed.

G. NOTIFICATION TO INELIGIBLE FAMILIES

Families who are determined to be ineligible will be notified in writing within ten (10) business days of the reason for denial of assistance. This notification will include the opportunity to request, within ten (10) business days of notification, an Informal Review. If they were denied due to non-citizen status they are entitled to an Informal Hearing. See Part XVII for information about Reviews and Hearings.

PART 7: SUBSIDY STANDARDS

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This Part describes the subsidy standards used to determine the Voucher size issued to families when they are selected from the Waiting List, as well as CHA's procedures when a family's size changes or a family selects a unit size that is different from the family's Voucher. All units are subject to CHA approval.

A. DETERMINING VOUCHER SIZE [24 CFR 982.402]

CHA's subsidy standards used to determine Voucher size shall be applied in a manner consistent with Fair Housing guidelines. CHA does not determine who shares a bedroom or sleeping room, but the family must include at least one person per bedroom. 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 may change during a unit transfer, portability, initial leases or changes in family composition. For subsidy standards, an adult is a person 18 years or older.

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- Separate bedrooms should be allocated for persons of the opposite sex (other than adults who have a spousal relationship and children less than five (5) years of age).**
- Foster children will be included when determining unit size if they are expected to be in the unit for more than six months.**
- Space will be provided for a child who is away at school or a spouse who is away in the military.**
- Single persons shall be provided a one-bedroom Voucher.**
- A family that consists of a pregnant woman (with no other persons) will be treated as one -person family [24 CFR 982.402(5)].**
- Adults of the same sex may share a bedroom. Siblings of the same sex, regardless of age, may share a bedroom.**
- Non-custodial parent is not eligible for additional bedroom size.**
- Children under the age of five (5) may share a bedroom with a parent, sibling or other household member.**
- A live-in attendant will generally be provided a separate bedroom with written approval from CHA.**

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A. ALLOWABLE MOVES

A family may move to a new unit by unit transfer, portability and changes to family composition if the move does not increase the HAP cost for that family and if:

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- The assisted lease for the old unit has terminated because CHA has terminated the HAP contract for owner breach, or the lease was terminated by mutual agreement of the owner and the family.
- Family is in compliance with CHA and Owner at time of move.
- The family has given proper notice of lease termination (if the family has a right to terminate the lease with notice to the owner) and CHA has received notification from the family that the landlord was properly notified of their intent to vacate.

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GUIDELINES FOR DETERMINING VOUCHER SIZE

Voucher Size	Persons in Household (Minimum #)	Persons in Household (Maximum #)
0 Efficiency	1	1
1 Bedroom	1	2
2 Bedroom	2	4
3 Bedroom	3	6
4 Bedroom	5	8
5 Bedroom	6	10

B. EXCEPTIONS TO SUBSIDY STANDARDS [24 CFR 982.403(A) & (B)]

CHA shall grant exceptions to the subsidy standards if CHA determines that the exceptions are justified by the relationship, age, sex, health or disability of family members, or other individual circumstances.

CHA will grant an exception upon request as an accommodation for persons with disabilities. Circumstances may dictate a larger size than the subsidy standards permit when persons cannot share a bedroom because of a verified medical or health reason.

A family may request a larger sized Voucher than indicated by CHA’s subsidy standards. Such request must be made in writing within ten (10) business days of CHA’s determination of Voucher size. The request must explain the need or justification for a larger Voucher size. Documentation verifying the need or justification will be required as appropriate. Requests based on health related reasons must be verified by a doctor or medical professional.

Changes in Household Composition

The Voucher size is determined prior to the briefing by comparing the family composition to CHA subsidy standards. If an applicant requires a change in the Voucher size, the above referenced guidelines will apply.

The family obligations require the family to request CHA approval to add any other family member as an occupant of the unit and to inform CHA of the birth, adoption or court-awarded custody of a child or any changes in the household composition, related or non-related. The family must request prior approval of additional household members in writing within ten (10)

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Generally, CHA assigns one bedroom to two people within the following guidelines:

Separate bedrooms should be allocated for persons of the opposite sex (other than adults who have a spousal relationship and children less than three (3) years of age).

Foster children will be included when determining unit size if they are expected to be in the unit for more than six months.

Space will be provided for a child who is away at school or a spouse who is away in the military.

Single persons shall be provided a one-bedroom Voucher.

A family that consists of a pregnant woman (with no other persons) will be treated as a two-person family [24 CFR 982.402(5)].

Adults of the same sex may share a bedroom.

Non-custodial parent not eligible for additional bedroom size.

Children under the age of three (3) may share a bedroom with a parent.

A live-in attendant will generally be provided a separate bedroom.

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business days. If the family does not obtain prior written approval from CHA, any person the family has permitted to move in will be considered an unauthorized household member.

PART 8: FACTORS RELATED TO TOTAL TENANT PAYMENT DETERMINATION

This part defines the income and allowable expenses and deductions used to calculate the Total Tenant Payment (TTP). Income and TTP are calculated in accordance with Federal Regulations and further instructions as set forth in HUD Notices, Memoranda and Addenda. The formula for the calculation of TTP is specific and not subject to interpretation. CHA's policies in this Part address those areas that allow CHA discretion to define terms and to develop standards in order to assure consistent application of the various factors that relate to the determination of TTP.

A. ANNUAL INCOME

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

- A. Are paid 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.

D. Any monetary contribution to the family including housing costs associated with athletic scholarships or grants and other contributions for higher education in excess of costs of tuition and books.

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E. Moneys left over from any monetary contribution associated with scholarships, grants or other contributions.

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 when 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.

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- 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. Periodic and determinable allowances, such as alimony, child support payments, and contributions or gifts received from organizations or from persons not residing in the dwelling.
- G. 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.)

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Annual income does not include the following:

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

4. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 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, non-recurring 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. Adoption assistance payments.
9. For family members who enrolled in certain training programs prior to October 1, 1999, the earnings and benefits resulting from the participation if the program provides employment training and supportive services in accordance with the Family Support Act of 1988, Section 22 of the 1937 Act (42 U.S.C. 1427t), 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. Earnings and benefits mean the incremental earnings and benefits resulting from a qualifying employment training program or subsequent job.
10. For persons with disabilities, the incremental earnings due to employment during a cumulative 12-month period following date of the initial hire shall be excluded. This exclusion is only available to the following families:
 - a. Families whose income increases as a result of employment of a disabled family member who was previously unemployed (defined as working less than ten (10) hours a week at the established minimum wage) for one (1) or more years.
 - b. Families whose income increases during the participation of a disabled family member in any economic self-sufficiency or other job training program.

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- c. Persons with disabilities who are or were, within six months, assisted under a State TANF or Welfare-to-Work program for at least \$500.

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 twelve (12) months of the 100% exclusion and 12 months of the 50% exclusion.

11. Deferred periodic amounts from Supplemental Security Income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts.

12. 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.

13. 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.

14. 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);
- 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 \$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);

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- 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).

B. ADJUSTED INCOME [24 CFR5-611]

Adjusted Income is defined as Annual Income minus any HUD allowable deductions.

HUD has five allowable deductions from Annual Income:

- *Dependent allowance*: \$480 each for family members who are minors (other than the head or spouse or co-head) and for family members who are 18 years or older and full-time students or disabled. Foster children are not considered dependents.

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- *Elderly/disabled allowance*: \$400 for families whose head or spouse is 62 or over or disabled.

Allowable medical expenses: [24 CFR 5.609, 5.603]: Anticipated out-of-pocket medical expenses inclusive of transportation for medical treatments which exceed three percent (3%) of annual income for the family shall be deducted if the head, spouse or co-head of household is 62 or older, or disabled.

- *Medical Expenses [24CFR 5.609, 5.603]*: Non-prescription medicines, supplies, apparatus must be doctor-recommended (written verification required) in order to be considered an out-of-pocket medical expense. The family is required to furnish legible receipts.

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If the household is eligible for a medical expense deduction, the medical expenses of all family members **may be** counted (e.g., the orthodontist expenses for a child's braces may be deducted if the household is an elderly or disabled household).

- *Reasonable Child Care Expenses*: Expenses for the care of children under 12 are deducted when child care is necessary to allow an **adult** member to work, attend school, or actively seek employment. Reasonable child care expenses cannot exceed 50% of gross annual income.

Amounts anticipated to be paid by the family for the care of children under 12 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.

- *Allowable Disability Assistance Expenses*: Expenses for care attendance or auxiliary apparatus which exceed 3% of annual income may be deducted when the expenses enable the individual or an **adult** family member to work.
 - If disability assistance expenses that are less than three percent (3%) of annual income, an allowance for combined disability assistance expenses and medical expenses that is generally equal to the total of these expenses, less three percent (3%) of annual income is calculated using the HUD formula included on the form 50058.

C. ABSENCE FROM THE UNIT

Absence of Entire Family

These policy guidelines address situations when the family is absent from the unit but has not moved out of the unit. If the family has moved out of the unit, CHA will terminate assistance in accordance with appropriate termination procedures contained in this Plan.

Families must notify CHA and the owner in writing within ten (10) business days if they are going to be absent from the apartment for more than thirty (30) consecutive days.

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A person with a disability or a verified health reason may request an extension of time as an accommodation, provided that the extension does not go beyond one hundred eighty (180) consecutive calendar days.

If the family has not notified CHA of absence from the unit, CHA may: write letters to the family at the unit; telephone the family at the unit; interview neighbors and verify if utilities are in service to determine whether the family is still in occupancy.

Any absence longer than thirty (30) calendar days or any CHA approved period of time will result in termination of assistance. If requested by the family, CHA may reinstate the family as an accommodation if the following applies:

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- The absence, which resulted in termination of assistance, was due to a person's disability, age or health reason;
- CHA can verify that the person was unable to notify the Authority in accordance with the family's responsibilities; and
- Funding is available.

Absence Due to Medical Reasons

If any family member leaves the household to enter a facility such as a hospital, nursing home, or rehabilitation center, the family must report the absence within ten (10) business days. CHA will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent. If the verification indicates that the family member will return in less than 180 consecutive days, the family member will be considered temporarily absent.

If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated in accordance with the CHA's "Absence of Entire Family" policy.

Absence Due to Child (Children) Placed in Protective Services

If the child (children) leaves the household under protective services, the child (children) will be considered either temporarily or permanently absent. The family must report this change within ten (10) business days once the child (children) has been removed. If the child (children) is determined by CHA to be permanently absent, the family's composition, income adjustments, and qualifications for housing will be reviewed. The necessary changes will be made based upon the review.

Absence Due to Full-Time Student Status

A full-time student (other than head or co-head of household or spouse) who attends school away from home but lives with the family during school recesses may, at the family's choice, be considered either temporarily or permanently absent.

If the family decides that the member is permanently absent, income of that member will not be included in total household income, the member will not be included on the lease, and the member will not be included for a determination of Voucher size.

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Visitors

Any adult not included on the Form HUD-50058, who has been in the unit more than fifteen (15) consecutive days or a total of thirty (30) days in a twelve (12) month period, will be considered to be living in the unit as an unauthorized household member.

The burden of proof that the individual is a visitor rests on the family. In the absence of such proof, the individual will be considered an unauthorized member of the family and CHA will terminate assistance since prior approval was not requested or received for the addition.

D. MINIMUM RENT

Families are required to pay a minimum TTP (rent and utilities) of fifty dollars (\$50.00) a month. Families must therefore provide documentation of income to meet this rent requirement.

The minimum rent is ~~\$50.00~~; CHA will review requests for exemptions to the minimum rent due to hardship.

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E. REDUCTION IN BENEFITS

If the family’s TANF benefits are reduced due to family error, omission, or misrepresentations, CHA will use the gross amount of the benefit when computing annual income. If the family’s benefits are reduced through no fault of the family, CHA will use the net amount of the benefit.

If a family’s TANF benefits are reduced or eliminated due to the family’s failure to participate in an economic self-sufficiency program, to comply with a work requirement, or as a result of fraud, CHA will not reduce rent to reflect the lost benefit.

CHA will obtain written verification that the benefit reduction was caused by non-compliance or by fraud before denying a family’s request for recertification of income and rent reduction. Denial of a request for rent reduction will not occur when TANF benefits are lost because the lifetime limit on receipt of benefits has expired or in a situation where the family has complied with welfare requirements but cannot obtain employment. Any participant family denied a rent reduction after a loss of welfare benefits will be informed of its right to an informal review.

F. PRO-RATION OF ASSISTANCE FOR FAMILIES WITH ONE OR MORE MEMBERS WHO ARE INELIGIBLE NON-CITIZENS (MIXED FAMILIES) [24 CFR 5.520]

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Pro-ration of assistance must be offered to any “mixed” applicant or participant family. A “mixed” family is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible members.

Pro-rated assistance is calculated by determining the amount of assistance payable if all family members were eligible and multiplying by the percent of the family members who actually are eligible. TTP is the gross rent minus the prorated assistance.

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G. UTILITY ALLOWANCE AND UTILITY REIMBURSEMENT PAYMENTS
[24 CFR 982.153, 982.517]

CHA will maintain an up-to-date utility allowance schedule and will review the utility allowance schedule annually. If the review finds a utility rate has changed by ten percent (10 %) or more since the last revision of the utility allowance schedule, the schedule will be revised to reflect the new rate. Revised utility allowances will be applied at a participant family's next re-examination.

The utility allowance is always based on the actual unit size selected, not the unit size listed on the family's voucher.

Where the utility allowance exceeds the family's TTP, CHA will provide a utility reimbursement payment for the family each month. The check will generally be made out to the tenant; however, CHA reserves the right to make utility reimbursement payments directly to a utility provider.

H. RECEIPT OF A LETTER OR NOTICE FROM HUD CONCERNING INCOME

- A. If a Section 8 tenant 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) calendar days of receipt by the tenant.
- B. The CHA 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, CHA shall adjust the tenant'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 tenant had not previously reported the proper income, CHA may do one of the following:

- 1. Immediately collect the back rent due to the agency.
- 2. Terminate assistance for failure to report income; or
- 3. Terminate assistance for failure to report income and collect the back rent due to the agency.

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PART 9: BRIEFING AND VOUCHER ISSUANCE

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CHA's objectives are to ensure that families selected to participate in the Section 8 program are successful in leasing a suitable apartment and that they have sufficient knowledge to derive maximum benefit from the program and to comply with program requirements. When families are determined eligible, CHA 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, CHA procedures, and information on 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 concentration. This part describes how briefings will be conducted and the information that will be provided to families.

A. 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 briefing will be conducted in group and/or individual meetings. Families who attend a group briefing but need individual assistance will be referred to a Housing Counselor. Briefings will be conducted in English, but may also be conducted in Spanish.

Prior to the Briefing appointment, clients are sent a copy of the pre-application to update their family information prior to attending the meeting.

CHA will not issue a Voucher to a family unless the household representative (head of household, co-head or spouse) 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 two scheduled briefings without prior notification and approval of CHA may be denied admission based on failure to supply information needed for certification. If required as reasonable accommodation and upon request by the family, CHA will conduct individual briefings for families with disabilities at their homes.

Briefing Packet [24 CFR 982.301(b)]

The documents and information provided in the briefing packets will comply with all HUD requirements. CHA also includes other information and/or materials not required by HUD.

The family is provided with the following information and materials:

- Information on how tenant rent is calculated.
- Term of the Voucher and CHA policy for requesting extensions to the term of the Voucher or suspensions of the Voucher and Housing Search Record Form.
- Sample voucher
- Section 8 Tenant Worksheet

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- Utility Allowance Information Sheet
- Procedures for determining and identifying rent reasonable units.
- Guidance and information to assist the family in selecting a unit.
- Explanation of the portability option.
- Sample of the HUD tenancy addendum and sample Tenant Agreement
- Request for Lease Approval form and a description of the procedure for requesting approval for a unit.
- Sample HAP Contract
- CHA policy on providing information about families to prospective owners.
- Subsidy standards, including when and how exceptions are made, and how unit size listed on Voucher relates to the unit size selected.
- HUD brochure, “A Good Place to Live” on how to select an apartment that complies with HQS.
- HUD brochure on lead-based paint and information about where blood level testing is available.
- Information on Federal, State, and Local equal opportunity laws, including the pamphlet “Fair Housing: It’s Your Right.” CHA also includes information on reporting suspected discrimination 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 housing search. In addition, a list of available housing units in all neighborhoods submitted by owners shall be available upon request at CHA’s front desk.
- Family and landlord obligations under the program.
- Grounds for termination of assistance because of family action or failure to act.
- CHA complaints and appeals procedures, including when CHA is required to offer an informal Hearing and how to request the Hearing.
- Owner/tenant handbook, sample HQS inspection checklist, and sample HAP contract.

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- Procedures for notifying CHA and/or HUD of program abuses such as side payments, extra charges, violations of tenant rights, and owner failure to repair.
- Requirements for reporting changes that occur between certifications.
- Information on security deposits. Legal referral services and other social service provider information will be provided upon request.

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Information to be Provided at the Briefing [24 CFR 982.301]

The person conducting the briefing will also describe how the program works and the relationship between the family and the owner, the family and CHA, and CHA and the owner. The method used to calculate the HAP and information regarding Payment Standards, Rent Reasonableness and Utility Allowance (UA) calculations are explained in detail.

The briefing emphasizes:

- Family and owner responsibilities.
- Where a family may lease a unit inside and outside its jurisdiction (portability).
- Advantages to moving to an area with a low concentration of low income families.
- Choosing an apartment carefully.
- If the family includes a person with disabilities, notice that CHA will provide assistance in locating accessible units and a list of available accessible units known to CHA.

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B. TERM OF VOUCHER [24 CFR 982.303, 982.54]

During the briefing session, each household will be issued a Voucher (valid for 60 days), which represents a contractual agreement between CHA and the family and specifies 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 sixty (60) calendar days from the date of issuance. The family must submit a Request for Lease Approval within the sixty (60) day period unless an extension has been granted by CHA.

If the Voucher expires and is not extended by CHA, 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, it may remain as a participant in the unit if there is an assisted lease/contract in effect.

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Suspension of the Term of the Voucher

When a Request for Tenancy Approval (RFTA) is received, the term of the Voucher will be suspended until a lease and contract have been executed for the unit or CHA determines that leasing the unit is not feasible. An RFTA cannot be suspended for more than sixty (60) days. If the unit cannot be leased, CHA will change the expiration date on the Voucher and provide the family the same number of search days which remained in the term on the date the RFTA was submitted.

Extensions

A family may request an extension of the Voucher time period. All requests for extensions must be received in writing prior to the expiration date of the Voucher. The maximum Voucher search period shall not exceed one hundred twenty (120) days. Extensions are permissible at the discretion of the Housing Counselor, up to a maximum of 60 days, primarily for these reasons:

- Extenuating circumstances, such as hospitalization or family emergency, which has affected the family's ability to find a unit within the sixty (60) day period. Verification is required.
- CHA is satisfied that the family has made a reasonable effort to locate a unit, including seeking the assistance of CHA, throughout the initial sixty (60) day period. A completed search record is required.
- Family was prevented from finding an apartment due to the need to locate an accessible unit to accommodate a disabled family member or to the family's need for a unit with four or more bedrooms. A completed search record is required as part of the verification.

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PART 10: REQUEST FOR TENANCY APPROVAL AND CONTRACT EXECUTION

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After families are issued a Voucher, they may search for a unit anywhere within the jurisdiction of CHA or outside of CHA'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 (HAP) contract with CHA. This part defines the types of eligible housing and CHA policy regarding initial inspections, lease requirements, owner disapproval, and the processing of Requests for Tenancy Approval (RFTA).

A. INFORMATION TO OWNERS [24 CFR 982.307, 982.54]

CHA will provide prospective owners with the address of the applicant and the names and addresses of the current and previous landlords, if known. CHA will make an exception to this requirement if the family's whereabouts must be protected due to domestic abuse or witness protection.

CHA 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, eviction history, damage to units, and other factors related to the family's suitability as a tenant.

CHA will provide the following information, if requested, regarding a family's tenancy history for the past three (3) years based on *documentation in its possession*:

- Eviction history
- Damage to rental units
- Other aspects of tenancy history, including complaints from neighbors or landlords
- Drug related criminal activity by family members

The information will be provided orally and/or in writing. Only the Executive Director or designee may authorize release of this information. CHA's policy on providing information to owners is included in the briefing packet and will apply uniformly to all families and owners.

B. REQUEST FOR TENANCY APPROVAL [24 CFR 982.305]

The RFTA and a copy of the proposed Lease must be submitted by the family during the term of the Voucher.

CHA will not permit the family to submit more than one RFTA at a time.

CHA will require a voided RFTA prior to issuance of another RFTA.

Approval of RFTA

CHA will review the RFTA to determine whether or not it is approvable. The Request will be approved if:

- The initial rent to owner exceeds the payment standard but the total tenant payment is within 40% of the family's adjusted monthly income.

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Illustration: *Initial rent to owner (excludes utilities) > Payment Standard = 40% restriction on total tenant payment.*

- The gross rent (rent to owner plus tenant-paid utilities) is at or below the payment standard.

Illustration: *Gross rent (rent to owner plus utilities) < Payment Standard = No restriction on total tenant payment.*

- Unit is an eligible type of housing.
- Unit meets HUD’s Housing Quality Standards (and any additional criteria as identified in this Administrative Plan).
- Rent is reasonable (see Part XII).
- Owner is approvable and there are no conflicts of interest (see Section E).
- Owner is represented by an agent to act on his or her behalf, then both the owner and agent will be required to sign the RFTA, HUD contract, and lease agreement, subsequently making them both responsible for fulfilling the provisions of the HUD contract and lease agreement.

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C. 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.

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 CHA.

Any appliances, services or other items 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. Non-payment of these agreements cannot be cause for eviction.

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, CHA will not disapprove such charges as part of the owner/tenant agreement to lease the unit.

All agreements for special items or services must be attached to the lease approved by CHA. If agreements are entered into at a later date, they must be approved by CHA and attached to the lease.

D. RENT LIMITATIONS

Prior to execution of a HAP contract, CHA must approve the Rent to Owner amount. (See Part XII, “Rent Reasonableness” for CHA policy and procedure on determining reasonable rents.)

CHA must also determine whether the tenant rent meets HUD’s affordability standard. As described above, assistance will be approved only if:

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- The initial rent to owner exceeds the payment standard but the TTP is within 40% of the family's adjusted monthly income.
- The gross rent (rent to owner plus tenant paid utilities) is at or below the payment standard.

E. OWNER DISAPPROVAL [24 CFR 982.306]

CHA may disapprove the owner for any of the following reasons:

- Is verbally or physically abusive and any other form of harassment or has threatened any employee or representative of CHA or other persons engaged in management of the housing;
- Owner has a history or practice of failing to terminate the tenancy of residents occupying 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;
 - Threatens the health or safety of other residents, of employees or representatives of CHA or of owner employees or other persons engaged in management of the housing;
 - Is verbally or physically abusive and any other form of harassment or has threatened any employee or representative of CHA or of owner's 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 or the premises; or,
 - Is drug-related criminal activity or violent criminal activity.
- Owner has violated obligations under the Housing Assistance Payments contract, including but not limited to:
 - Having a history or practice of non-compliance with the HQS for units leased under the Section 8 program;
 - Having a history of failing to cooperate with CHA in administration of the assistance;
 - Having a history or practice of renting units that fail to meet local housing codes;
 - Committing fraud, bribery or any other corrupt act in connection with the Section 8 program or any other federal housing program;
 - Engaging in any drug-related criminal activity or any violent criminal activity;
 - Not paying state or local real estate taxes, fines or assessments;
 - Accepting HAP payments from CHA after the family has vacated the unit.

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- Owner is a relative of any member of the family including in-laws, unless CHA determines that approving the unit would provide reasonable accommodation for a family member who is disabled.
- Owner has a conflict of interest as described in HUD regulation 24 CFR 982.161(a) and would therefore be unable to enter into a contract with CHA; or owner is employed by CHA.
- When HUD has informed CHA that disapproval is required because the:
 - Owner has been disbarred, suspended, or subject to a limited denial of participation under 24 CFR Part 24;
 - Federal government has instituted an administrative or judicial action against the owner for violating the Fair Housing Act or other federal equal opportunity requirements and such action is pending;
 - Court or administrative agency has determined that the owner violated the Fair Housing Act or other federal equal opportunity requirements.

Before imposing any penalty against an owner, CHA 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.

If an owner commits fraud or abuse or is guilty of frequent or serious contract violations, CHA may restrict the owner from future participation in the program for a period of time commensurate with the seriousness of the offense. CHA may terminate some or all contracts with the owner.

If the landlord has been overpaid as a result of fraud, misrepresentation, or violation of the Contract, CHA will recoup any overpaid amounts by abating rent or deducting amounts owed from payments to the owner for other assisted tenants. If the owner fails to make restitution to CHA, CHA will report the owner to a credit rating company and reserves the right to pursue all other legal remedies available.

F. SPECIAL HOUSING TYPES

CHA will permit any voucher holder to use the subsidy in any special type of housing (so long as it is not prohibited by regulations). Such special housing types include: Shared Housing; Congregate Housing; Group Homes; family owned manufactured homes; and SROs.

CHA will comply with regulations regarding variations in HQS standards and calculation of TTP.

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PART 11: HOUSING QUALITY STANDARDS AND INSPECTIONS

Housing Quality Standards (HQS) are the HUD minimum quality standards for tenant-based programs. HQS standards are required both at initial occupancy and at least annually 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. CHA representative will inspect each unit under contract at least annually. CHA representative will also perform a quality control inspection of units under contract annually to maintain CHA's required standards and to ensure consistency with Section 8 Management Assessment Program (SEMAP) Guidelines.

A. GUIDELINES/TYPES OF INSPECTIONS [24 CFR 982.401, 982.405]

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Efforts will be made at all times to encourage owners to provide housing above HQS minimum standards. The family will continue their search for suitable housing so as to not jeopardize their position in the program.

All utilities must be in service and appliances in the unit at the initial inspection. All utilities for which the tenant is responsible must be verifiable prior to execution of the lease. If the utilities are not in service at the time of inspection, the Housing Counselor will notify the tenant or owner (whoever is responsible for the utilities according to the RFTA) to have the utilities turned on or the unit will not be inspected. The owner and tenant will both certify that the utilities are on.

If the unit fails the HQS inspection, the family and owner will be advised to notify CHA once repairs are completed. The owner will be given up to thirty (30) calendar days to correct the deficiencies identified depending on the amount and complexity of work to be done. If the inspection is determined to be "inconclusive" for any reason (inspector cannot gain entry or utilities/appliances are not present, etc), that inspection will be deemed a "fail" and appropriate timeliness and abatements will be applied from the date of the inconclusive inspection.

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When the inspection has been completed, the owner and the family will be informed in writing of any items which failed to meet HQS standards, which must be repaired or replaced and of the date on which CHA will re-inspect to certify completion of the required work. If the required work is minimal, and CHA deems it appropriate, it may opt to verify completion of necessary repairs by work order, purchase order or receipt documentation and with a signed resident and landlord declaration of completion.

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Any repairs not completed will cause abatement of the HAP. The inspection letter will stipulate the last day the unit qualified for payment. The HAP will be prorated accordingly.

Re-inspection

The owner will be allowed only one re-inspection for repair work required to comply with HQS for initial lease up. If the time period specified by the Housing Counselor/Inspector to correct the repairs has elapsed, or the re-inspection has occurred, the family may select another unit.

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If the Housing Counselor/Inspector is unable to gain access to the unit for the reinspection for an interim or recertification of the unit, HAP payments are abated as of the date of the re-inspection. HAP payments cannot begin again until the Housing Counselor/Inspector is able to enter the unit and determine that the unit meets HQS standards. If the Housing Counselor/Inspector has been unable to gain access at the time of the second attempt to conduct a re-inspection, the owner and tenant will receive Notice of Contract Termination.

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Time Standards for Repair

Emergency items which endanger the family's health or safety must be corrected within 24 hours of notification.

For non-emergency items, repairs must be made within thirty (30) calendar days.

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For major repairs, the Housing Counselor/Inspector may approve an extension beyond thirty (30) calendar days provided adequate documentation is provided justifying such an extension.

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Rent Increases

CHA will conduct an inspection using HQS and other standards approved in this Administrative Plan at least annually prior to the anniversary month of the contract. Rent increase requests will not be approved if the unit does not meet HQS.

B. CONSEQUENCES IF OWNER IS RESPONSIBLE –NON-EMERGENCY ITEMS [24 CFR 982.405, 982.453]

Extension

CHA may grant an extension of time to repair in lieu of abatement in the following cases:

- Owner has a good history of HQS compliance.
- There is an unavoidable delay in completing repairs due to difficulties in obtaining parts or contracting for services. Owner must provide adequate documentation of efforts made to address the delay.
- The repairs are expensive (such as exterior painting or roof repair) and the owner needs time to obtain the funds.

The extension will be made for a period of time not to exceed thirty (30) calendar days. At the end of that time, if the work is not completed, CHA will begin the abatement.

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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 Notice of Termination of the HAP Contract. Prior to the effective date of the termination, the abatement will remain in effect.

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If repairs are completed before the effective termination date, the termination will be rescinded by CHA if the tenant chooses to remain in the unit.

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C. CONSEQUENCES IF FAMILY IS RESPONSIBLE [24 CFR 982.404]

If non-emergency violations of HQS are determined to be the responsibility of the family, CHA will require the family to make any repair(s) or corrections within thirty (30) calendar days. If the repair(s) or correction(s) are not made in this time period, CHA will terminate assistance to the family. Such tenant caused violations include failure to provide appliances or maintain utilities when responsible under terms of the lease and damages. Time extensions in these cases must be approved by the Housing Counselor/Inspector. The owner's rent will not be abated for items which are the family's responsibility.

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If the tenant is responsible and corrections are not made, the HAP Contract will terminate when assistance is terminated.

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PART 12: OWNER RENTS, RENT REASONABLENESS, AND PAYMENT STANDARDS

CHA is responsible for ensuring that the rents charged by owners are reasonable based upon objective comparables in the rental market. CHA will not approve the lease or execute a payments contract until it has determined that the unit meets minimum HQS and that the rent is reasonable. CHA representatives will determine rent reasonableness at initial lease-up, before any increases in rent to owner, and at other times as described in this section. CHA will provide the owner with information concerning rent adjustments.

This part explains CHA's procedures for determination of rent-reasonableness, payments to owners, adjustments to the Payment Standards, and rent adjustments.

A. RENT REASONABLENESS DETERMINATIONS [24 CFR 982.503]

CHA will not approve a lease until CHA determines that the initial rent to owner is a reasonable rent. CHA representative will re-determine rent reasonableness whenever an owner requests a regular or special contract rent adjustment for the program or any increase in the rent for a Voucher unit. CHA must also re-determine rent reasonableness if: (1) there is a 5% decrease in the published Fair Market Rent (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; (2) if directed by HUD; and (3) based on a need identified by CHA's auditing system.

CHA may elect to re-determine rent reasonableness at any other time. At all times during the assisted tenancy, the rent to owner may not exceed a material difference of five percent (5%) of the reasonable rent as most recently determined or re determined by CHA.

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CHA 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; and
- Does not exceed rents currently charged by the same owner for an equivalent assisted or unassisted unit in the same building or complex.

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 indicated by zip code and census tract within CHA's jurisdiction. Subject units within a defined housing market area will be compared to similar units within the same area.

The reasonableness of the rent requested by the owner will be determined by considering at a minimum, the following factors:

Location (the primary factor)

- Type
- Unit Size
- Utilities provided by the Owner (in accordance with the Lease offered)

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CHA will collect additional data and, to the extent possible, will consider the following additional factors when making a comparison of the proposed assisted unit to other unassisted units:

- Quality
- Age of the Contract Unit
- Amenities
- Housing Services
- Maintenance

Housing Counselors/Inspectors will obtain market data on comparable units in the course of regular business by:

- Calling in response to newspaper or internet rental advertisements;
- Knocking on doors of units in the neighborhood of assisted units and asking questions of the residents;
- Obtaining information from owners and real estate agents.

B. Manufactured Home Space Rental: Section 8 Vouchers

1. The payment standard for a participant renting a manufactured home space is the published FMR for rental of a manufactured home space.
2. The space rent is the sum of the following as determined by the Housing Authority:
 - a. Rent to the owner for the manufactured home space;
 - b. Owner maintenance and management charges for the space; and
 - c. Utility allowance for participant paid utilities.
3. The participant pays the rent to owner less the HAP.
4. HAP equals the lesser of:
 - a. The payment standard minus the total tenant payment; or
 - b. The rent paid for rental of the real property on which the manufactured home owned by the family is located.

Data on comparables will be entered into the CHA computer module used to assist in comparison of units, and the computer will be used to select the most comparable of all units in the database. A rent comparison and rent reasonableness determination will be made using the units selected from the database.

CHA will update information in the computer database periodically and will not use information that is more than twelve (12) months old when making rent reasonableness determinations.

At least two (2) comparables of unassisted units will be used for each rent determination. All comparables must be based on the rent that the unit would command if leased in the current

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market. Leased in the current market means that the unit has been leased within the last three hundred sixty (360) days.

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CHA reserves the right to conduct rent reasonableness determinations on units assisted under the program at any time. In such instances, owners will be informed of the re-determination, and notification in accordance with the HAP Contract will be made for any change in approved rent.

C. VOUCHER PROGRAM PAYMENT STANDARDS [24 CFR 887.351]

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The Payment Standard is used to calculate the housing assistance payment for a family. The Payment Standard is set by CHA between 90% and 110% of the HUD-published FMR. CHA will review the appropriateness of the Payment Standard annually when the FMR is published. In determining whether a change is needed, CHA will ensure that the Payment Standard is within 90% to 110% of the new FMR.

Adjustments to Payment Standards [24 CFR 887.209, 887.351]

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Payment Standards may be adjusted to increase HAP in order to keep families' rents affordable. CHA will not raise the Payment Standards so high that the number of families that can be assisted under available funding is substantially reduced, nor will CHA raise Standards if the need is solely to make "high end" units available to Voucher holders.

CHA will consider some or all of the circumstances described below in determining whether an adjustment should be made to the Payment Standard:

Assisted Families' Rent Burdens: CHA will review reports showing the percent of income used for rent by Voucher families to determine the extent to which the rent burden is more than 40% of income.

Availability of Suitable Vacant Units Below the Payment Standard: CHA will review its rent reasonableness and vacancy rate data to determine whether there is an ample supply of vacant units below the Payment Standard in areas without minority and/or poverty concentration.

Quality of Units Selected: CHA will review the quality of units selected by participant families before determining any change to the Payment Standard to ensure that Payment Standard increases are only made when needed to reach the mid-range of the market.

Rent to Owner Increases: CHA may review a sample of the units to determine how often owners are increasing rents after the first year of the lease and the average percent of increase by bedroom size. The sample will be divided into units with and without the highest cost utility included. A comparison will then be made to the applicable annual adjustment factor to determine whether owner increases are excessive in relation to the published annual adjustment factor.

Adjustments in Payment Standards: CHA may consider the average time period for families to lease up under the Voucher program. If the average for Voucher holders' time to locate housing is increasing beyond ninety (90) days, the Payment Standard may be adjusted. Statistical analysis may reveal the Payment Standard should be lowered, in which case, the Payment Standard should not be less than ninety percent (90%) of the current FMR.

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Financial Feasibility: Before increasing the Payment Standard, the CHA may review the budget and the project reserve to determine the impact projected subsidy increases would have on funding available for the program and number of families served. For this purpose, CHA will compare the number of families who could be served under a higher Payment Standard with the number assisted under current Payment Standards and will perform an annual review at the time of the annual budget report.

File Documentation: A file will be retained by CHA for at least three (3) years to document the analysis and findings to justify whether or not the Payment Standard was changed.

D. EXCEPTION PAYMENT STANDARDS [982.503]

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CHA may request HUD approval to establish a Payment Standard that is higher than 110% of the FMR or lower than 90% of the FMR for a designated area of the city. CHA will submit a request for a lower payment standard if it determines that a lower payment standard is justifiable based on market data from that area and establishing a lower standard would enable CHA to provide housing assistance to more families.

CHA will request a higher (exception) payment standard for all units, or all units of a given size, within a designated area of the city if it determines that a higher Payment Standard is needed to help families obtain housing outside areas of high poverty.

E. PAYMENT STANDARDS FOR A FAMILY [24 CFR 982.505]

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Regular Re-examination

If the payment standard decreases during the HAP Contract term, the Payment Standard for the family is the higher of: (1) the Payment Standard at the beginning of the lease minus any amount by which the initial rent to owner has decreased; or (2) the Payment Standard at the current or most recent annual exam. If a change in family size or composition occurs affecting the Voucher size, the ability to use the initial Payment Standard is lost.

Interim Examination

If, after the beginning of the term of the lease, the family has a change in income, family size or composition that would require or allow for an interim adjustment based on CHA's interim policy, CHA will not apply any change in payment standard until the date of the next regular re-examination.

Moves

If the family moves into a different unit prior to its next recertification and CHA has had a change in the payment standard, the new payment standard will be used. The applicable payment standard will be that which is the lower of either the Voucher size issued or the unit size selected at the time of the move.

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F. RENT ADJUSTMENTS [24 CFR 982.519]

Housing Choice Voucher Program

Owners may not request rent adjustments in the Voucher program to be effective prior to the expiration of the first year of the lease. CHA will notify owners of their right to request a rent adjustment one hundred twenty (120) days in advance of the anniversary date.

The approval or disapproval decision regarding the adjustment will be based on HUD-required calculations and a rent reasonableness determination. The adjustment may be an increase or a decrease. CHA will advise the Owner and family as to whether the rent is reasonable and shall approve or disapprove all requested rent increases.

Owners must request the rent increase in writing. Any increase will be effective the later of: (1) the anniversary date of the Contract; or (2) at least sixty (60) days after the owner's request is received. To be honored, requests must be received at least sixty (60) days prior to the next anniversary date.

Special Adjustments [24 CFR 982.520]

An Owner with a unit under contract in the Housing Choice Voucher program is not entitled to request a special adjustment based on substantial and general increases in real property taxes, special government assessments, or costs of utilities. All rent increase requests must follow the procedure as previously outlined.

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PART 13:

HOUSING ASSISTANCE PAYMENTS CONTRACT

The Housing Assistance Payment (HAP) Contract is the contract between CHA and the landlord. All obligations must be adhered to in accordance with the contract and outlined in the contract.

Abatement

When a unit fails to meet HQS and the owner has been given an opportunity to correct the deficiencies, but has failed to do so within the required timeframe, or the inspection has been determined "inconclusive" the rent for the dwelling unit will be abated from that date and will resume the day the unit passes inspection and be paid the first day of the next month.

If the corrections of deficiencies are not made the abatement will continue until the HAP contract is terminated. When the deficiencies are corrected, CHA will end the abatement the day the unit passes inspection. Rent will resume the day the unit passes inspection and be paid the first day of the next month.

For participant caused HQS deficiencies, the owner will not be held accountable and the rent will not be abated. The participant is held to the same standard and timeframes for correction of deficiencies as owners. If repairs are not completed by the deadline, the CHA will send a notice of termination to both the participant and the owner. The participant will be given the opportunity to request an informal hearing.

HAP contracts will be terminated after giving the owner thirty (30) calendar days notice from the first day of a month. It will be sent with the Notice of Abatement. Termination will end any abatement action.

HAP Termination and Lease Termination

The term of the lease and the term of the HAP contract are the same. They begin on the same date and they end on the same date. The lease may be terminated by the owner, by the participant, or by the mutual agreement of both. The owner may only terminate the contract by terminating the lease. The HAP contract may be terminated by the CHA. Under some circumstances the contract automatically terminates.

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PART 14:

RECERTIFICATION'S AND ONGOING ACTIVITIES

In accordance with HUD requirements, CHA will examine the income and household composition of all families at least annually. Recertifications and interim examinations will be processed to ensure families are given notice of rent increases. This chapter describes the CHA's policy for annual and interim recertifications.

If the family does not appear for the interview, and has rescheduled or made prior arrangements with CHA, CHA will reschedule a second appointment.

If the family fails to appear for the second appointment, and has not rescheduled or made prior arrangements, CHA will terminate assistance to the family and offer them an informal Review. Exceptions to this policy may be made by the Executive Director or designee if the family is able to document an emergency situation that prevented them from canceling or attending the appointment.

A. COMPLETION OF ANNUAL RECERTIFICATION

CHA will complete recertifications for families before the anniversary date. This includes notifying the family of any changes in rent at least thirty (30) calendar days before the scheduled date of the change in family rent.

Persons with disabilities who are unable to come to CHA's office will be granted an accommodation by conducting the interview at the person's home or by mail, upon verification that the accommodation requested meets the need presented by the disability.

The head of household is required to attend the recertification interview. If the head of household is unable to attend, the appointment will be rescheduled, or at CHA's discretion the spouse, co-head, or any adult family member may recertify for the family.

Tenant Rent Increases

If tenant rent increases, a thirty (30) calendar day notice is mailed to the family prior to the anniversary date.

If less than thirty (30) calendar days are remaining before the anniversary date, the tenant rent increase will be effective on the first of the month following the 30-day notice.

If there has been a misrepresentation or a material omission by the family, or if the family caused a delay in the re-examination processing, the rent increase will be effective on the anniversary date regardless of whether the family has been given thirty (30) calendar days notice or the anniversary date has already passed and the increase must be imposed retroactively.

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Tenant Rent Decrease

If tenant rent decreases, it will be effective on the anniversary date.

If the family causes a delay so that the processing of the re-examination is not completed by the anniversary date, a rent decrease will be effective on the first day of the month following completion of the re-examination processing by CHA.

B. REPORTING INTERIM CHANGES [24 CFR 982.516]

CHA requires that families report interim changes to CHA in writing within ten (10) business days of when the change occurs. Any information, document or signature needed from the family, which is necessary to verify the change, must be provided within thirty (30) calendar days of the change.

If the change is not reported within the required time period, or if the family fails to provide documentation or signatures, it will be considered untimely reporting.

Changes in Income and Assets

Participants are required to report all increases in income.

CHA will conduct interim re-examinations when families have an increase 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. CHA must calculate the change if a decrease in income is reported and if the change reflects a rent adjustment of more than twenty (20) dollars per month.

If child support is court ordered, CHA will make an interim adjustment only after the child support payments are not received for six (6) months if historically, monthly child support payments have been intermittent.

If CHA makes a calculation error at admission to the program or at an annual re-examination which increases the participant's rent, an interim re-examination will be conducted to correct the error, but the family will not be charged retroactively. Should the calculation error result in a decrease in the amount of rent paid by the tenant, a credit will be given and an adjustment in the rental amount paid to the landlord will be made.

Changes in Family Composition [24 CFR 982.516]

Participants must report all changes in household composition to CHA between annual re-examinations. This includes additions due to birth, adoption, court-awarded custody, and change in marital status. All changes in family composition must be reported in writing within ten (10) business days of the occurrence. The family must obtain CHA and owner approval prior to all other additions to the household.

CHA may approve additions to the household in the following cases:

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CHA will notify the family and the owner of any change in the HAP to be effective according to the following guidelines:

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Changes Reported in Timely Manner

- *Increases in the Tenant Rent* are effective on the first of the month following at least a thirty (30) calendar day notice.
- *Decreases in the Tenant Rent* are effective the first of the month following that in which the change occurred. No rent reductions will be processed, however, until all the facts have been verified, even if a retroactive adjustment results.

Changes Not Reported in Timely Manner

If the family does not report the change in a timely manner, 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 will be required to make a lump sum payment. Otherwise, the family will be terminated from the program.
- *Decrease in Tenant Rent* will be effective on the first of the month following completion of processing by CHA and will not be retroactively applied.

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Changes Not Processed by CHA 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 CHA in a timely manner.

- *Increases in Tenant Rent* will be effective on the first of the month after completion of the required 30-day notice.
- *Decreases in Tenant Rent.* 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.

Other Interim Reporting Issues

An interim re-examination does not affect the date of the annual recertification.

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.

In instances where fraud is suspected, CHA may require an interim recertification.

Form HUD-50058 will be completed and transmitted as required by HUD to record changes.

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The Notice of Rent Change is mailed to the owner and the tenant. Signatures are not required by CHA. If the family disagrees with the rent adjustment they may request an **Informal Review**.

In the event the tenant fails to execute required paperwork in order for an interim recertification to be completed in a timely manner, the family will be responsible for all outstanding rent for the unexecuted timeframe **and will be terminated from the program**.

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Verifications

Clearwater Housing Authority will verify information related to waiting list 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 noncitizen status. Age and relationship will only be verified in those instances where needed to make a determination of level of assistance.

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.

When appropriate, CHA will utilize Enterprise Income Verification (EIV) and any other verification mean, such as State Wage/Income Collection Agency SWICA for income determinations. Some methods are provided by the HUD or other governmental agencies. These methods are considered to be acceptable third party verifications. It is important to note that EIV data will only be used to verify an applicant or resident's eligibility for participation in a rental assistance program and to determine the level of assistance the resident is entitled to receive and only by properly trained persons whose duties require access to this information. Any other use, unless approved by the HUD Headquarters EIV Security System Administrator, is specifically prohibited and will not occur.

No adverse action can be taken against a resident until the CHA has independently verified the EIV information and the resident has been granted an opportunity to contest any adverse findings through the established grievance procedure.

Furthermore, the information the CHA derives from the EIV system will be protected to ensure that it is utilized solely for official purposes and not disclosed in any way that would violate the privacy of the affected individuals.

Once the data has served its purpose, it shall be destroyed by either burning or shredding the data.

Other information will be verified by third party verification. This type of verification includes written documentation with forms sent directly to Clearwater Housing Authority 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 Clearwater 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/resident file. Oral third party documentation will include the same information as if

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the documentation had been written, i.e., name, date of contact, amount received, etc., and file will be noted and documented as thoroughly as possible.

When third party verification cannot be obtained, as is the case with the Social Security Administration, Clearwater Housing Authority will accept documentation received from the applicant/resident. Hand-carried documentation will be accepted if Clearwater Housing Authority has been unable to obtain third party verification in a four-week period of time. Photocopies of the documents provided by the family will be maintained in the file.

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Types of verification

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Clearwater Housing Authority 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, Clearwater Housing Authority will send a request form to the source along with a release form signed by the applicant/resident via first class mail.

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<u>Verification Requirements for Individual Items</u>		
<u>Item to Be Verified</u>	<u>3rd party verification</u>	<u>Hand-carried verification</u>
<u>General Eligibility Items</u>		
<u>Social Security Number</u>	<u>Letter from Social Security, electronic reports</u>	<u>Social Security card or a third party document stating the Social Security numbers.</u>
<u>Citizenship</u>	<u>N/A</u>	<u>Signed certification, voter's registration card, birth certificate, etc.</u>
<u>Eligible immigration status</u>	<u>INS SAVE confirmation number</u>	<u>INS card</u>
<u>Disability</u>	<u>Letter from medical professional, etc.</u>	<u>Proof of SSI or Social Security disability payments</u>
<u>Full time student status (if >18)</u>	<u>Letter from school</u>	<u>For high school students and/or college, any document evidencing enrollment</u>
<u>Need for a live-in aide</u>	<u>Letter from doctor or other professional knowledgeable of condition</u>	<u>N/A</u>
<u>Child care costs</u>	<u>Letter from care provider</u>	<u>Bills and receipts</u>
<u>Disability assistance expenses</u>	<u>Letters from suppliers, care givers, etc.</u>	<u>Bills and records of payment</u>
<u>Medical expenses</u>	<u>Letters from providers, prescription record from pharmacy, medical professional's letter stating assistance or a companion animal is needed</u>	<u>Bills, receipts, records of payment, dates of trips, mileage log, receipts for fares and tolls</u>
<u>Value of and Income from Assets</u>		
<u>Savings, checking accounts</u>	<u>Letter from institution</u>	<u>Passbook, most current statements</u>
<u>CD's, bonds, etc.</u>	<u>Letter from institution</u>	<u>Tax return, information brochure from institution, the CD, the bond</u>
<u>Stocks</u>	<u>Letter from broker or holding company</u>	<u>Stock or most current statement, price in newspaper or through Internet</u>
<u>Real property</u>	<u>Letter from tax office, assessment, etc.</u>	<u>Property tax statement (for current value).</u>

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<u>Verification Requirements for Individual Items</u>		
<u>Item to Be Verified</u>	<u>3rd party verification</u>	<u>Hand-carried verification</u>
		<u>assessment, records or income and expenses, tax return</u>
<u>Personal property held as an investment</u>	<u>Assessment, bluebook, etc.</u>	<u>Receipt for purchase, other evidence of worth</u>
<u>Cash value of whole life insurance policies</u>	<u>Letter from insurance company</u>	<u>Current statement</u>
<u>Assets disposed of for less than fair market value</u>	<u>N/A</u>	<u>Original receipt and receipt at disposition, other evidence of worth</u>
<u>Income *EIV or SWICA may also be used as acceptable verification methods</u>		
<u>Earned income</u>	<u>Letter from employer</u>	<u>Multiple pay stubs</u>
<u>Self-employment</u>	<u>N/A</u>	<u>Tax return from prior year, books of accounts</u>
<u>Regular gifts and contributions</u>	<u>Letter from source, letter from organization receiving gift (i.e., if grandmother pays day care provider, the day care provider should so state)</u>	<u>Bank deposits, other similar evidence</u>
<u>Alimony/child support</u>	<u>Court order, letter from source, letter from Human Services</u>	<u>Record of deposits, divorce decree</u>
<u>Periodic payments (i.e., social security, welfare, pensions, worker's compensation, unemployment)</u>	<u>Letter or electronic reports from the source</u> <u>*Third party verification of SS and SSI benefits shall be obtained by using the 2nd party method or by using HUD's online systems.</u>	<u>Award letter, letter announcing change in amount of future payments</u>
<u>Training program participation</u>	<u>Letter from program provider indicating:</u> <u>- whether enrolled or completed</u> <u>- whether training is HUD-funded</u> <u>- whether Federal, State, local government or local program</u> <u>- whether it is employment training</u> <u>- whether it has clearly defined goals and objectives</u> <u>- whether program has supportive services</u> <u>- whether payments are for out-of-pocket expenses incurred in order to participate in a program</u> <u>- date of first job after program completion</u>	<u>N/A</u> <u>Evidence of job start</u>

Verification of Citizenship or Eligible Non-citizen Status

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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 Social Security card, birth certificate, military ID, or military DD 214 Form.

Prior to being admitted or at the first reexamination, all eligible non-citizens who are

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sixty-two (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. Clearwater Housing Authority will make a copy of the individual's INS documentation and place the copy in the file. Clearwater Housing Authority will also verify their status through the INS SAVE system. If the INS SAVE system cannot confirm eligibility, Clearwater Housing Authority will mail information to the INS in order that a manual check can be made of INS records.

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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 head of the household must sign the list.

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Non-citizen students on student visas, though in the country legally, are not eligible to be admitted to public housing. If they are members of families that include citizens, the rent must be pro-rated.

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 Clearwater 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 five (5) years from the date of eviction or termination.

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Verification of Social Security Numbers

Prior to admission, each family member who has a Social Security number must provide verification of their Social Security number. New family members must provide this verification prior to being added to the lease.

The best verification of the Social Security number is the original Social Security card. If the card is not available, Clearwater 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 ID's, passports, or other official documents that establish and state the number are also acceptable.

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.

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If a member of a resident family that is at least sixty-two (62) years of age indicates they have a Social Security number, but cannot readily verify it, they will be given one hundred and twenty (120) calendar days to provide the verification. If the individual fails to provide the verification within the time allowed, the family will be evicted.

Timing of Verification

Verification information must be dated within sixty (60) days of the interview for certification or reexamination. If the verification is older than this, the source will be contacted and asked to provide information regarding any changes.

When an interim reexamination is conducted, the Housing Authority will verify and update all information related to family circumstances and level of assistance. (Or, the Housing Authority will only verify and update those elements reported to have changed.)

Frequency of Obtaining Verification

Household composition will be verified annually. The frequency that household income will be verified depends on the type of rent method chosen by the family.

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, verification of Social Security number will be obtained only once unless the family member is an eligible immigrant in a transitional stage of admission. In this situation, their status must be updated until they are admitted for permanent residency. This verification will be accomplished prior to admission.

Part 16: Owner and Tenant Obligations

This Section outlines the responsibilities and obligations of the Section 8 Owners/Landlords, and the participating families.

Owner Responsibility

The owner is responsible for performing all of the owner's obligations under the HAP contract and the lease.

The owner is responsible for:

1. Performing all management and rental functions for the assisted unit, including selecting a voucher holder to lease the unit, and deciding if the family is suitable for tenancy of the unit (screening the tenant).
2. Maintaining the unit in accordance with HQS, including performance of ordinary and extraordinary maintenance.
3. Complying with equal opportunity requirements.
4. Complying with the Housing Assistance Program contract (HAP).
5. Preparing and furnishing to the CHA information required under the HAP contract.
5. Report any charges for unit damage or other monies owed to CHA within thirty (30) calendar days.
6. Collecting from the family:
 - a. Any security deposit required under the lease.
 - b. The tenant contribution (the part of rent to owner not covered by the housing assistance payment).
 - c. Any charges for unit damage by the family.
- Entering into a lease and enforcing tenant obligations under the lease.
8. Including in the lease a clause that provides that engaging in drug-related criminal activity on or near the premises by the tenant, household member, guest, or any other person under the tenant's control is grounds for the owner to terminate tenancy. In addition, the lease must also provide that the owner may evict a family when the owner determines that a household member is illegally using a drug or when the owner determines that a pattern of illegal use of a drug interferes with the health, safety or right to peaceful enjoyment of the premises by other residents.
9. Paying for utilities and services (unless paid by the family under the lease).
 - a. For provisions on modifications to a dwelling unit occupied or to be occupied by a person with disabilities see 24 CFR 100.203.
 - b. The owner is responsible for notifying the CHA sixty (60) calendar days prior to any rent increase.

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Obligations of the Participant

This Section states the obligations of a participant family under the program.

1. Supplying required information
 - a. The family must supply any information that the CHA or HUD determines is necessary in the administration of the program, including submission of required evidence of citizenship or

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eligible immigration status. Information includes any requested certification, release or other documentation.

b. The family must supply any information requested by the CHA or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition in accordance with HUD requirements.

c. The family must disclose and verify Social Security Numbers and must sign and submit consent forms for obtaining information.

d. All information supplied by the family must be true and complete.

2. HQS breach caused by the Family

The family is responsible for any HQS breach caused by the family or its guests.

3. Allowing CHA Inspection

The family must allow the CHA to inspect the unit at reasonable times and after at least ~~XXX~~ calendar days notice according to state law.

4. Violation of Lease

The family may not commit any serious or repeated violation of the lease.

5. Family Notice of Move or Lease Termination

The family must notify the CHA and the owner before the family moves out of the unit or terminates the lease by a notice to the owner.

6. Owner Eviction Notice

The family must promptly give the CHA a copy of any owner eviction notice it receives.

7. Use and Occupancy of the Unit

a. The family must use the assisted unit for a residence by the family. The unit must be the family's only residence.

b. The CHA must approve the composition of the assisted family residing in the unit. The family must inform the CHA within ten (10) business days of the birth, adoption or court-awarded custody of a child. The family must request approval from the CHA to add any other family member as an occupant of the unit. No other person (i.e., no one but members of the assisted family) may reside in the unit (except for a foster child/foster adult or live-in aide as provided in paragraph (4) of this Section).

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c. The family must notify the CHA within ten (10) business days if any family member no longer resides in the unit.

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d. If the CHA has given approval, a foster child/foster adult or a live-in aide may reside in the unit. The CHA has the discretion to adopt reasonable policies concerning residence by a foster child/foster adult or a live-in aide and defining when the CHA consent may be given or denied.

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e. 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 for residence by members of the family. Any business uses of the unit must comply with the lease, zoning requirements, and the affected household member must obtain all appropriate licenses.

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f. The family must not sublease or let the unit.

g. The family must not assign the lease or transfer the unit.

8. Absence from the Unit

The family must supply any information or certification requested by the CHA to verify that the family is living in the unit, or relating to family absence from the unit, including any CHA requested information or certification on the purposes of family absences. The family must cooperate with the CHA for this purpose. The family must promptly notify the CHA of its absence from the unit.

Absence means that no member of the family is residing in the unit. The family may be absent from the unit for up to thirty (30) calendar days. The family must request permission from CHA for absences exceeding thirty (30) calendar days. The CHA will make a determination within ten (10) business days of the request. An authorized absence may not exceed 180 calendar days. Any family absent for more than thirty (30) calendar days without authorization will be terminated from the program.

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Authorized absences may include, but are not limited to:

a. Prolonged hospitalization

b. Absences beyond the control of the family (i.e., death in the family, other family member illness)

c. Other absences that are deemed necessary by the CHA

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9. Interest in the Unit

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The family may not own or have any interest in the unit (except for owners of manufactured housing renting the manufactured home space or people using a housing choice voucher to purchase a home).

10. Fraud and Other Program Violation

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The members of the family must not commit fraud, bribery, or any other corrupt or criminal act in connection with the program.

11. Crime by Household Members

The members of the household may not engage in drug-related criminal activity or other 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.

12. Other Housing Assistance

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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.

13. Alcohol and/or Drug Abuse by Household Members

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The members of the household must not abuse alcohol and/or drugs in a way that threatens the health, safety or right to peaceful enjoyment of other residents and/or persons residing in the immediate vicinity of the premises.

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MOVES WITH CONTINUED ASSISTANCE/PORTABILITY

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HUD regulations permit families to move with continued assistance to another unit within the CHA's jurisdiction or to a unit outside of the CHA's jurisdiction under Portability procedures. The regulations also allow CHA the discretion to develop policies which define any limitations or restrictions on moves. This Part defines the procedures for moves, both within and outside of, CHA's jurisdiction and the policies for restriction and limitations on moves.

A. ALLOWABLE MOVES

A family may move to a new unit if:

- The assisted lease for the old unit has terminated because CHA has terminated the HAP contract for owner breach, or the lease was terminated by mutual agreement of the owner and the family.
- Family is in compliance with CHA and Owner at time of move. Owner must provide CHA written documentation indicating that resident is in good standing at that point in time.
- The family has given proper notice of lease termination (if the family has a right to terminate the lease with notice to the owner) and CHA has received notification from the family that the landlord was properly notified of their intent to vacate.

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B. RESTRICTIONS ON MOVES [24 CFR 982.314, 982.552]

Families will not be permitted to move outside CHA's jurisdiction under portability procedures during the initial year of assisted occupancy. A disabled family, however, shall not be subject to the one year residency requirement provided they show documentation of their inability to find a unit that can accommodate their disability.

CHA may deny permission to move if:

- The family has violated a family obligation.
- The family owes CHA money.
- The family has moved within the last 12 months.
- The families move to a higher cost area or unit.

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The Executive Director or designee may make exceptions to these restrictions if there is an emergency need for the move over which the participant has no control.

C. PORTABILITY [24 CFR 982.353]

Portability applies to families moving into or out of CHA's jurisdiction. Under portability, families are eligible to receive assistance to lease a unit outside of CHA's jurisdiction. The unit may be located in the jurisdiction of a PHA anywhere within the United States that administers a tenant-based program.

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Outgoing Portability [24 CFR 982.353, 982.354, 982.355]

When a family requests to move outside of CHA's jurisdiction, the request must specify the area to which the family wants to move.

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If there is more than one PHA in the area in which the family has selected a unit, CHA will choose the receiving PHA.

Restrictions on Portability

Families will not be permitted to exercise portability under the following circumstances:

- During the initial 12-month period after admission to the program, neither the head of household or spouse of an assisted family **NOT** already having a "domicile" (legal residence) in the jurisdiction of the initial housing authority at the time when the family first submitted an application for participation in the program to the initial housing authority. The exception is for a disabled family meeting HUD requirements for portability with less than one year residency.
- If the family is in violation of a family obligation.
- If the family owes money to CHA.
- The Payment Standard for the receiving HA exceeds CHA's Payment Standard
- The cost of the HAP is expected to exceed the most current HAP cost.

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Absorption or Administration

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CHA will accept a family with a valid Voucher from another jurisdiction and decide whether to administer or absorb the Voucher.

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CHA will not redetermine income eligibility for continuously assisted portable families.

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All of CHA's administrative policies apply to incoming portable families.

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PART 18:
DENIAL OR TERMINATION OF ASSISTANCE
TO APPLICANTS AND PARTICIPANTS

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Part 15: Denial or Termination of Assistance to Applicants and Participants¶

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CHA may deny or terminate assistance for a family because of the family's action or failure to act. CHA will provide families with a written description of the family obligations under the program, the grounds under which CHA can deny or terminate assistance, and CHA's informal Hearing procedures. This part describes when CHA is required to deny or terminate assistance and CHA'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 982.552, 982.553]

If denial or termination is based upon behavior resulting from a disability, CHA will delay the denial or termination in order to determine if there is an accommodation that would mitigate the behavior resulting from the disability.

CHA will deny assistance to applicants and terminate assistance for participants if:

- Any member of the family fails to sign and submit to HUD or CHA required consent forms for obtaining information.
- No member of the family is a U.S. citizen or eligible immigrant.
- The family is under contract and one hundred eighty (180) days have elapsed since CHA's last housing assistance payment was made.
- The family is evicted from assisted housing under the program for serious violation of the lease.
- The family was evicted from public housing for use, sale or manufacture of illegal drugs or violent criminal activity within the past five (5) years (see detailed description below).
- Any member of the household has been convicted of a felony within five (5) years of projected date of admission, is on probation or satisfied the terms of probation less than twelve (12) months ago, or has repetitively been convicted of crimes.
- Any member of the family manufacturing or producing methamphetamine on the premises of the assisted dwelling and any convictions for the manufacturing or producing of methamphetamine.
- Any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other tenants.
- Any adult member of the household is currently on probation and has pending or postponed cases.
- Any member of the household is currently on probation for more than 12 months for an adjudicated case.

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- Any criminal activity that threatens the health, safety, or right to peaceful enjoyment of their residences by persons residing in the immediate vicinity of the premises.
- Any violent criminal activity on or off the premises.
- Drug-related criminal activity on or off the premises. “Drug-related criminal activity” shall mean the illegal manufacture, sale, distribution, use or possession with the 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.
- Alcohol abuse (or pattern of abuse) that may interfere with the health, safety or right to peaceful enjoyment of other tenants.
- Any member of household is registered under a State Sex Offender/Predator registration program.
- Fugitive felon or felon parole violator.

• Any member of household verbally or physically harasses and/or abuses CHA employees or its representatives.

• Any member of the household fails to report conviction of any criminal activity.

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If CHA determines that the tenant, any member of the tenant’s household, or any guest or other person under the tenant’s control has engaged in the aforementioned activity, regardless of whether the person has been arrested or convicted for such activity, participation in the program will be terminated.

Grounds for Denial or Termination of Assistance [24 CFR 982.552]

CHAmay at any time deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following reasons:

- The family violates any family obligation under the program as listed in 24 CFR 982.551.
- Any member of the family has ever been evicted from public housing in the past five (5) years.
- The family currently owes rent or other amounts to CHA or to another PHA in connection with Section 8 or public housing assistance or is in arrears of reimbursement due the CHA.
- The family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family.
- The family breaches an agreement with CHA to pay amounts owed to CHA, or amounts paid to an owner by CHA on behalf of the family.
- The family has engaged in or threatened abusive or violent behavior toward CHA personnel.

“Abusive or violent behavior towards CHA 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.

CHA may also deny the request of a participating family to add a household member if that person is found to be ineligible for assistance after a review against the above criteria.

Housing Authority Discretion

In deciding whether to deny or terminate assistance for any of the reasons listed above, CHA has discretion to consider all of the circumstances in each case, including the seriousness of the case, the extent of participation or culpability of individual family members, and the length of time since the violation occurred. It may also review the family’s more recent record of compliance and consider the effects of denial or termination of assistance on other family members who were not involved in the action or failure to act.

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

Explanations and Terms

Enforcing Family Obligations

HQS Breach: The Housing Counselor will determine if an HQS breach is the responsibility of the family as defined by HUD regulation. Families may be given extensions of time to cure HQS breaches by the Housing Counselor.

Lease Violations: The following criteria will be used to decide if a serious or repeated violation of the lease will cause a 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 the lease for serious or repeated lease violations, and the family moves from the unit prior to the completion of court action, and CHA determines that the cause is a serious or repeated violation of the lease based on available evidence.
- If there are police reports, neighborhood complaints or other third party information, and CHA has verified the information.

Notification of Eviction: If the family requests to move but did not notify CHA of an eviction within ten (10) calendar days of receiving the Notice of Lease Termination, the move will be denied.

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Limitation on Profit-Making Activity in Unit: CHA may prohibit use of a dwelling unit for profit-making activity if it determines that the use of the unit as a business is not incidental to its use as a

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dwelling unit, or the business activity results in the inability of the family to use any of the critical living areas, such as a bedroom, or if CHA determines the business is not legal.

Interest in Unit: The owner may not reside in the assisted unit regardless of whether the owner is a member of the assisted family, unless the family owns the mobile home and rents the pad under the Voucher Program.

Drug-related or Violent Criminal Activity

Drug-related criminal activity is the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use a controlled substance *on or off the* premises.

Violent criminal activity includes any criminal activity engaged in by any family member that has as one of its elements the use, attempted use, or threatened use of physical force against a person or property.

Ineligibility if Evicted for Drug-Related Activity

Persons evicted from public housing, Indian housing, Section 23, or any Section 8 program because of drug-related criminal activity are ineligible for admission to Section 8 programs for a three-year period beginning on the date of such eviction. CHA may waive this requirement if the circumstances leading to the eviction no longer exist. For example, the individual involved in drugs is no longer in the household because the person is incarcerated.

If the family violates program rules prohibiting drug-related or violent criminal activity, CHA will terminate assistance.

Screening Out Illegal Drug Users and Alcohol Abusers

CHA will deny participation in the program to applicants in cases where it determines that there is reasonable cause to believe that the person is illegally using a controlled substance or abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. This includes cases where CHA determines that there is a *pattern* of illegal use of a controlled substance, or *pattern* of alcohol abuse.

CHA will consider the use of a controlled substance or alcohol to be a *pattern* if there is more than one (1) incident during the previous twelve (12) months.

Confidentiality of Criminal Records

To the extent allowable by the Public Records Law, as may be amended, CHA will ensure that any criminal record received is maintained confidentially, not misused or improperly disseminated.

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.

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CHA may pursue fact-finding efforts as needed to obtain credible evidence.

Notice of Termination of Assistance

In any case where CHA decides to terminate assistance to the family, CHA must give the family written notice which states:

- Reason(s) for the proposed termination.
- Effective date of the proposed termination.
- Family's right, if they disagree, to request an informal review or informal Hearing to be held before termination of assistance (informal reviews are conducted prior to informal Hearings).
- Date by which a request for an informal review or informal Hearing (informal reviews are conducted prior to informal Hearings) must be received by CHA.

CHA 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.

B. PROCEDURES FOR NON-CITIZENS [24 CFR 5.514, 5.516, 5.518]

Termination Due to Ineligible Immigrant Status

Participant families in which all members are neither U.S. citizens nor eligible immigrants must have their assistance terminated. They must be given an opportunity for an Informal Hearing.

Assistance may not be terminated while verification of the participant family's eligible immigration status is pending.

False or Incomplete Information

When CHA 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, CHA may give him/her an opportunity to provide a new declaration as an eligible immigrant or to elect not to contend their status. CHA will then verify eligible status, deny, terminate, or prorata as applicable.

CHA will deny or terminate assistance based on the submission of false information or misrepresentations.

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 an Informal Hearing with CHA either after the INS appeal or in lieu of the INS appeal.

After CHA 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).

C. OPTION NOT TO TERMINATE FOR MISREPRESENTATION [24 CFR 982.551, 982.552]

If the family has misrepresented any facts that caused CHA to overpay assistance, CHA 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 CHA in full.

D. MISREPRESENTATION IN COLLUSION WITH OWNER [24 CFR 982.551, 982.552]

If the family willingly and knowingly commits fraud or is involved in any other illegal scheme with the owner, CHA may deny or terminate assistance. In making this determination, CHA will carefully consider the possibility of overt or implied intimidation of the family by the owner and the family's understanding of the events.

PART 19: OWNER OR FAMILY DEBTS TO CHA

This Part describes CHA's policies for the recovery of monies that 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 CHA'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.

When families or owners owe money to CHA, CHA will make every effort to collect it. CHA will use a variety of collection tools to recover debts including, but not limited to:

- Requests for lump sum payments
- Repayment agreements
- Reductions in payments for other units
- Reporting debt to credit bureaus
- Reporting debt due to fraud to local law enforcement
- Reporting debt due to other PHA's.

A. DEBTS DUE TO FRAUD/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 CHA due to program fraud or the family's failure to report increases in income will be **responsible to repay the debt and will be terminated from the program.**

Program Fraud

If a family owes an amount that equals or exceeds \$10,000 as a result of program fraud, the case will be referred to the Inspector General. Where appropriate, CHA will refer the case for criminal prosecution.

B. OWNER DEBTS TO CHA

If CHA determines that the owner has retained HAP to which he is not entitled, CHA may reclaim the amounts from future HAP owed the owner for any units under contract.

If future HAPs are insufficient to reclaim the amounts owed, CHA will:

- Require the owner to pay the amount in full within sixty (60) days or enter into a Repayment Agreement for the amount owed.

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A repayment agreement is a document entered into between CHA and a person who owes a debt to CHA. Participants must pay one-half (1/2) of the debt owed up front, and the balance is to be paid in monthly payments.¶

The minimum monthly amount of payment for any repayment agreement is ten dollars (\$10.00) or ten percent (10%) of the debt, whichever is less.¶

CHA will not enter into a repayment agreement if a previously executed repayment agreement already exists for a prior debt¶

Late Payments¶

If the family's repayment agreement is in arrears, CHA may:¶
<#>Require the family to pay the balance in full.¶

<#>Terminate the housing assistance.¶
<#>Grant an extension time of thirty (30) days to pay. ¶ ... [14]

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- Pursue collections through the local court system.
- Restrict the owner from future participation.
- Report the debt to a credit bureau.

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PART 20: COMPLAINTS AND APPEALS

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The Informal Hearing requirements defined in HUD regulations are applicable to participating families who disagree with an action, decision, or inaction on the part of CHA. This Part describes the policies, procedures and standards to be used when families disagree with a CHA decision. The procedures and requirements are explained for Informal Reviews and Informal Hearings. It is the policy of CHA to ensure that all families have the benefit of all protections due to them under the law. A copy of the procedures for an Informal Review and Informal Hearing will be provided by CHA in the family briefing packet.

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A. COMPLAINTS TO CHA

CHA will respond promptly to complaints from families, owners, employees, and members of the public. All complaints will be documented. CHA requires that complaints be put in writing.

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The categories of complaints are:

- The family disagrees with an action or inaction of CHA or owner. These complaints will be referred to their Housing Counselor.
- The owner disagrees with an action or inaction of CHA or a family. These complaints will be referred to the appropriate Housing Counselor.
- General public or persons in the community regarding Section 8, a family or an owner. These complaints will be referred to the Housing Counselors or Supervisor.
- The family disagrees with an action or inaction of a Housing Counselor. These complaints will be referred to another Housing Counselor not involved in the initial determination.

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B. INFORMAL REVIEW PROCEDURES FOR APPLICANTS [24 CFR 982.54, 982.554]

CHA will give an applicant at least ten (10) business days written notice of a decision denying assistance.

Informal 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 citizen or eligible immigrant status, the applicant is entitled to an Informal Hearing.

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When CHA determines that an applicant is ineligible for the program, the family will be notified of their ineligibility in writing. The notice will include:

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- Reason(s) they are ineligible.
- Procedure for requesting an informal review if the applicant does not agree with the decision.

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- Time limit for requesting an informal review.

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Part 17: Complaints and Appeals¶
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CHA will provide applicants with the opportunity for an Informal Review of decisions denying the following:

- Placement on CHA's Waiting List.
- Issuance of a Voucher.
- Participation in the program.

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Informal Reviews will not be conducted for established policies and procedures and CHA determinations such as:

- Discretionary administrative determinations by CHA.
- General policy issues or class grievances.
- Determination of the family unit size under CHA subsidy standards.
- Refusal to extend or suspend a Voucher.
- Disapproval of lease.
- Determination that unit is not in compliance with HQS.
- Determination that unit is not in accordance with HQS due to family size or composition.

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Procedure for Informal Review

A participant may request an Informal Review by contacting the Compliance Department in writing.

The informal review may not be solely conducted by the person who made or approved the decision under review, nor a subordinate of such person. The Informal Review will be conducted by a Housing Counselor and an additional CHA representative.

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The applicant will be given the option of presenting oral or written objections to the decision. Both CHA 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 Informal Review may be conducted by mail and/or telephone if acceptable to both parties.

A Notice of the Informal Review findings will be provided in writing to the applicant within ten (10) business days of the presentation. It shall include the decision of the reviewing representative and an explanation of the reasons for the decision and the right to an Informal Hearing, if applicable.

All requests for an Informal Review, supporting documentation, and a copy of the final decision will be retained in the family's file.

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C. **INFORMAL HEARING PROCEDURES [24 CFR 982.555, 982.54]**

CHA will provide a copy of the appeal procedures in the family’s briefing packet. When CHA makes a decision regarding the eligibility and/or the amount of assistance, applicants and participants will be notified in writing. CHA will give the family prompt notice of such determinations, which will include:

- Proposed action or decision of CHA.
- Date the proposed action or decision will take place.
- Family’s right to an explanation of the basis for CHA’s decision.
- Procedures for requesting an Informal Hearing, if the family disputes the action or decision.
- Time limit for requesting the Informal Hearing.

CHA must provide participants with the opportunity for an Informal Hearing for decisions related to any of the following CHA determinations:

- Family’s annual or adjusted income and the HAP.
- Appropriate utility allowance used from schedule.
- Family unit size under CHA subsidy standards.
- Program family is under occupied in current unit and a request for exception to subsidy standards is denied.
- Termination of a participant family because of the family’s action or failure to act.
- Termination of a family’s Family Self-Sufficiency (FSS) Contract, withholding supportive services, or proposing forfeiture of the family’s escrow account.
- Participant family’s absence from unit for thirty (30) calendar days.

CHA must always provide the opportunity for an Informal Hearing before termination of assistance.

Informal Hearings will not be conducted for established policies and procedures and CHA determinations such as:

- Discretionary administrative determinations by CHA.
- General policy issues or class grievances.
- Establishment of CHA schedule of utility allowances for families in the program.
- CHA determination not to approve an extension or suspension of Voucher term.
- Disapproval of unit or lease.

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- Unit is not in compliance with HQS (CHA must provide Informal Hearing for family breach of HQS because that is a family obligation determination).
- Unit is not in accordance with HQS because of the family size.
- Determination to exercise or not to exercise any right or remedy against the owner under a HAP contract.

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Notification of Informal Hearing

It is CHA'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, CHA will ensure that applicants and participants will receive all of the protections and rights afforded by the law and the regulations.

When CHA receives a request for an Informal Hearing, an Informal Hearing shall be scheduled within ten (10) business days of request. The notification of Informal Hearing, which shall be made in writing and forwarded by U. S. mail, will contain:

- Date and time of the Informal Hearing.
- Location where the Informal Hearing will be held.
- Family's right to bring evidence, witnesses, legal or other representation at the family's expense.
- Right to view any documents or evidence in the possession of CHA and upon which CHA based the proposed action and, at the family's expense, to obtain a copy of such documents prior to the Informal Hearing. Requests for such documents or evidence must be received in writing no later than two (2) days before the Informal Hearing date.
- Notice to the family that CHA will request a list of witnesses, legal or other representation prior to the Informal Hearing date. CHA will also request a copy of any documents or evidence the family will use at the Hearing.

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Informal Hearing Procedures

If a family does not appear at a scheduled Informal Hearing and has not rescheduled the Informal Hearing in advance, the family must contact CHA within twenty-four (24) hours, excluding weekends and holidays. CHA will reschedule the Informal Hearing only if the family can show good cause for the failure to appear.

Families have the right to:

- Present written or oral objections to CHA's determination.
- Examine the documents in the file, which are the basis for CHA's action and all documents submitted to the Hearing Officer. In no case will the family be allowed to remove the file from the CHA's office.

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- Copy any relevant documents at their expense.
- Present any information or witnesses pertinent to the issue of the Hearing.
- Request that CHA staff be available or present at the Hearing to answer questions pertinent to the case.
- Be represented by legal counsel, advocate, or other designated representative at their own expense.

If the family requests copies of documents relevant to the Informal Hearing, CHA will make the copies for the family and assess a charge of five cents per copy.

In addition, CHA has a right to:

- Present evidence and any information pertinent to the issue of the Informal Hearing.
- Be notified if the family intends to be represented by legal counsel, advocate, or another party.
- Examine and copy any documents to be used by the family prior to the Hearing.
- Have its attorney present.
- Have staff persons and other witnesses familiar with the case present.

The Informal Hearing shall be conducted by the Director of General Services (or designee) who is neither the person who made nor approved the decision, nor a subordinate of that person.

The Informal Hearing shall concern only the issues for which the family has received the opportunity for Informal Hearing. Evidence presented at the Informal 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 Informal Hearing if requested by the other party. "Documents" include records and regulations.

The Hearing Officer may ask the family for additional information and/or might adjourn the Informal Hearing in order to reconvene at a later date, before reaching a decision. The Hearing Officer will determine whether the action, inaction or decision of CHA is legal in accordance with HUD regulations and this administrative plan based upon the evidence and testimony provided at the Informal Hearing. Factual determinations relating to the individual circumstances of the family will be based on a preponderance of the evidence presented at the Hearing.

A notice of the Informal Hearing findings shall be provided in writing to CHA and the family promptly and shall include:

- A clear summary of the decision and reasons for the decision.

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- If the decision involves money owed, the amount owed.
- The date the decision is effective.

CHA is not bound by Informal Hearing decisions which:

- Concern matters in which CHA is not required to provide an opportunity for an Informal Hearing.
- Conflict with or contradict HUD regulations or requirements.
- Conflict with or contradict Federal, State or local laws.
- Exceed the authority of the person conducting the Informal Hearing.

CHA shall send a letter to the participant if it determines the CHA is not bound by the Hearing Officer's determination within ten (10) business days. The letter shall include CHA'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.

CHA is not required to afford program participants or applicants an Informal Review, Informal Hearing, or any type of grievance or appeal for the following:

1. Activity that threatens the health, safety or peaceful enjoyment of any persons residing in immediate vicinity, CHA's employees, representatives, contractors, agents, law enforcement officials, and/or public.
2. Drug-related criminal activity on or off rented property, by program participant/tenant, members of program participant's household or guests. Drug-related criminal activity shall mean 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)]; and alcohol abuse which CHA has determined interferes with the health, safety or peaceful enjoyment of property by persons residing in immediate vicinity, CHA's employees, representatives, contractors, agents, law enforcement officials, and/or public.

CHA has adopted a "One Strike" or "Zero Tolerance" policy with respect to these types of serious violations (listed as 1 and 2 above) as required by Federal Law and/or regulation. Terminations which result from these types of serious violations are civil in nature, not criminal, and arrest and/or conviction for persons accused of these types of serious violations are not necessary as conditions to terminate. Any applicable State laws to the contrary, whether current or promulgated in the future, are preempted by applicable Federal law and/or regulation.

D. 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.

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Assistance to a family may not be terminated or denied while the CHA Informal Hearing is pending, but assistance to an applicant may be delayed pending the CHA Informal Hearing.

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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, CHA must notify the applicant or participant within ten (10) **business** days of their right to appeal to the INS within thirty (30) **calendar** days or to request an Informal Hearing with CHA either in lieu of or subsequent to the INS appeal.

If the family appeals to the INS, they must give CHA a copy of the appeal and proof of mailing, or CHA may proceed to deny or terminate. The time period to request an appeal may be extended by the CHA for good cause.

The request for a CHA Informal Hearing must be made within fourteen (14) days of receipt of the notice offering the Informal Hearing or, if an appeal was made to the INS, within fourteen (14) days of receipt of that notice.

After receipt of a request for an Informal Hearing, the Informal Hearing is conducted as described in Section C of this Chapter for both applicants and participants. If the Hearing Officer decides that the individual is not eligible, and there are no other eligible family members, CHA will:

- Deny the applicant family.
- Terminate the participant if the family does not qualify for deferral.

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If there are eligible members in the family, CHA will offer to prorate assistance or give the family the option to remove the ineligible members.

All Other Complaints Related to Eligible Citizen/Immigrant Status

If any family member fails to provide documentation or certification as required by the regulation, that member is treated as ineligible. If all family members fail to provide required documentation, 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 an Informal Hearing prior to the termination.

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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 Informal Hearing rights describes above) are entitled to an Informal Hearing based on the right to an Informal Hearing regarding determinations of Tenant Rent and TTP.

Families denied or terminated for fraud in connection with the non-citizens rule are entitled to an Informal Review or Informal Hearing in the same way as terminations for any other type of fraud.

E. MITIGATING CIRCUMSTANCES FOR APPLICANTS/PARTICIPANTS WITH DISABILITIES [24 CFR 982.204, 982.552]

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When applicants are denied placement on the Waiting List or CHA is terminating assistance to participants, the family will be informed that presence of a disability may be considered as a mitigating circumstance during the Informal Review process.

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PART 21:
**CONDUCTING BUSINESS IN ACCORDANCE WITH
CORE VALUES AND ETHICAL STANDARDS**

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**Part 19: Cooperating with Law
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A. PURPOSE

This Code of Conduct establishes standards for employee and Commissioner conduct that will assure the highest level of public service. Recognizing that compliance with any ethical standards rests primarily on personal integrity and specifically in this situation with the integrity of the employees and Commissioners of the Clearwater Housing Authority (CHA), this Section sets forth those acts or omissions of acts that could be deemed injurious to the general mission of the Authority.

This Code of Conduct is not intended, nor should it be construed, as an attempt to unreasonably intrude upon the individual employee or Commissioner's right to privacy and the right to participate freely in a democratic society and economy.

B. CONFLICT OF INTEREST

In accordance with 24 CFR 982.161, neither the CHA nor any of its contractors or subcontractors may enter into any contract or arrangement in connection with the tenant-based programs in which any of the following classes of persons has any interest, direct or indirect, during his or her tenure with the CHA or for one year thereafter:

1. Any present or former member or officer of the Housing Authority (except a participant commissioner);
2. Any employee of the Housing Authority or any contractor, subcontractor or agent of the Housing Authority who formulates policy or who influences decisions with respect to the programs;
3. Any public official, member of a governing body, or State or Local legislator who exercises functions or responsibilities with respect to the CHA programs; or
4. Any member of the Congress of the United States.

Any member of the classes described in 1, 2, 3, or 4 must disclose their interest or prospective interest to the Housing Authority and HUD.

The Conflict of Interest prohibition under this section (B) may be waived by the HUD Field Office upon the request of the CHA for good cause.

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C. PROHIBITION OF SOLICITATION OR ACCEPTANCE OF GIFTS

No Commissioner or Authority employee shall solicit any gift or consideration of any kind, nor shall any Authority employee accept or receive a gift regardless of the form of the gift, from any person who has an interest in any matter proposed or pending before the Authority, if the same could reasonably be expected to influence the opinion or judgment of such commissioner or employee in connection with the performance of official duties.

D. HOUSING AUTHORITY ADMINISTRATIVE AND DISCIPLINARY REMEDIES FOR VIOLATION OF THE HOUSING AUTHORITY CODE OF CONDUCT

Violations of this Code of Conduct Policy will result in disciplinary action as outlined in the CHA's Personnel Policy or as determined by action of the Board of Commissioners.

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PART 22:
COOPERATING WITH LAW ENFORCEMENT AGENCIES

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The Clearwater Housing Authority will comply, on a case by-case basis, with information requests from Federal, State or local law enforcement officers regarding possible fugitive felons and/or parole or probation violators. The Clearwater Housing Authority will supply upon legitimate request the current address, Social Security number and photograph (if available) of any recipient of assistance.

The Federal, State or local enforcement officer must submit a request that is written, on law enforcement agency letterhead, and is signed by the requesting officer and his or her immediate supervisor. The request for information must provide the name of the fugitive felon and/or parole or probation violator being sought, and may include other personal information used for identification. The request should also comply with the following requirements:

- A. The law enforcement agency shall notify Clearwater Housing Authority that the fugitive felon and/or parole or probation violator is fleeing to avoid prosecution, custody or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or which, in the case of the State of New Jersey, is a high misdemeanor; or is violating a condition of probation or parole imposed under Federal or State law; or has information that is necessary for the officer to conduct his/her official duties;
- B. The location or apprehension of the recipient is within the Clearwater Housing Authority's official duties; and,
- C. The request is made in the proper exercise of the law enforcement agency's official duties.

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SECTION 8 CHOICE VOUCHER ADMINISTRATIVE PLAN

ADDENDUM: Procedures for Family Self-Sufficiency (FSS)

A. Statement of Overall Approach and Objectives in Administering the Section 8 Choice Voucher FSS:

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This program will be administered in accordance with all approved Section 8 Choice Voucher Regulations, the Clearwater Housing Authority (CHA) Section 8 Choice Voucher Administrative Plan and the FSS Program Guidelines.

B. Plans for Administration of Program Functions:

1. Outreach:

FSS will be offered to all Section 8 Choice Voucher holders, on a first come, first served basis. If all FSS slots are filled, a Waiting List will be developed, based on a date/time stamp of the FSS pre-applications. The following are methods by which the FSS program select participants:

- FSS Program information will be made available in the reception area of the CHA Central Offices 908 Cleveland Street, Clearwater, Florida. The FSS pre-application information will be attached to the CHA housing application. If a prospective housing candidate requests a pre-application, completes it, and returns the FSS pre-application with the CHA housing application, FSS will be notified and will contact them and approve the FSS pre-application.
- FSS staff will be notified by CHA Housing Counselors as to the scheduled date of Section 8 Choice Voucher briefings. At that time, either FSS staff or the CHA Housing Counselor will explain the program, show a short video, and have prospective enrollees fill out a pre-application, which will be date/time stamped. FSS staff will also closely network and partner with CHA Housing Counselors on an ongoing basis to assure that referrals are being made for all Section 8 Choice Voucher clients who express an interest in the FSS or ROSS program or who could benefit from either program.
- FSS has an active Management Advisory Committee (MAC). The MAC meets quarterly at the FSS offices, is chaired by the Pinellas County Social Services Director, and is comprised of over thirty (30) representatives from local and state social service agencies, educational representatives, and representatives from the FSS Program. Through this network of FSS partners and other program networking means, the availability of FSS slots will be made known to MAC's representative service agencies that serve CHA Section 8 Choice Voucher housing clients.

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Note: Elderly and handicapped applications will not be excluded from outreach or consideration.

2. Completion of Applications, Determination of Eligibility and Selection of Participants:

An FSS application will be completed, after a pre-application has been received and an initial interview has taken place. Upon acceptance into the program, the enrollee will sign their five-

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year COP for the FSS program. An Individual Training and Service Plan (ITSP) will then be developed. This ITSP will set out their five-year plan or three-year plan based on a final goal and the interim goals they will need to achieve in order to meet their final goal. There will be completion dates for each interim goal. The ITSP will be signed by the participant, the FSS Program Director, and the CHA Executive Director. The participant will receive a copy of their completed COP, ITSP, and the FSS Program Policies and Procedures. Their first scheduled appointment date will be set at this time.

3. Rejection of an Applicant:

An applicant will not be accepted as an FSS participant under the following guidelines:

- a. Applicant's income does not fall within the established HUD income limits.
- b. Applicant was a past participant in the Section 8 Choice Voucher program, or a former public housing resident who had failed to satisfy liability for unpaid rent or tenant damage.
- c. Applicant has committed fraud in a Federal Housing Assistance Program or violated family obligations under the Section 8 Choice Voucher program.
- d. Applicant has a felonious history in the manufacture, sale or distribution of or the possession with intent to sell or distribute a controlled substance.
- e. Applicant has a violent criminal history and has used or threatened to use physical force against the person or property of another.
- f. Applicant has failed to respond after repeated and reasonable efforts by the Housing Authority to contact the applicant.
- g. Applicant has been previously enrolled in the CHA FSS/ROSS/EDSS or FIC program.

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4. Required Verifications and Documentation of Application Data:

This function will be handled in the same manner as the Section 8 Choice Voucher Administrative Plan.

Note: Any false information on the FSS pre-application and application is grounds to reject an applicant from the FSS Program.

5. Briefing of Families and Issuance of the Voucher:

This function will be handled in the same manner as outlined in the Section 8 Choice Voucher Administrative Plan.

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6. Review of Family Circumstances, Rents, Utilities and Housing Quality Standards:

This function will be handled in the same manner as described in the Section 8 Choice Voucher Administrative Plan.

7. Re-Examination Policy:

This function will be handled in the same manner as described in the Section 8 Choice Voucher Administrative Plan.

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8. Terminations:

This function will be handled in the same manner as described in the Section 8 Choice Voucher Administrative Plan with the exception of the escrow account and non-compliance of the FSS COP.

a. Escrow Accounts: The FSS escrow accounts will allow CHA to escrow funds for the participant when the participant begins receiving earned income or at any time there is an increase in earned income. The participant will pay rent to the owners in accordance with the normal Section 8 Choice Voucher procedures and CHA will make payment to the owner in the prescribed manner. CHA will escrow 50% of the approximate difference (based on the result of HUD Escrow Calculation Worksheet) between what the family initially paid in rent, on entrance into the FSS Program, and the rent they pay with the adjustment of earned income.

The escrow account will be paid to the family (minus any deductions for tenant damage, vacancy loss, or outstanding loans) only when the family has met its obligations under the COP and has obtained a clearance letter from the landlord. This includes having terminated the Section 8 Choice Voucher housing program by the end of the fifth year of the COP, having met the final and interim goals of their ITSP and when certification is received by the Executive Director of CHA stating that no family members have received cash assistance from Temporary Aid to Needy Families (TANF) for the previous twelve 12 months. Once the COP has expired, Section 8 Choice Voucher rental assistance will terminate.

Once a family receives the escrow account balance, they cannot reapply for housing assistance for two (2) years. CHA will advise other local PHA's of those families who have withdrawn their escrow account balance.

Any negative termination from the CHA Section 8 Choice Voucher housing program will automatically terminate the FSS client's participation in the FSS program. Their termination will also be counted as negative and if there is an escrow balance, it will be forfeited. The Section 8 Choice Voucher Housing Counselor will notify the FSS Department of a negative termination as soon as possible.

An FSS participant who voluntarily leaves the Section 8 Choice Voucher program and has not completed their COP will also forfeit any accrued escrow. If the client is later reinstated into Section 8 Choice Voucher housing, they will no longer be eligible for FSS participation.

9. Non-Compliance of Contract of Participation: A family participating in the FSS program ONLY will be terminated from the Section 8 Choice Voucher program in the event that the family fails to meet the interim and final goals, as stated on their ITSP, with several exceptions. These exceptions are: unforeseen circumstances, such as verifiable severe emotional or health problems; serious family problems; and/or legitimate barriers which prevent the family from achieving their interim and final goals. In the event this happens, the COP will be made null and void, and the family will retain their Section 8 Choice Voucher Housing assistance. The transfer back to the Section 8 Choice Voucher program will need written approval of the Director of the FSS program and the Executive Director of CHA, specifying the exact nature of the barriers to self-sufficiency.

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Any participant found to be in non-compliance of their COP will be entitled to an appeal process, as outlined in the FSS Policies and Procedures given to all participants at the time of entry into the program.

10. Portability:

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Portability will be discussed and handled in the same manner as described in the Section 8 Choice Voucher Administrative Plan

Escrow accounts will not be paid if tenant does not complete their COP with the receiving Housing Authority . The client will be eligible to collect escrow accounts upon completion of the COP, landlord clearance and termination from the Section 8 Housing Choice Voucher Program.

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ADDENDUM: THE PROJECT BASED VOUCHER PROGRAM

In establishing the owner selection criteria for Project Based Assistance, the CHA evaluates the needs of the prospective applicants and follows all established HUD regulations and guidelines.

Top priority will be given to projects that meet the following criteria:

1. Number of units compared to need.
2. Extent of rehabilitation needed.
3. Number of tenants in occupancy who would qualify for Section 8 rental assistance.
4. Project financial feasibility and owner commitment of financing for the rehabilitation.
5. Proximity of project to a daycare facility.
6. Proximity of project to an educational facility.
7. Proximity of project to local transportation.
8. All other things being equal, the final selection will be made in order of application admission.

Applicants for Project-Based Assistance – The CHA Waiting List may be given to the owners/manager of project-based units to solicit applications. Also, interested individuals not on the Waiting List may apply for a project-based unit by contacting the owner/manager of project based units in writing and completing an application. All processing of applications will be conducted in the same manner used for all voucher holders. If an applicant qualifies and all paperwork is completed, the applicant will be able to move into the next available unit if it is of the correct bedroom size for the family.

Number of bedrooms will be decided based upon HUD established guidelines, which are listed in the Section 8 Administrative Plan.

Review of Family Circumstances, Rents, Utilities and Housing Quality Standards – This will be handled using the same guidelines as the Section 8 Voucher program.

Re-Examination Policy – This will be handled in the same manner as the Section 8 Voucher program.

Terminations – This will be handled in the same manner as the Section 8 Voucher program once the applicant has received a voucher. Prior to the issuance of a voucher, the applicant can be terminated based on the same policies in place in the Section 8 administrative plan.

Complaints and Appeals – These will be handled in the same manner as for vouchers.

When a project-based contract is terminated with the owner, those families residing in project-based units at time of termination of contract will receive rental assistance. Assistance may be provided in the form of Section 8 Vouchers. Vouchers will be issued if there is assistance available. Available subsidy may be vouchers or conventional housing.

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Part 9: Income, Exclusions from Income, and Deductions from Income Tab 9

Income
Annual Income
Deductions From Annual Income
Receipt of a Letter or Notice from HUD Concerning Income
Cooperating with Welfare Agencies

Part 10: Verification Tab 10

Acceptable Methods of Verification
Types of Verification
Verification of Citizenship or Eligible Noncitizen Status
Verification of Social Security Numbers
Timing of Verification
Frequency of Obtaining Verification
Cooperating with Law Enforcement Agencies

Section 8 Administrative Plan

Table of Contents

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REPAYMENT AGREEMENT FOR FAMILIES [24 CFR 792.103, 982.552 (b)(6-8)]

A repayment agreement is a document entered into between CHA and a person who owes a debt to CHA. Participants must pay one-half (1/2) of the debt owed up front, and the balance is to be paid in monthly payments.

The minimum monthly amount of payment for any repayment agreement is ten dollars (\$10.00) or ten percent (10%) of the debt, whichever is less.

CHA will not enter into a repayment agreement if a previously executed repayment agreement already exists for a prior debt.

Late Payments

If the family's repayment agreement is in arrears, CHA may:

- Require the family to pay the balance in full.
- Terminate the housing assistance.
- Grant an extension time of thirty (30) days to pay.

If the family requests approval to move to another unit and is in arrears on a repayment agreement, the family will be permitted to move only after the payment of the past due amount.

GUIDELINES FOR REPAYMENT AGREEMENTS [24 CFR 982.552(b)(8)]

Repayment agreements will be executed between CHA and the head of household only.

Monthly payments may be decreased in cases of hardship, when requested in advance of the due date by the family, the hardship is verified and the approval of the Executive Director is obtained.

No move will be approved until a debt is paid in full, unless the move is the result of the following causes and the existing repayment agreement is current:

Family size exceeds the HQS maximum occupancy standards.

HAP contract is terminated due to owner non-compliance or opt-out, and owners are reported to a credit rating company.

Natural disaster.

If the family has a repayment agreement in place and incurs an additional debt to CHA, CHA will not enter into another agreement with the family.

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**Community Work Requirement
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[Section 13.0 excerpt taken from CHA Admissions and Continued Occupancy Policy (ACOP)]

13.0 COMMUNITY SERVICE

13.1 ELIGIBILITY

In order to be eligible for continued occupancy, each adult family member must either (1) contribute eight (8) hours per month of community service (not including political activities); (2) participate in an economic self-sufficiency program; or (3) perform eight (8) hours per month of combined activities as previously described unless they are exempt from this requirement.

13.2 EXEMPTIONS

The following adult family members of resident families are exempt from this requirement, as set forth in Section 13.1. (§13.1):

- A. Family members who are 62 years or older;
- B. Family members who are blind or disabled, as defined under 216(I)(1) or 1614 or the Social Security Act [42 U.S.C. 416 (I)(1)] and who certify that because of this disability she or he is unable to comply with the community service requirement;
- C. Family members who are the primary caregiver for someone who is blind or disabled, as set forth in paragraph B above;
- D. Family members engaged in work activity as defined in Section 407 (d) of the Social Security Act, specified below:
 - 1. Unsubsidized employment;
 - 2. Subsidized private-sector employment;
 - 3. Subsidized public-sector employment;
 - 4. Work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available;
 - 5. On-the-job training;

6. Job-search and job-readiness assistance;
 7. Community service programs;
 8. Vocational educational training (not to exceed 12 months with respect to any individual);
 9. Job-skills training directly related to employment;
 10. Education directly related to employment in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency;
 11. Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate of high school equivalency; and
 12. The provision of childcare services to an individual who is participating in a community service program.
- 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; or
- F. Family members receiving assistance, benefits or services under a State program funded under part A title IV of the Social Security Act (such as TANF) or under any other State welfare program, including welfare-to-work and who are in compliance with that program.

13.3 NOTIFICATION OF THE REQUIREMENT

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

Clearwater 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. Clearwater Housing Authority shall verify such claims.

The notification will advise families that their community service obligation begins upon the effective date of their first annual reexamination following Clearwater Housing Authority's re-instatement of the community service requirement as of April 1, 2003. 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. By October 31, 2003 affected residents were to be performing their community service or self-sufficiency requirements.

13.4 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 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).

Clearwater Housing Authority will partner with local agencies in identifying a list of volunteer community service opportunities.

13.5 THE PROCESS

Upon admission, or at the first annual reexamination, and each annual reexamination thereafter, Clearwater 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.

Approved and signed worksheets are to be submitted to the housing manager no later than at the family's annual review. The family members must show eight (8) hours per month of volunteer work.

13.6 NOTIFICATION OF NON-COMPLIANCE WITH COMMUNITY SERVICE REQUIREMENT

Clearwater Housing Authority will notify any family found to be in non-compliance of the following:

- A. The family member(s) has been determined to be in non-compliance;
- B. That the determination is subject to the grievance procedure; and
- C. That non-compliance will result in non-renewal of lease or termination of lease.

13.7 OPPORTUNITY TO CURE

Clearwater 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. It will state the number of hours that the family member is deficient. 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.

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, Clearwater Housing Authority shall take action to terminate the lease unless the noncompliant family member no longer lives in the unit.

13.8 PROHIBITION AGAINST REPLACEMENT OF AGENCY EMPLOYEES

In implementing the service requirement, Clearwater 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.

Clearwater Housing Authority has elected to refrain from inclusion on the list of volunteer community service opportunities circulated to the residents. Clearwater Housing Authority will act merely as the facilitator in the process as stated in §13.5.

Pet Policies
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[Section 17.0 excerpt taken from CHA Admissions and Continued Occupancy Policy (ACOP)]

17.0 PET POLICIES

17.1 EXCLUSIONS

This policy does not apply to animals that are used to assist persons with disabilities. Service animals are allowed in all public housing facilities with no restrictions other than those imposed on all tenants to maintain their units and associated facilities in a decent, safe, and sanitary manner and to refrain from disturbing their neighbors.

17.2 PETS IN PUBLIC HOUSING COMMUNITIES

Clearwater Housing Authority will allow for pet ownership in projects or buildings designated for use by elderly and/or disabled families and in any project or building for which elderly and/or disabled families are given preference. Clearwater Housing Authority also allows for pet ownership in its Public Housing Family communities. Separate policies are in place for the respective complexes as fully described in §14 of the Clearwater Housing Authority Agency Plan.

17.3 APPROVAL

Residents must have the prior approval of the Housing Authority before moving a pet into their unit. Residents must request approval on the Authorization for Pet Ownership Form that must be fully completed before the Housing Authority will approve the request. Clearwater Housing Authority will require to see pet before final approval.

17.4 TYPES AND NUMBER OF PETS – FAMILY COMMUNITIES

Per apartment unit, residents shall be permitted to keep only one (1) dog or cat (which when fully mature, shall not exceed 25 pounds in weight), two (2) birds in cages (cages not to exceed 10 cubic feet), or fish in an aquarium (tank size not to exceed 30 gallons).

Dogs and cats must be spayed or neutered and cats must be declawed (front feet) with a veterinarian report supplied verifying the operation. No pets shall be kept

or raised for commercial purposes.

Any animal deemed to be potentially harmful to the health or safety of others, including attack or fight trained dogs, will not be allowed.

Only one (1) dog or cat per unit is allowed.

17.5 TYPES AND NUMBER OF PETS – ELDERLY COMMUNITIES

Clearwater Housing Authority will allow only domesticated dogs, cats, birds, and fish in aquariums in units. All dogs and cats must be spayed or neutered, and cats must be declawed (front feet).

Only one (1) pet per unit is allowed, and dogs are not permitted beyond the third floor at Barbee Towers.

Any animal deemed to be potentially harmful to the health or safety of others, including attack or fight trained dogs, will not be allowed.

No animals may exceed twenty (20) pounds at full maturity.

17.6 PET DEPOSIT & FEES – FAMILY COMMUNITIES

Each Pet Owner must provide a Pet Deposit in an amount of \$200 for a dog or cat. This amount shall be periodically revised by Management if necessary, but shall not exceed \$300. The Pet Deposit must be paid prior to a pet being brought into the apartment. A non-refundable pet fee of \$50 shall be payable annually. In addition, should damage done to the apartment by pet be in excess of the Pet Deposit, cost of such damage shall be borne by the resident. Any balance of deposit shall be refunded to the resident within thirty (30) days of move out.

17.7 PET DEPOSIT & FEES – ELDERLY COMMUNITIES

A pet deposit of \$100 is required at the time of registering a dog or cat. The deposit is refundable when the pet or the family vacate the unit, less any amounts owed due to damage beyond normal wear and tear. Any balance of deposit shall be refunded to the resident within thirty (30) days of move out.

17.8 INOCULATIONS

All pets must be registered with the Housing Manager prior to being brought on the premises. Pets must have all County and City Licenses and records of vaccinations and inoculations. These will be renewed annually and a copy kept in the resident's file.

17.9 INSURANCE

Insurance for pets is highly recommended for liability purposes. Proof of insurance may be provided to the Housing Manager in order for a pet to be approved. If required, this insurance must be kept current and will be verified at least annually during reexamination.

17.10 FINANCIAL OBLIGATION OF RESIDENTS

Any resident who owns or keeps a pet in their dwelling unit will be required to pay for any damages caused by the pet. Also, any pet-related insect infestation in the pet owner's unit will be the financial responsibility of the pet owner and Clearwater Housing Authority reserves the right to exterminate and charge the resident.

17.11 NUISANCE OR THREAT TO HEALTH OR SAFETY

The pet and its living quarters must be maintained in a manner to prevent odors and any other unsanitary conditions in the owner's unit and surrounding areas.

Repeated substantiated complaints by neighbors or Clearwater Housing Authority personnel regarding pets disturbing the peace of neighbors through noise, odor, animal waste, or other nuisance will result in the owner having to remove the pet or move him/herself.

17.12 DESIGNATION OF PET AREAS

Residents shall keep their pet inside their apartment at all times except as necessary to take the pet out. When outside of their apartment, residents shall keep their pet on a short leash (dog or cat) or in an appropriate container. Cats or dogs will not be permitted to roam unrestrained on the property. Dogs may not be tied or chained outside or in common areas. The pet shall be accompanied by and under control of the resident at all times. Barking will not be tolerated in that it is considered to be a nuisance to other residents. Residents must clean up after their pets in their apartment. Residents must properly dispose of waste. Proper disposal of cat litter (secured and bagged) must be done on a frequent basis. Odors arising from cat litter will not be tolerated. Birds must be properly caged and cage shielded to prevent accumulation and/or damage to floors. Aquariums must not leak and must be cleaned regularly to prevent foul water and/or odors.

Management will designate space to be used exclusively for the purpose of walking pets. Pet owners shall be responsible for immediate clean-up after exercising their dog.

Should an accident occur in any area other than an exercise area, resident shall be responsible for immediate clean-up after the pet.

17.13 VISITING PETS

Visiting pets are strictly prohibited.

17.14 EMERGENCY CARE OF PETS

Pet owners must supply to the Management Office an affidavit of agreement, with the names of at least two people who will be willing to assume IMMEDIATE responsibility for the pet in case of emergency. In case of emergency where Management, despite its best efforts, is unable to reach one of the designated “back-up” persons, pet owner agrees to allow Management to have pet removed by City Animal Control, or other public or quasi-public authority to a veterinarian of Management’s choice. All fees and costs shall be borne by the pet owner.

Statement of Progress
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The mission of the Clearwater Housing Authority (CHA) is to lead in creating housing opportunities to enhance the lives of those we serve. We will:

1. Build communities with innovative programs.
2. Sustain a dignified and desirable environment.
3. Create alliances to nurture self-sufficiency.

The CHA has been directly affected by the changes occurring within the Department of Housing and Urban Development (HUD). The CHA has been aggressive in seeking innovative development opportunities to address the challenges brought about by these changes and to continue to decrease CHA's dependency upon HUD appropriations.

CHA currently has 711 affordable housing units (74%) in its portfolio, in addition to 261 public housing units (26%). Through affordable housing acquisitions, the CHA has expanded the opportunities for affordable housing, increased housing choices and improved the community's quality of life and economic vitality.

The CHA has used the Family Self Sufficiency Coordinator grants, as awarded, to continue self-sufficiency programs. These programs not only improve the quality of life for program participants but also, and more importantly, promote self-sufficiency and asset development of families and individuals within the communities.

A demolition/disposition application was approved by HUD in February, 2004 for Jasmine Courts (284 units). The elimination of a dilapidated public housing property from the public housing stock and the redevelopment of a mixed-income and mixed new community utilizing a traditional neighborhood design will improve the community, reduce density and provide better opportunities for residents. The new community will be called Parkview Village. The CHA will utilize layered mixed financing to help build the rental portion of the new development, the commercial and homeownership portions,

The CHA has progressed in meeting the mission and goals outlined in our five-year plan and has created an organizational culture that focuses on:

- A high level of customer service;
- Quality affordable housing opportunities;
- Role as the most innovative housing authority in the area; and,
- Capitalizing on partnerships within and outside the City of Clearwater.

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Residents were given relocation monies and were offered Section 8 Housing Choice Vouchers or another public housing unit.		
Page 1: [8] Deleted	JacquelineR	10/16/2004 2:50:00 PM
The CHA is in the preliminary planning stages of preparing an application for demolition/disposition for submittal to HUD for Jasmine Courts redevelopment.		
Page 1: [9] Deleted	JacquelineR	10/16/2004 2:50:00 PM
The conceptual plan incorporates an educational component upon which the development will be built		

Resident Member of the Board
Attachment F
Filename: fl075f01.doc

Candidates apply with the City. The Mayor of the City of Clearwater selects the candidates and he or she may confer with the Clearwater Housing Authority Executive Director and Board members, as well as residents. The Mayor then recommends candidates to the City Commission. Once the City Commission approves, the Mayor appoints candidates to the Clearwater Housing Authority Board.

Resident Advisory Board
Attachment G
Filename: f1075g01.doc

The Resident Advisory Board (RAB) for the Clearwater Housing Authority (CHA) is selected in the following manner:

1. Applications are distributed among residents and at on-site agencies.
2. The applications are reviewed by staff.
3. The top candidates are presented to the CHA Board for approval and appointment.
4. The CHA Board approves four members.
5. RAB Terms are for two (2) years, with a limit of three (3) terms.

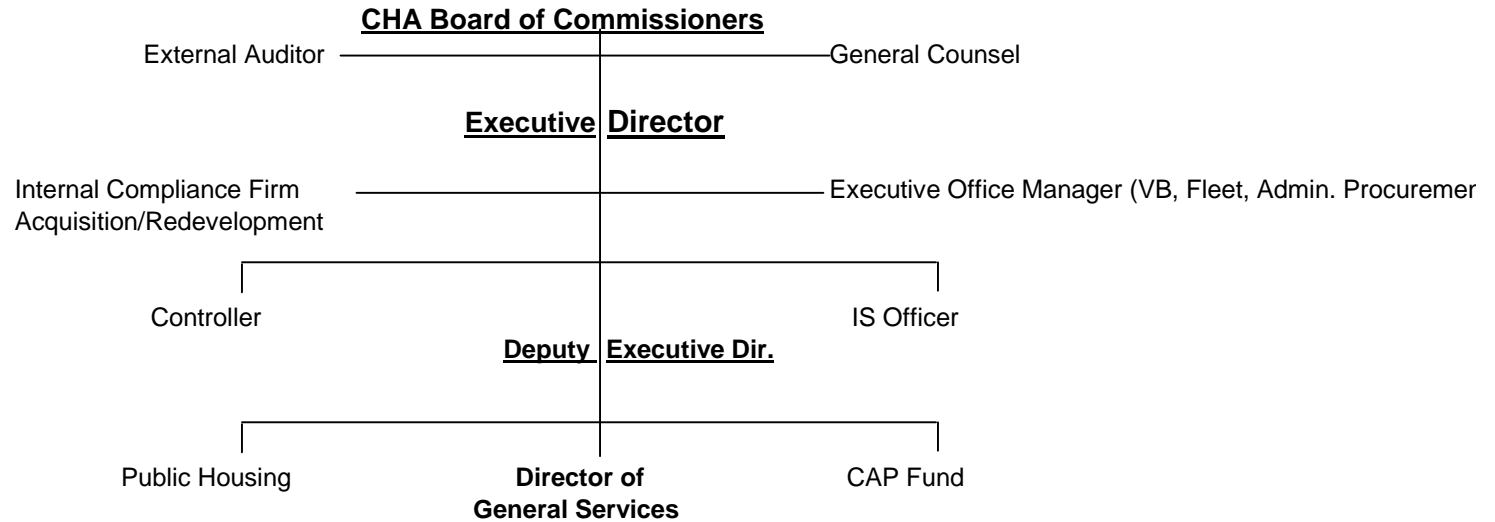
Current Resident Advisory Board members are:

Section 8 – Mr. Lester Mott

Section 8 – Mr. Dennis Lysaught

Section 8 – Ms. Luchenda Fleming

Organizational Chart
Attachment H
 Filename: flo75h01.doc



Description of Senior Staff Functions:

Deputy Executive Dir.

1. Contract Administration
Public Hsng & Affordable Hsng.Mgr
2. Non-Dwelling Leases
3. PH Social Service Agencies
4. PHAS, SEMAP, & Agency Plan,
& Other HUD reporting
5. Insurance incl. Risk Management
6. Written Handbooks/Procedures
7. Capital Fund Program
& Contract Administration
8. Environmental Topics

Controller

1. Accounting
2. Finances
3. Budgets
4. Annual Audit
5. NELCO (HR) Contract Administrator
6. FASS
7. Inventory
8. Rent Collection
9. Admin. of Future FMC

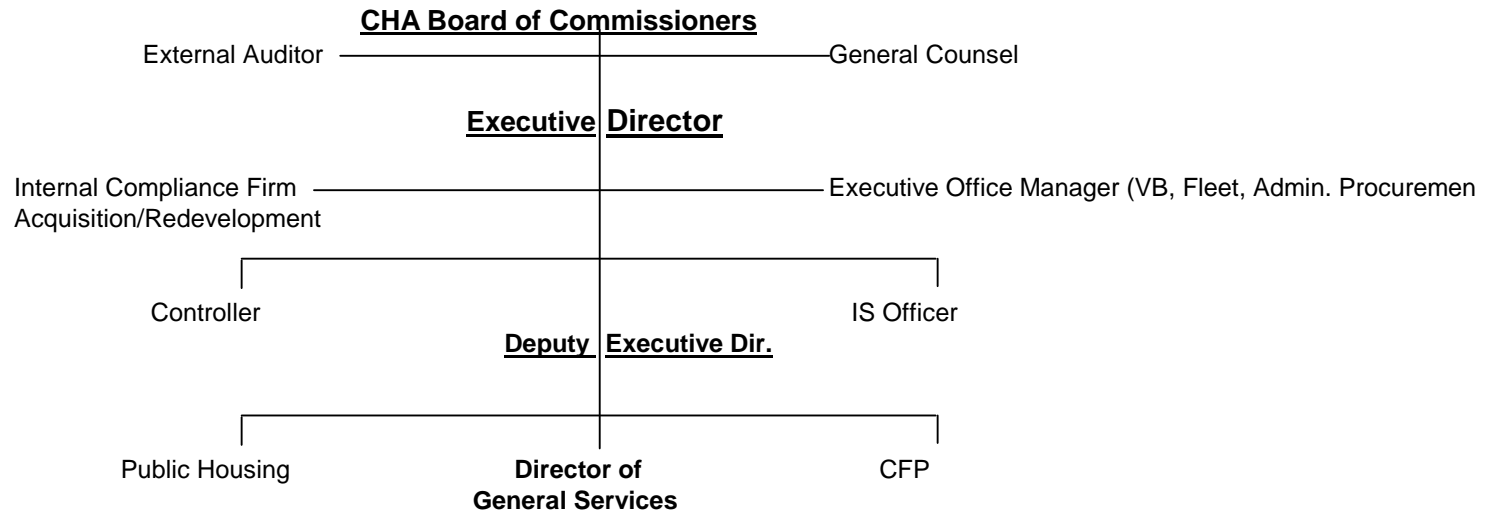
Director of General Services

1. Section 8 Program
 - a. Leasing Department
 - b. Front Desk Administration
 - c. Inspections Contract Administration
2. SPC & FSS Coord. Grants
3. PSS Contract Administrator
4. PIC reporting (PH & S/8)
5. Hearing Officer
6. Clearwater Apts. Contract Administration &
Inspections
7. Staff Assistant

Information Systems Officer

1. MIS Contract Administrator
for PCHA, SPHA & CHA
2. Phone System Mgmt.
3. IS Tech/Support
4. Cell phone Mgmt.
5. IS Equipment Mgmt.

Organizational Chart
Attachment H
 Filename: flo75h01.doc



Description of Senior Staff Functions:

Deputy Executive Dir.

1. Contract Administration
Public Hsng & Aff. Hsng.Mgmt.
2. Non-Dwelling Leases
3. PH Social Service Agencies
4. PHAS, SEMAP, & Agency Plan,
& Other HUD reporting
5. Insurance incl. Risk Management
6. Written Handbooks/Procedures
7. Capital Fund Program
& Contract Administration
8. Environmental Topics
9. Capital Fund Audits
10. Disaster Preparedness
11. Security
12. Mod./Mnt. Technician
13. Executive Staff Assistant

Controller

1. Accounting
2. Finances
3. Budgets
4. Annual Audit
5. NELCO (HR) Contract Administrator
6. FASS
7. Inventory
8. Rent Collection
9. Admin. of Future FMC

Director of General Services

1. Section 8 Program
 - a. Leasing Department
 - b. Front Desk Administration
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2. SPC & FSS Coord. Grants
3. PSS Contract Administrator
4. PIC reporting (PH & S/8)
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6. Clearwater Apts. Contract Administration &
Inspections
7. Staff Assistant

Information Systems Officer

1. MIS Contract Administrator
for PCHA, SPHA & CHA
2. Phone System Mgmt.
3. IS Tech/Support
4. Cell phone Mgmt.
5. IS Equipment Mgmt.

it)

Annual Statement/Performance and Evaluation Report

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

PHA Name: Clearwater Housing Authority	Grant Type and Number Capital Fund Program Grant No: FL14P07550103 Replacement Housing Factor Grant No:	Federal FY of Grant: FY 2003
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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
1	Total non-CFP Funds				
2	1406 Operations	\$170,307.00	\$170,307.00	\$170,307.00	\$170,307.00
3	1408 Management Improvements	\$103,230.00	\$126,766.43	\$126,766.43	\$126,766.43
4	1410 Administration	\$25,000.00	\$37,592.57	\$37,592.57	\$37,592.57
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$0.00	\$42,566.79	\$42,566.79	\$42,566.79
8	1440 Site Acquisition				
9	1450 Site Improvement	\$533,000.00	\$14,789.21	\$14,789.21	\$14,789.21
10	1460 Dwelling Structures	\$0.00	\$419,795.07	\$419,795.07	\$419,795.01
11	1465.1 Dwelling Equipment—Nonexpendable	\$20,000.00	\$39,719.93	\$39,719.93	\$39,719.93
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				
19	1501 Collateralization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	\$851,537.00	\$851,537.00	\$851,537.00	\$851,537.00
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	\$5,000.00	\$3,764.00	\$3,764.00	\$3,764.00
26	Amount of line 21 Related to Energy Conservation Measures	\$263,960.00	\$395,796.00	\$395,796.00	\$395,796.00

Annual Statement/Performance and Evaluation Report

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

PHA Name: Clearwater Housing Authority	Grant Type and Number Capital Fund Program Grant No: FL14P07550203 Replacement Housing Factor Grant No:	Federal FY of Grant: FY 2003
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Original Annual Statement
 Reserve for Disasters/ Emergencies
 Revised Annual Statement (revision no: 10)
 Performance and Evaluation Report for Period Ending:
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements	\$0.00	\$10,829.01	\$10,829.01	\$10,829.01
4	1410 Administration				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement	\$180,448.00	\$145,905.12	\$145,905.12	\$145,905.12
10	1460 Dwelling Structures	\$0.00	\$9,000.00	\$9,000.00	\$9,000.00
11	1465.1 Dwelling Equipment—Nonexpendable	\$0.00	\$14,713.87	\$14,713.87	\$14,713.87
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				
19	1501 Collateralization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	\$180,448.00	\$180,448.00	\$180,448.00	\$180,448.00
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	\$0.00	\$23,713.87	\$23,713.87	\$23,713.87

Annual Statement/Performance and Evaluation Report

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

PHA Name: Clearwater Housing Authority	Grant Type and Number Capital Fund Program Grant No: FL14P07550104 Replacement Housing Factor Grant No:	Federal FY of Grant: FY 2004
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Original Annual Statement
 Reserve for Disasters/ Emergencies
 Revised Annual Statement (revision no: 11)

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

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	\$194,665.00	\$194,665.00	\$194,664.00	\$194,664.00
3	1408 Management Improvements	\$79,000.00	\$79,000.00	\$79,000.00	\$58,632.28
4	1410 Administration	\$71,000.00	\$71,000.00	\$71,000.00	\$71,000.00
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement	\$15,000.00	\$0.00	\$0.00	\$0.00
10	1460 Dwelling Structures	\$500,000.00	\$515,000.00	\$515,000.00	\$329,173.99
11	1465.1 Dwelling Equipment—Nonexpendable	\$20,000.00	\$20,000.00	\$20,000.00	\$13,440.00
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	\$110,000.00	\$110,000.00	\$110,000.00	\$79,950.86
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				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	\$989,665.00	\$989,665.00	\$989,665.00	\$746,861.13
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 III: Implementation Schedule

PHA Name: Clearwater Housing Authority		Grant Type and Number Capital Fund Program No: FL14P07550104 Replacement Housing Factor No:					Federal FY of Grant: 2004
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	
FL-075-1A BARBEE TOWERS							
REPLACE WINDOWS	9/2006			9/2008			
FL-75-002 HOMER VILLAS	9/2006			9/2008			
REPLACE WINDOWS	9/2006			9/2008			
FL-075-003 RALPH RICHARDS	9/2006			9/2008			
REPLACE PANIC DOORS	9/2006			9/2008			
REPLACE GENERATOR	9/2006			9/2008			
PHA WIDE	9/2006			9/2008			
APPLIANCES	9/2006			9/2008			
OPERATIONS	9/2006			9/2008			
INFORMATION SYSTEMS OFFICER	9/2006			9/2008			
MODERNIZATION/MAINT. TECH.	9/2006			9/2008			
CFP ADMINISTRATION CONTRACT	9/2006			9/2008			
VEHICLES	9/2006			9/2008			
TRAINING	9/2006			9/2008			
BROCHURES	9/2006			9/2008			
COMPUTER HARDWARE	9/2006			9/2008			

Annual Statement/Performance and Evaluation Report

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

PHA Name: Clearwater Housing Authority	Grant Type and Number Capital Fund Program Grant No: FL14P07550105 Replacement Housing Factor Grant No:	Federal FY of Grant: FY 2005
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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
1	Total non-CFP Funds				
2	1406 Operations	\$199,808.00		\$199,808.00	\$199,808.00
3	1408 Management Improvements	\$134,000.00		\$134,000.00	\$139,781.12
4	1410 Administration	\$25,000.00		\$25,000.00	\$16,040.74
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$100,000.00		\$64,177.18	\$64,177.18
8	1440 Site Acquisition				
9	1450 Site Improvement	\$75,000.00		\$10,008.00	\$8,458.00
10	1460 Dwelling Structures	\$420,234.00		\$420,234.00	\$418,037.36
11	1465.1 Dwelling Equipment—Nonexpendable	\$20,000.00		\$20,000.00	\$901.75
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	\$25,000.00		\$25,000.00	\$23,335.45
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				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	\$999,042.00		\$898,227.18	\$870,539.60
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: Clearwater Housing Authority		Grant Type and Number Capital Fund Program Grant No: FL14P07550105 Replacement Housing Factor Grant No:				Federal FY of Grant: FY2005		
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	
FL-075-1A BARBEE TOWERS	Engineering Study	1430	1	\$80,000.00		\$64,177.18	\$64,177.18	
	Landscape/Lawncare	1450	1	\$50,000.00		\$7,184.00	\$7,184.00	
	Elevator Upgrades	1460	2	\$125,000.00		\$125,000.00	\$125,000.00	
	AC Upgrade	1460	1	\$15,000.00		\$15,000.00	\$15,849.44	
	HWH Replacement	1460	1	\$10,000.00		\$10,000.00	\$10,000.00	
FL-075-003 RALPH RICHARDS	Landscape/Lawncare	1450	1	\$25,000.00		\$3,824.00	\$3,824.00	
	Replace Vinyl Floor/Wood Base	1460	50	\$130,000.00		\$130,000.00	\$130,000.00	
	Elevator Upgrades	1460	2	\$125,000.00		\$125,000.00	\$115,911.00	
	HWH Replacement	1460	2	\$15,234.00		\$15,234.00	\$15,234.00	
PHA WIDE	Operations	1406		\$199,808.00		\$199,808.00	\$199,808.00	
	Information Systems Officer	1408	1	\$56,160.00		\$56,160.00	\$77,474.65	
	Modernization/Maintenance Technician	1408	1	\$47,840.00		\$47,840.00	\$22,447.63	
	Training	1408		\$10,000.00		\$10,000.00	\$0.00	
	Computers/Hardware	1408		\$20,000.00		\$20,000.00	\$39,858.84	
	CFP Contract Administration	1410		\$25,000.00		\$25,000.00	\$16,040.74	
	Physical Needs Assessment	1430	1	\$10,000.00		\$15,000.00	\$15,232.18	
	Inventory Analysis	1430	1	\$10,000.00		\$0.00	\$0.00	
	Appliances	1465.1		\$20,000.00		\$20,000.00	\$901.75	
	Vehicle	1475.1	1	\$25,000.00		\$25,000.00	\$23,335.45	

Annual Statement/Performance and Evaluation Report

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

PHA Name: Clearwater Housing Authority	Grant Type and Number Capital Fund Program Grant No: FL14P07550106 Replacement Housing Factor Grant No:	Federal FY of Grant: FY 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
1	Total non-CFP Funds				
2	1406 Operations	\$182,330.00		\$182,330.00	\$121,552.22
3	1408 Management Improvements	\$ 68,794.00		\$ 68,794.00	\$68,794.00
4	1410 Administration	\$ 68,308.00		\$ 68,308.00	\$47,086.00
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$ 36,057.00		\$0.00	\$0.00
8	1440 Site Acquisition				
9	1450 Site Improvement	\$ 60,928.00		\$0.00	\$0.00
10	1460 Dwelling Structures	\$450,233.00		\$0.00	\$0.00
11	1465.1 Dwelling Equipment—Nonexpendable	\$ 20,000.00		\$20,000.00	\$151.53
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	\$ 25,000.00		\$25,000.00	\$8,740.00
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				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	\$911,650.00		\$359,432.00	\$246,323.75
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: Clearwater Housing Authority		Grant Type and Number Capital Fund Program Grant No: FL14P07550106 Replacement Housing Factor Grant No:			Federal FY of Grant: FY2006			
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	
PHA WIDE	Operations	1406		\$182,330				
	Information Systems Officer	1408		\$4,796				
	Mod./Mnt. Technician	1408		\$53,998				
	Staff Training	1408		\$10,000				
	Administrative Assistant	1410		\$10,357				
	Deputy Executive Director	1410		\$54,402				
	Executive Director	1410		\$3,549				
	A&E	1430		\$36,057				
	Appliances	1465.1		\$20,000				
	Computer Hardware/Software	1475		\$25,000				
FL075-1A	Security Door System	1460		\$179,000				
Barbee Towers								
FL075-003	Landscape/Lawncare	1450		\$30,000				
Ralph Richards	Seal Coat/Overlay Parking Lot	1450		\$30,928				
	Remove/Replace Shower Pan	1460		\$2,500				
	Remove/Replace Metal Doors	1460		\$2,000				
	HVAC Improvements	1460		\$11,575				
	Plumbing	1460		\$31,082				
	Electrical	1460		\$224,076				

Annual Statement/Performance and Evaluation Report

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

PHA Name: Clearwater Housing Authority	Grant Type and Number Capital Fund Program Grant No: FL14P07550107 Replacement Housing Factor Grant No:	Federal FY of Grant: FY 2007
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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
1	Total non-CFP Funds				
2	1406 Operations	\$177,097.00	\$81,724.00	\$0.00	\$0.00
3	1408 Management Improvements	\$134,000.00	\$57,840.00	\$0.00	\$0.00
4	1410 Administration	\$25,000.00	\$35,862.00	\$0.00	\$0.00
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures	\$346,892.00	\$136,194.00	\$0.00	\$0.00
11	1465.1 Dwelling Equipment—Nonexpendable	\$20,000.00	\$12,000.00	\$0.00	\$0.00
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	\$30,000.00	\$10,000.00	\$0.00	\$0.00
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	\$152,500.00	\$75,000.00	\$75,000.00	\$66,600.00
18	1499 Development Activities				
19	1501 Collateralization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	\$885,489.00	\$408,620.00	\$75,000.00	\$66,600.00
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 I: Summary

PHA Name: Clearwater Housing Authority	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: FL14R07550103	Federal FY of Grant: FY2003
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Original Annual Statement
 Reserve for Disasters/ Emergencies
 Revised Annual Statement (revision no: 8)

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

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements				
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				
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	53,891			
19	1501 Collateralization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	53,891			
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 I: Summary

PHA Name: Clearwater Housing Authority	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: FL14R07550104	Federal FY of Grant: FY2004
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Original Annual Statement
 Reserve for Disasters/ Emergencies
 Revised Annual Statement (revision no: 9)
 Performance and Evaluation Report for Period Ending:
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements				
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				
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	62,412			
19	1501 Collateralization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	62,412			
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 I: Summary

PHA Name: Clearwater Housing Authority	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: FL14R07550105	Federal FY of Grant: FY2005
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Original Annual Statement
 Reserve for Disasters/ Emergencies
 Revised Annual Statement (revision no: 10)
 Performance and Evaluation Report for Period Ending:
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements				
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				
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	51,142			
19	1501 Collateralization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	51,142			
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 I: Summary

PHA Name: Clearwater Housing Authority	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: FL14R07550106	Federal FY of Grant: FY2006
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Original Annual Statement
 Reserve for Disasters/ Emergencies
 Revised Annual Statement (revision no: 10)
 Performance and Evaluation Report for Period Ending:
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements				
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				
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	55,842.00			
19	1501 Collateralization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	55,842.00			
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				

ATTACHMENT J: FILENAME: FL075J01.DOC

DECONCENTRATION POLICY

It is Clearwater Housing Authority's policy to provide for deconcentration of poverty and encourage income mixing. Through self-sufficiency programs and the acquiring of additional properties, we will be able to encourage income mixing within our community.

DECONCENTRATION INCENTIVES

Clearwater 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.